

**Public FERC correspondence & comments received re Docket PF14-22 (Kinder-Morgan / Tennessee Gas Pipeline proposed Northeast Energy Direct (NED) pipeline)**

**VOLUME 4: Comments during August 2015**

The most recent Volume is always at: [http://www.Mason-NH.org/FERC\\_COMMENTS.pdf](http://www.Mason-NH.org/FERC_COMMENTS.pdf)

The current Table of Contents is at: [http://www.Mason-NH.org/FERC\\_Comments\\_TOC.pdf](http://www.Mason-NH.org/FERC_Comments_TOC.pdf)

Transcripts of Scoping Meetings at: [http://www.Mason-NH.org/FERC\\_Scoping\\_Transcripts.pdf](http://www.Mason-NH.org/FERC_Scoping_Transcripts.pdf)

Previous volumes (*links are also provided within the current volume*):

Volume 3 (pages 1,140...1,884, 2.7 MB) June 2015 through July 2015

[http://www.Mason-NH.org/FERC\\_COMMENTS\\_vol\\_3.pdf](http://www.Mason-NH.org/FERC_COMMENTS_vol_3.pdf)

Volume 2 (r2) (pages 580...1,139, 2.1 MB) March 2015 through May 2015

[http://www.Mason-NH.org/FERC\\_COMMENTS\\_vol\\_2.pdf](http://www.Mason-NH.org/FERC_COMMENTS_vol_2.pdf)

Volume 1 (r3) (pages 1...579, 2.2 MB) beginning in September 2014, through February 2015

[http://www.Mason-NH.org/FERC\\_COMMENTS\\_vol\\_1.pdf](http://www.Mason-NH.org/FERC_COMMENTS_vol_1.pdf)

*Editor's note:*

*The comments sent to FERC by citizens, local governments and organizations are meant to provide important information to FERC for use in its review of a proposed project. In this role the information flows essentially in only one direction: to FERC.*

***A less well known function is to encourage the exchange of information between citizens, groups and local governments. In my view this exchange is as important as informing FERC, perhaps more important.***

*Unfortunately, while the comments sent to FERC are made part of the public record and are placed on-line, they can be rather hard to access through FERC's somewhat opaque eLibrary interface. In practice they essentially disappear from the public eye.*

*As a consequence, much of the value of the comments is lost. While some comments are simple "I'm all for it" or "don't allow it" expressions of opinion, many others contain thoughtful discussions of costs and benefits, suggestions for studies which would be important, considerations of alternative solutions, and other valuable contributions to the public discussion. **It is a terrible waste of human effort and knowledge to allow these comments to disappear from the public discussion.***

*The intent of this document was to collect and make easily accessible the comments sent to FERC by citizens, organizations and local governments along with FERC's replies. I wanted to make the comments available as a collection in a small number of PDF files of manageable size - this meant that the comments would have to be in text form rather than as large image scans.*

*Most of the documents were scanned at FERC and then converted into text via OCR (Optical Character Recognition). While modern OCR can do a decent job, there always will be errors. The errors were compounded by the tendency of some FERC clerks to stamp the documents near to, often on top of, the text - which greatly confused the OCR and made it time-consuming to select and copy the remaining legible parts.*

***Hand-written documents are not OCR compatible and could not be converted to text. They are listed in sequence below but without text; where possible a note is made as to author and support or opposition.***

**Maps and similar graphical material are also not included.**

Also excluded are the very large document collections provided by Kinder Morgan in their application. Each update of their proposal includes almost 1,000 MB of files containing thousands of pages. These files are listed in sequence below and can be downloaded from FERC's eLibrary if you want them.

Much of the OCR'd text resulted in lines which did not match the page width of this collection; simply copying these short lines this would have at least tripled the length of this already very long document. Instead, after selecting the text I reformatted the paragraphs so that they would fill out the width. I did not attempt to also recreate indentations or tabular formats.

This project has been complicated by several factors:

I found it surprising that many documents which were fully OCR compatible were never converted, including a number which came from governmental bodies, tribes, or influential NGOs. These were either stored as (large) image scans in the PDF files or simply noted as not being convertible with no clue as to content. Some which had "SENT BY EMAIL" in their header, indicating they had been sent to FERC in digital text form were apparently converted into the much less useful scan image format. Processing at FERC seems somewhat inconsistent. Where possible I have applied my own OCR when only scans are provided.

Finally, there is pilot fatigue and error. Long and late hours provided ample occasion for errors and I'm sure I must have made some. I suspect the most likely would be deletions of parts of paragraphs (the Delete key being all too close to other keys I used). Please report any that you discover to [Garth@Mason-NH.org](mailto:Garth@Mason-NH.org) and I will repair them.

In short, expect some errors. When in doubt you can consult images of the originals in FERC's eLibrary. The bolded numbers, such as "**20140917-4001(29789308).pdf**", are the FERC document file names in which the first numbers, e.g., **20140917-4001**, are the document's "Accession Number" while the numbers in ( ) are the specific file number (there may be several files, for example a scan Image file and also a PDF version, possibly OCR'd, or not...).

You can search FERC's eLibrary at <http://www.ferc.gov/docs-filing/elibrary.asp> where you can use "advanced search" to find all files under a specific Accession Number.

G.Fletcher.

The files are listed in numerical order - which should correspond to date, beginning with the earliest.

Comments received in Sep 2014	(2014 <b>09</b> ...) begin on page	Volume 1: 3
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*{note: poor OCR due to FERC staff or contractor scanning original at low resolution}*

Lester and Nancy Gray Garvin  
P.O. Box 234,  
87 Beldingville Road  
Ashfield, Massachusetts 01330  
23 July 2015

Federal Energy Regulatory Commission  
888 First Street, NE, Room IA  
Washington, D.C. 20426

Re: Project Docket Number PFI4-22-000

Dear Ms. Bose:

I am writing my second letter to you re the proposed Northeast Energy Direct, Tennessee Gas Pipeline project. The route, as proposed by Kinder Morgan, is slated to use the power line right of way which abuts our property. Our house, with our well and septic system, are located on part of this property.

I am including a copy of my first letter which I sent to you in February 2015. I did not have a project docket number at that time. I am writing this second letter to re-emphasize the environmental impacts which would occur should your agency approve this pipeline. However, it is difficult to know the extent of the environmental impacts when Kinder Morgan and the Tennessee Gas Company have not yet defined the exact route of the pipeline. This week they said they might reduce the size of the proposed pipeline and compressor stations, but were reserving the right to increase the size, if the demand increases in the future. Therefore, I am writing this letter based on what we have been told to date. I feel these concerns are valid, no matter what size pipeline is installed in this area or what route is followed.

1. My first concern is noise generated during the installation of the pipeline. The increased health risk caused by excessive noise has been demonstrated by studies related to noise from wind turbines in Falmouth, Mass. and other sites. The Commonwealth of Massachusetts DEP requires "that environmental sound produced on a property and transmitted to the nearest dwellings must not increase the broadband sound level by more than 10 dBA above the pre-existing ambient." When a proposal to install wind turbines in Ashfield was introduced in 2010, a group of concerned abutters hired CaVITIAIlgTocci Associates, Inc. to measure the ambient sound levels in the proposed area. Our property was chosen as one of the study sites. The Town of Ashfield has a bylaw which limits noise between the hours of 11 PM and 7 AM. When Eversource was installing new towers for the high-tension transmission lines near our house this past winter, we were bothered day after day by the noise of their large trucks, bulldozers, drilling equipment, chain saws, etc. We had moved to Ashfield for the peace and tranquility it usually provides.

2. My second concern is the effect of this pipeline on the native species, both plant and animal, which live here. I am especially concerned about the many birds which return each year to nest in our open fields and wooded areas. I am concerned about its effect on the native brook trout which live in the cold water streams, such as the Bear River, adjacent to where the pipeline is proposed to go. The endangered wood turtle is protected by the Massachusetts Endangered Species Act (MESA) and the Natural Heritage and Endangered Species Act of Mass. Fish and Wildlife. The Bear River in the northeast part of Ashfield and the Swift River in the southwest part of Ashfield, prime habitat for the wood turtle, are two Ashfield streams to be impacted by the proposed pipeline. We have seen this turtle as it travels over our property in the spring time. We are prevented from certain activities on our property in the spring by provisions of the

Natural Heritage and Endangered Species Act. This spring a family living near the proposed pipeline route by the Swift River saw a wood turtle lay her eggs at the edge of their driveway. I refer you to the Ph.D. dissertation of Dr. Michael Jones, a postdoctoral research associate at the UMass Cooperative Fish and Wildlife Research Unit, Amherst, who documented the wood turtles in these areas. The wood frog breeds in a nearby

certified vernal pool and is commonly seen in the areas to be impacted by the proposed pipeline. I refer you to Map 7, "Ecological Resources and Biodiversity," for the Town of Ashfield Open Space and Recreation Plan available at the Ashfield Town Hall.

3. My third concern is the possible effect this pipeline will have on the sources of our drinking water. The soils in this area are mostly glacial till. This means we have to drill deep wells to find water. This is a very hilly town. Therefore, the subsurface, through which the pipeline will pass, is mostly bedrock. Fissures in the bedrock control the direction and amount of water available to springs, wells, and adjacent small brooks and other wetlands. The extensive drilling and/or blasting through the bedrock, which will be required, has the potential to impact severely the supply of water to our wells, springs, and area wetlands. The proposed pipeline route is close to many septic systems, including ours. Due to the clay soil it is not easy to find a suitable location for a septic system, a fact which has limited the number of houses which can be built in certain areas of this town. See Map 3, "Soils and Geological Features," of the Town of Ashfield Open Space and Recreation Plan. How are we to dispose of our wastes and get potable drinking water to our homes, if the blasting disturbs our leach fields and disrupts our present or future water supplies? If the pipeline develops leaks, it has the potential to permanently pollute our sources of drinking water.

4. My fourth concern is the required cutting of many acres of trees which cover the proposed pipeline route. These trees shelter plants and animals, and protect the underground water resource areas which supply our springs and wells from which we draw our water. They stabilize the soil and prevent erosion. Some are tapped to provide sap to make maple products. The trees are a means of sequestering carbon to counteract climate change. What will be done with the thousands of logs produced by this cutting? Last year, with a grant from the Mass. Executive Office of Energy and Environmental Affairs (EEA), the Franklin Regional Council of Governments held meetings in many of the towns in Franklin County. The Berkshire Planning Board made similar presentations in Berkshire County. They presented a proposal to make this part of western Massachusetts a national forest, since this area is so heavily wooded. A committee of representatives from each town has recently drafted a document to support a Mohawk Trail Woodlands Partnership Project to be funded in part by the U.S. Forest Service. This document is available on their website at [frog.org](http://frog.org) under Land Planning and Zoning.

5. My fifth concern is the effect of the pipeline on our wetlands, which are recognized as valuable resources and protected by law in Massachusetts. Wetlands are protected by law in Massachusetts because they reduce flooding, remove pollutants, supply water to wells and springs, support unique ecosystems, provide recreation and increase tourism. Each town has a Conservation Commission to see that the Wetland Protection Act is upheld by its citizens. A circuit rider from the Mass. Department of Environmental Protection (DEP) works with local Conservation Commissions to make sure the Act is being enforced in each town. Any work to be done in these resource areas requires filing a Notice of Intent (NOI) or a Determination of Applicability (DOA) with the local Conservation Commission. The Commission must hold a hearing and issue Orders of Conditions to make sure any wetland is not adversely affected by the proposed work. The law requires that any wetland so destroyed must be restored or mitigated. I refer you to Mass. General Law, Chapter 131, section 40, or to the Mass. DEP website under the Executive Office of Energy and Environmental Affairs.

6. My sixth concern is the potential contribution, by the construction of this pipeline, to climate change by the removal of trees and other plants which are sequestering carbon. The EPA recently released a study by Michael C. Veres, Assistant Professor of Climatology at SUNY, Oswego, New York, titled "Climate Change in the United States: Benefits of Global Action." It blames human activities, such as pollution and deforestation, for increased carbon dioxide in the atmosphere, leading to climate change, the "biggest issue of our time." For this report see [epa.gov/cira](http://epa.gov/cira). The construction of this pipeline, with the resulting deforestation and potential pollution, will contribute greatly to increased carbon dioxide in the atmosphere. U.S. government agencies, such as the EPA and FERC, must lead the fight to increase forestation and decrease pollution, rather than allowing and/or encouraging activities which add more carbon dioxide to the atmosphere.

7. Many of the properties through which the pipeline is proposed to go, including mine, are protected by a conservation restriction (CR), agricultural protection restriction (APR), or as State Forest, etc. under the Mass. Executive Office of Energy and Environmental Affairs (EEA). The following quotes are taken from their website at [mass.gov/eea](http://mass.gov/eea). “The Executive Office of Energy and Environmental Affairs’ (EEA) legislated mission is to preserve, protect and enhance the natural resources of the Commonwealth, the economic activities dependent on those resources (agriculture, forest products and important segments of the tourist industry), and the quality of life in the Commonwealth. The right of our citizens to the quality of life that clean water and undeveloped open space can provide is mandated by Article 97 of the state constitution.” “Land protected by Article 97 requires a 2/3 vote of the Legislature before it can be disposed of. EEA has a “no net loss” policy with regards to the disposition of Article 97 protected open space.”

8. Another concern is the effect of installing this pipeline on the fields used by local farmers to grow crops. How much of the field will no longer be usable? Much of the non-wooded areas in Ashfield are prime farmland. See Map 4, “Agricultural Soils,” of the Town of Ashfield Open Space and Recreation Plan. Farmers are using these fields to pasture animals or to grow hay to feed their own cows.

9. Ashfield was first settled in the 1740s and many of the original properties are still intact. The pipeline is proposed to go near the site of the first saw mill and second grist mill, of which the foundations can be seen next to the Bear River. Many houses along the proposed pipeline route are historic structures, some built in the late 1700s. I refer you to the Mass. Historical Commission Inventory done for Ashfield in the 1980s and to recent updates at the Ashfield Historical Society. Further east along the proposed pipeline route, in the area once occupied by glacial Lake Hitchcock, there are many Native American archeological sites, which should not be disturbed by building this pipeline.

10. It has been publicized many times that the pipeline is passing through existing utility rights of way, as if this makes it more acceptable. What is not mentioned and possibly not understood is that many of these utility rights of way are on private land, and granted by the land owners for above ground transmission of intelligence and electricity. Each of these rights of way would have to be renegotiated by Kinder Morgan.

We, the concerned citizens of the Town of Ashfield, ask you to carefully consider the devastating permanent impacts this pipeline will have on our rural and historic environment, which those of us who live here have chosen to enjoy.

Sincerely yours,

Nancy Gray Garvin

Retired High School Biology Teacher; Semifinalist, Massachusetts Teacher of the Year, 1993; Paul Harris Fellow, 1993; Who’s Who Among American Teachers, 1994 and 1998; Volunteer researcher for the Ashfield Historical Society

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Lester and Nancy Gray Garvin  
P.O. Box 234,  
87 Beldingville Road  
Ashfield, Massachusetts 01330

26 February 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, D.C. 20426

Re: Project Docket number PF14-22-000

Dear Ms. Bose:

I am writing to share with you our family’s concerns about the proposed Northeast Energy Direct, Tennessee

Gas Pipeline project. The route, as proposed by Kinder Morgan, is slated to use the power line right of way which abuts our property, with our house, our well, and our septic system.

During the 58 years of our marriage, we have lived in five different states and many different communities, both urban and rural. We have lived near military bases, in the flight path of cargo planes, beside noisy highways with high volumes of traffic day and night. We chose to retire to this Town of Ashfield, where I was born and where my family has lived and farmed since 1765. The reasons we came here were many, but the most important reason is for the peace and tranquility it offers, where we can live in harmony with the many indigenous species of wildlife, farm our land, and enjoy vicariously the activities of the other farmers around us.

We have denied Kinder Morgan access to our property, as have most of the other land owners in this town and other towns through which the pipeline is proposed to go. One of our former neighbors did permit access, because they were concerned and hoped to negotiate to keep the pipeline away from their 100 acres of sugar bush, by which they and many generations before them produce maple syrup for public consumption.

Therefore, the only way this pipeline can pass through these towns in western Massachusetts is by the taking of property by eminent domain. To do this, the U.S. Government must prove that the taking of this property is for public use, and therefore it is for the safety, health, interest, or convenience of the public. Are not we, the citizens of the towns in western Massachusetts, whose lifestyle and well-being will be affected by the building of this pipeline, part of the public? Should not our health, safety, interest, and/or convenience be protected by our Government? Please explain to us, in writing, how this taking of our land for a pipeline outweighs the following historic facts, in terms of our public safety, health, interest, or convenience.

1. Massachusetts is a unique state in that there are many historic areas dating from 1620, when the Pilgrims arrived in Plymouth, and 1630, when the Puritans arrived in Salem. Both groups came to escape freedom from government oppression. We have recently seen a copy of a map of eastern Massachusetts done by a ship's cartographer in 1633. This Town of Ashfield is a proprietor town given in 1735, by the government of the Massachusetts Bay Colony, as payment for their "hardships and sufferings" to the soldiers who went to Canada from Weymouth with Captain Ephraim Hunt in 1690 during King Williams War, or to their heirs and assigns. This town was originally named Huntstown in his honor. Descendants of Ephraim Hunt still live here, as do descendants of some of the other Proprietors. The first division of lots, on which the earliest settlers built their homes and farmed the land, was in the northeast part of town, the area through which the pipeline is proposed to go. Many of these lots exist as they were in 1739, and have never been subdivided. The houses on them date back to the 1700s. We, the present owners of these properties, are the assigns of the original proprietors. The property on which my grandfather, a Proprietor and first Town Treasurer, settled in 1765 is one of the properties through which the pipeline is proposed to go. My grandfather purchased it from one of Huntstown's first settlers. As an example, I am enclosing the history of this property with this letter.

2. It is possible for officials in companies, such as Kinder Morgan, and for government officials in their urban environments, to assume that those of us who live in rural areas and farm the land are not well educated, and thus our chosen way of life is easy to ignore. However, many of the citizens of this town have college degrees, including doctorates, from well-known colleges. Among our local citizens have been people such as Mary Lyon, G. Stanley Hall, Milo Belding, George William Curtis, Charles Eliot Norton, John and Eliza Field, and Ambassador William C. Bullitt.

3. Even though the proposed route of the pipeline is along the power line right of way, due to the placement of the poles holding the high tension wires, the pipeline will have to go through adjacent property, which is privately owned. This will require removing a large number of tall trees, which presently provide Wildlife habitat, carbon sequestration, soil stabilization, and privacy screening. How is the removal of these trees in the public interest of the citizens of these towns?

4. Since this is a very rural area, all the homes in the proposed pipeline area depend on septic systems for

waste disposal and on springs or wells for their water supply. The soils in this area are mostly glacial till, which makes it difficult to find 111i area which will pass a perc test to satisfy the requirements of Title s. This is a very hilly town. Therefore, the subsurface, through which the pipeline will pass, is mostly bedrock. Fissures in the bedrock control the direction IIIId amount of water available to springs and wells, and mIIITy-adjacent small brooks and other wetlands. The proposed pipeline route is close to mIIITy-septic systems, including ours, and the extensive drilling IIIId/or blasting through the bedrock, which will be required, has the potential to impact severely the supply of water to our wells, springs, and area wetlands. How are we to dispose of our wastes and get potable drinking water to our homes, if the blasting disturbs our leach fields and disrupts our present water supply? How does this promote the public health IIIId safety of the citizens of this area?

5. Since early December the power complITly has been replacing their outdated metal towers and raising the height of the high tension wires in their right of way abutting our property. For several days, while they were drilling holes into the bedrock for the new, taller poles, our house was vibrating and the coffee was shaking in our cups. What is going to happen to our buildings and their foundations as a result of drilling or blasting through this extensive bedrock by Kinder Morgan to run the pipeline? How is this in our public interest?

6. While doing this work, the power comPIIIly often has at least ten trucks on site, all with their motors nmning continually. They back up frequently and those of us in this neighborhood hear the constllTt beep-beep as they do so. This adds to the constant noise being generated and to air pollution. This has been going on since the first week in December IIIIdthey are still not finished. As I am writing this, I am listening to the whine of multiple chain saws as they clear more land to put up new poles. How is this constant noise in the best interest of the health IIIId safety of the people who live in this area?

7. The power comPIIIly trucks include large crane trucks brought to this site over our narrow country roads and bridges, some of which are posted for smaller vehicles only. Who pays the Town for damage to its roads and bridges by the constant use of these large vehicles, such as will be required by Kinder Morgan to bring in equipment to build the pipeline? How is the increased cost of repairing these roads and replacing these bridges in the best interest of the citizens of these towns?

8. The Town of Ashfield has a noise bylaw, requiring abatement of noise between 11 PM and 7 AM. The state has 111i ambient noise level, as well. If a compressor station is placed in 11iytown in Massachusetts, as proposed, how will these noise ordiMnces be addressed? We will also be subjected to light pollution 24 hours a day. We chose to live in a rural area to avoid noise and light pollution. How are light IIIIdnoise pollution, as well as release of fumes and potential for fires, in the interest of the health of those citizens in the area of a compressor station?

9. The proposed pipeline has already made it impossible for some of my neighbors to sell their properties. Over a year ago, one of my neighbors, 111i elderly widow, had found 111i interested buyer for her historic home and organic farm. However, as soon as he heard about the proposed pipeline route, he was no longer interested in her property. It is still on the market, as are all the other properties which were for sale when this route was first proposed. If the pipeline is approved, we will be forced to put our extensive farm property on the market. Will Kinder Morgan or Tennessee Gas provide enough tax money to the Town to reimburse the citizens for the inevitable reduction in the tax base IIIIdincrease in property taxes? How is the inability to sell properties in the public interest of the citizens of these towns?

10. Many of us have placed Conservation Restrictions or Agricultural Preservation Restrictions on our property with the Franklin Land Trust. This is not because we were interested in tax incentives or reimbursement for the restrictions, but because we sincerely believed in and wished to preserve the open space value of our rural landscape "in perpetuity." There are 148 known conservation tracts, for a total of 27,837 acres of protected open space in Massachusetts, through which the pipeline is proposed to go. These restrictions are paid for with local and state tax dollars. They are protected by Article 97 of the Commonwealth of Massachusetts General Laws. Unless they are removed by a 213 vote of both bodies of the Legislature, these restrictions prevent building of a pipeline through these properties. How can the U.S. Government ignore the will of the

people to protect and maintain this open space for the benefit of future generations? We have agreed to protect the horticultural and woodland values and to maintain the "natural wildlife habitat" of these protected properties by not allowing "any activity detrimental to soil conservation, or to good agricultural or forestry management." The whole concept of open space protection is in jeopardy, if this proposed pipeline is allowed to go through these properties, How is ignoring or overriding these restrictions in the public interest of the citizens of Massachusetts?

11. Many of these properties are protected under the Natural Heritage Endangered Species Act. The species protected on our property is the endangered wood turtle. We have seen several breeding females here, so know they are present. The pipeline is also slated to go through the Swift River watershed in the western part of town, one of the most important breeding areas in New England for this endangered wood turtle. We are required by law not to disturb this area during their mating season. Will Kinder Morgan stop building the pipeline in these watershed areas during the spring mating season?

12. The soil in our neighborhood through which the pipeline is proposed to go is shown on the Town open space plan as the most productive soil in this town. Most of it is farmland, used to grow hay, corn, pasture cows, or for market gardens. How will the pipeline affect the ability of the land owners to work the soil on their properties for growing crops, as has been done for many generations? Will the proposed right of way of 50 feet or more on each side of the pipeline route be able to be used by farm machinery? If not, how is this in the best interest of the owners of this prime farmland?

13. The pipeline is proposed to pass through many protected wetlands in this Town, including Ford Pond, the site of an early and historic saw mill. The mill building is there still, one of only two historic mill buildings still in existence in this town. Our pristine streams, slated to be crossed by the pipeline, support many aquatic species, including brook trout. Why are the citizens of Massachusetts required by law to uphold the requirements of the Massachusetts Wetlands Protection Act and the Massachusetts Rivers Act, if these acts do not also apply to companies such as Kinder Morgan? Among the purposes for these acts is the protection of public and private water supplies. The pipeline with its potential for leaks, as documented for similar pipelines, could seriously disrupt or contaminate the underground streams which supply our springs and wells. How is ignoring or overriding these acts in the best interest of the citizens of the Commonwealth of Massachusetts?

14. Some of the farm and forest properties through which this pipeline is proposed to go are under the protection of Chapter 61 of the Massachusetts General Laws. These laws reduce the assessed value of the land to its potential for growing crops or timber, rather than as potential building lots. Section 8 of Chapter 61 outlines the procedure for reconversion of Chapter 61 land to residential, industrial, or commercial use. By law any notice of intent to sell or convert to other use must be sent to the Town Select Board and Board of Assessors by certified mail. The Town has 120 days to exercise a first-refusal option, to purchase this land, or to assign their option to a non-profit conservation organization. How is the public interest of the citizens of Ashfield served by removing portions of our property from Chapter 61? What if the Town exercises its right to assign our properties to a non-profit conservation organization, rather than to have it taken by eminent domain?

I strongly urge FERC to consider the recent Access Northeast proposal by National Grid, Northeast Utilities, and Spectra to expand their existing pipeline to provide more natural gas to Massachusetts, rather than unnecessarily building a new, much more expensive pipeline, as proposed by Kinder Morgan, through many historic and environmentally sensitive areas, on which many people depend for their livelihood.

I look forward to hearing from you, in detail, your justification of how the Northeast Direct Project is in the public safety, health, interest, and convenience of the citizens of the Town of

Ashfield.

Sincerely yours,

Nancy Gray Garvin

20150803-0013

*{14 pages}*

skip to end of 20150803-0013

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Room 1A  
Washington, DC 20426

July 28, 2015

Dear Secretary Bose,

Several days ago I was having a conversation with one of my neighbors who owns a commercial cattle farm in Temple, New Hampshire. This gentleman received a letter from Kinder Morgan in early June of this year letting him know that his cattle fields are within a half mile of the proposed NED compressor station slated for New Ipswich, NH.

He had immediate, and understandable, concerns regarding the impact this project will have upon the health of his cattle, and hence the health of the adults and children who consume his grass-fed, well-watered cattle. He wanted to understand about the health risks associated with living near compressor stations. To that end he reached out to the NH Department of Environmental Services for any information they may be able to provide on the subject.

A Supervisor for the Health and Risk Assessment Section of the NH Department of Environmental Services sent my neighbor the enclosed twenty three page report produced by the Southwest Pennsylvania Environmental Health Project. This report is titled "Summary on Compressor Stations and Health Impacts", dated February 24, 2015.

This report details the tremendous negative impact Compressor Stations have had in communities located in Pennsylvania, New York, and Texas. If the Compressor Station is built in New Ipswich, it is easy to see the impact the Compressor Station will have upon our health, the health of our livestock, the health of our environment, and the health of the wildlife that depend upon that environment here in New Hampshire.

I urge you to read this enclosed study and to come out in opposition to the Tennessee Gas Pipeline NED project. It is bad for New Ipswich, bad for Temple and bad for New Hampshire.

Sincerely, Your Constituent,

Chris Bradler  
269 East Road  
Temple, NH 03084

*{editors note: the original FERC document 20150803-0013(30786177).pdf contained only the odd-numbered pages of the above-mentioned report. The original report, which is available at <http://www.environmentalhealthproject.org/wp-content/uploads/2012/03/Compressor-station-emissions-and-health-impacts-02.24.2015.pdf>, was downloaded and substituted for the defective FERC scan}*

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**SWPA-EHP**

SOUTHWEST PENNSYLVANIA ENVIRONMENTAL HEALTH PROJECT

[www.environmentalhealthproject.org](http://www.environmentalhealthproject.org)

Summary on Compressor Stations and Health Impacts

February 24, 2015

**Compressor station emissions**



CO	2 methyl pentane
iso-Butane	3 methyl pentane
methyl mercaptan	ethyl benzene
n-Butane	benzene
n-hexane	ethane
n-octane	propane
nitrogen dioxide	methanol
nitrous-acidstyrene	naphthelene

The Texas Commission on Environmental Quality (TCEQ), as part of its Barnett Shale Formation Area Monitoring Projects found the following chemicals downwind from two monitored compressor stations<sup>6</sup>:

- Downwind of Devon Energy Company LP's Justin compressor station the TCEQ reports propane, isobutene, n-butane, ethane, cyclohexane, benzene, n-octane, toluene, m+p-xylene, n-hexane.
- Downwind of Targa North Texas LP's Bryan Compressor Station the TCEQ reports: ethane, propane, isobutene, n-butane, cyclohexane, n-octane, toluene, isopentane, n-pentane + isoprene, benzene.<sup>7</sup>

Officials in DISH, TX commissioned a study of compressor station emissions in its vicinity. Wolf Eagle Consultants performed whole air emissions sampling for VOCs, HAPs as well as Tentatively Identified Compounds (TICs). Chemicals identified as exceeding Texas's ESLs include: 8

benzene  
dimethyl disulfide  
methyl ethyl disulphide  
ethyl-methylethyl disulfide  
trimethyl benzene  
diethyl benzene  
methyl-methylethyl benzene  
tetramethyl benzene  
naphthalene 1,2,4-trimethyl benzene  
m&p xylenes  
carbonyl sulfide  
carbon disulfide  
methyl pyridine  
dimethyl pyridine

In 2011 and 2013, Earthworks, a non-profit organization, collected air samples within 0.33 miles of two compressor stations: Springhill compressor in Fayette County and the Cumberland/Henderson compressor station in Greene County, Pennsylvania.<sup>9</sup> Results from samples collected include:

1,1,2-Trichloro-1,2,2-trifluoroethane,  
1,2-dichlorobenzene  
2-butanone  
benzene  
carbon tetrachloride  
chloromethane  
dichlorodifluoromethane  
ethylbenzene  
methane  
methylene chloride  
tetrachloroethylene  
toluene  
trichloroethylene  
trichlorofluoromethane

Anecdotally, we know that people living near compressor stations report episodic strong odors as well as visible plumes during venting or blowdowns. Residents often report symptoms that they associate with odors such as burning eyes and throat, skin irritation, and headaches. These are simply anecdotes but they are fairly consistently reported. It should be noted that residents in southwest Pennsylvania where these anecdotes were collected, often live near drill pads and in some instances processing plants along with compressor stations.<sup>10</sup>

### Emissions pathways

In addition to the emissions produced during the normal operations of a compressor station there are several other ways that emissions might be dispersed from the site. These include fugitive releases, blowdowns, and accidents. Trucks play a significant role in the emissions profile during construction but are not common once the facility is complete and on line.

### ***Fugitive emissions***

Fugitive emissions are uncontrolled or under-controlled releases. They occur from equipment leaks and evaporative sources. It has been suggested that fugitive emissions will increase over time as machinery begins to wear.<sup>11</sup>

There does not appear to be a central publically available source of information of these emissions. There are, however, many opportunities for fugitive emissions to be released from a compressor station. We were able to locate only one study on natural gas compressor station fugitive emissions. In that study, conducted in the Fort Worth, TX area, researchers evaluated compressor station emissions from eight sites, focusing in part on fugitive emissions. A total of 2,126 fugitive emission points were identified in the four month field study of 8 compressor stations: 192 of the emission points were valves; 644 were connectors (including flanges, threaded unions, tees, plugs, caps and open-ended lines where the plug or cap was missing); and 1,290 were classified as Other Equipment. The Other category consists of all remaining components such as tank thief hatches, pneumatic valve controllers, instrumentation, regulators, gauges, and vents. 1,330 emission points were detected with an IR camera (i.e. high level emissions) and 796 emission points were detected by Method 21 screening (i.e. low level emissions). Pneumatic Valve Controllers were the most frequent emission sources encountered at well pads and compressor stations.<sup>12</sup>

### ***Blowdowns***

The largest single emission at a compressor station is the compressor blowdown.<sup>13</sup> They can be scheduled or accidental. As the natural gas rushes through the blowdown valve, a gas plume extends upward of 30 to 60 meters. The most forceful rush of air occurs at the very beginning, then the flow gradually slows down. The first 30 to 60 minutes of the blowdown are the most intense, but the entire blowdown may last up to three hours.<sup>14</sup> One blowdown vents 15 MCF gas to atmosphere on average. Isolation valves leak about 1.4 Mcf/hr on average through open blowdown vents.<sup>15</sup>

It is not possible to know what exactly would be emitted in a given natural gas compressor station blowdown as there is no data available. We know that it will include whatever is in the pipeline when the blowdown occurs. This would undoubtedly include the constituents of natural gas: methane, ethane, etc., and various additional constituents would be present during different episodes. We are especially concerned about the presence of radioactive material during a blowdown. Anecdotally, there are reports of odors and burning eyes, headaches and coughing associated with the events.<sup>16</sup>

An exposure to blowdown concentrations of contaminants would have different health implications than a long-term lower level exposure (i.e. yearly average) to the same contaminants when the compressor is on line.

### ***Accidents***

In addition to planned emissions, fugitive emissions and blowdowns there is also the possibility of accidents at the compressor station. There are no central national or state inventories of compressor station acci-

dents that we were able to locate. In their absence we turned to local news accounts of individual accidents (which are generally in the form of fires). Without knowing what precisely is in the pipeline nor what else (if anything) may be housed on the site, it is not possible to estimate emissions from a fire at the compressor station. The possibility, however, is very real. A gas compressor station exploded near Godley, TX. That fire destroyed the compressor station where it started and also the one next to it. The fire burned for several hours.<sup>17</sup> In a compressor station fire in Madison County, TX volunteer firefighters from four towns were dispatched to the site. First responders blocked roads near the site and evacuated three homes.<sup>18</sup> In Corpus Christi, TX a fire broke out at a compressor station which then spread to nearby brush before being extinguished.<sup>19</sup>

The possibility of fire or other accidents raises the concern over whether the localities surrounding a compressor station have the resources available to contain a fire or explosion adequately and whether first responders and hospitals are able to care for injured workers or others nearby or whether an evacuation plan could be implemented. In Wheeler County, TX four contractors were performing maintenance activities near a compressor station when a flash fire occurred. The workers were brought to a nearby hospital. Two were treated and released; the other two were transferred to a burn unit in Lubbock.<sup>20</sup> In Carbon County, UT an explosion and fire damaged a natural gas compressor station and other buildings on the site injuring two workers and engulfing the facility in flame. Firefighters from every city in the county responded to the emergency. Injured workers had to be evacuated by medical helicopters.<sup>21</sup>

Overall, there is little information on the division of responsibility between the company operating the facility and the locality. This should be clarified.

#### The question of radioactivity

A 2008 publication of the International Association of Oil & Gas Producers has laid out the discussion on radioactive material in the natural gas extraction and production process.

During the production process, naturally occurring radioactive material (NORM) flows with the oil, gas and water mixture and accumulates in scale, sludge and scrapings. It can also form a thin film on the interior surfaces of gas processing equipment and vessels. The level of NORM accumulation can vary substantially from one facility to another depending on geological formation, operational and other factors.

[R]adionuclides such as Lead-210 and Polonium-210 can ... be found in pipelines scrapings as well as sludge accumulating in tank bottoms, gas/oil separators, dehydration vessels, liquid natural gas (LNG) storage tanks and in waste pits as well as in crude oil pipeline scrapings.<sup>22</sup>

The gas which flows through the pipeline likely carries gaseous radon with it, and as radon decays within the pipeline, the solid daughter elements, polonium and lead, accumulate along the interior of the pipes. There is a concern that the gas transiting, and being compressed and regulated, will have radioactivity levels which will put at risk not only the workers at these stations and along the pipeline, but potentially also to the residents.<sup>23</sup> Radon, a gas, has a short half-life (3.8 days) but its progeny are lead and polonium, and these are toxic and have relatively long half-lives of 22.6 years and 138 days respectively.<sup>24</sup> There is no data that we can turn to in order to assess the risk of radioactive exposures in our community.

#### **Health risks from relevant air contaminants**

##### Averages, peaks and health events

As stated previously, one of our primary concerns is the poor fit of a tons per year measurement to the assessment of risk to the public's health near a compressor station. Furthermore, the National Ambient Air Quality Standards (NAAQS) used as a benchmark for air quality were not created to assess the air quality and safety in a small geographic area with fluctuating emissions. NAAQS effectively address regional air quality concerns. But these standards do not adequately assess risk to human health for residents living in close proximity to polluting sources such as unconventional natural gas development (UNGD) sites, where emissions can be highly variable.

Generally, it has been shown that:

1. Current protocols used for assessing compliance with ambient air standards do not adequately determine the intensity, frequency or durations of the actual human exposures to the mixtures of toxic materials released regularly at UNGD sites, including compressor stations.
2. The typically used periodic 24-hour average measures can underestimate actual exposures by an order of magnitude.
3. Reference standards are set in a form that inaccurately determines health risk because they do not fully consider the potential synergistic combinations of toxic air emissions.<sup>25</sup>

Thus estimates of yearly totals of contaminants released by a compressor station do not allow for an assessment of the physiological impact of those emissions on individuals.

NAAQS reflects what, over a region, over time, is deemed safe population-wide. This is very different than what is safe within for instance 1200 feet of this compressor station. As already stated, averaging over a year can wash out important higher spikes in emissions (thus exposures) that may occur at various points throughout the year. These high spikes can put residents at risk for illnesses caused by air toxics.

#### Toxicity and characterization of exposures

Toxicity of a chemical to the human body is determined by the concentration of the agent at the receptor where it acts. This concentration is determined by the intensity and duration of the exposure. All other physiological sequelae follow from the interaction between agent and receptor. Once a receptor is activated, a health event might be produced immediately or in as little as one to two hours.<sup>26 27</sup> In some instances, where there is a high concentration of an agent, a single significant exposure can cause injury or illness. This is the case in the instance of an air contaminant induced asthma event. On the other hand, after an initial exposure, future exposures might compound the impact of the first one, in time, producing a health effect. Repeated exposures will increase, for instance, the risk for ischemic heart disease.<sup>28</sup>

#### Peak exposures

Researchers have demonstrated the wisdom of looking at peak exposures as compared to averages over longer periods of time. Darrow et al (2011) write that sometimes peak exposures better capture relevant biological processes. This is the case for health effects that are triggered by, short-term, high doses. They write, “Temporal metrics that reflect peak pollution levels (e.g., 1-hour maximum) may be the most biologically relevant if the health effect is triggered by a high, short-term dose rather than a steady dose throughout the day. Peak concentrations ... are frequently associated with episodic, local emission events, resulting in spatially heterogeneous concentrations....”<sup>29</sup>

Delfino et al (2002) posited that maxima of hourly data, not 24-hour averages, better captured the risks to asthmatic children, stating, “it is expected that biologic responses may intensify with high peak excursions that overwhelm lung defense mechanisms.”

Additionally, they suggest that “[o]ne-hour peaks may be more influenced by local point sources near the monitoring station that are not representative of regional exposures....”<sup>30</sup>

Because episodic high exposures are not typically documented and analyzed by researchers and public agencies, natural gas compressor stations emissions are rarely correlated with health effects in nearby residents. However, examination of published air emission measurements shows the very real potential for harm from industry emissions.<sup>31</sup> Reports of acute onset of respiratory, neurologic, dermal, vascular, abdominal, and gastrointestinal sequelae near natural gas facilities contrast with research that suggests there is limited risk posed by unconventional natural gas development.

#### Health Effects from exposures to VOCs

VOCs, present at compressor station construction and operation, are a varied group of compounds which can range from having no known health effects to being highly toxic. Short-term exposure can cause eye

and respiratory tract irritation, headaches, dizziness, visual disorders, fatigue, loss of coordination, allergic skin reaction, nausea, and memory impairment. Long-term effects include loss of coordination and damage to the liver, kidney, and central nervous system. Some VOCs, such as benzene, formaldehyde, and styrene, are known or suspected carcinogens.<sup>32</sup> The case for elevated risk of cancer from UNGD VOC exposure has been made by McKenzie et al (2012) and others.<sup>33</sup>

The inhalation of the VOC, benzene, produces a number of risks including

[acute (short-term)] drowsiness, dizziness, headaches, as well as eye, skin, and respiratory tract irritation, and, at high levels, unconsciousness. Chronic (long-term) inhalation exposure has caused various disorders in the blood, including reduced numbers of red blood cells and aplastic anemia, in occupational settings. Reproductive effects have been reported for women exposed by inhalation to high levels, and adverse effects on the developing fetus have been observed in animal tests. Increased incidence of leukemia (cancer of the tissues that form white blood cells) have been observed in humans occupationally exposed to benzene. EPA has classified benzene as known human carcinogen for all routes of exposure.<sup>34</sup>

Benzene, which is documented at compressor stations by the States of Pennsylvania and Texas, carries its own risk, including risk for cancer.<sup>35</sup> <sup>36</sup> There is growing evidence that benzene is associated with childhood leukemia. Benzene affects the blood-forming system at low levels of occupational exposures, and there is no evidence of a threshold. It has been argued in the literature that “[t]here is probably no safe level of exposure to benzene, and all exposures constitute some risk in a linear, if not supralinear, and additive fashion.<sup>37</sup>

Another substance that is detected near compressor stations is methylene chloride.

According to the EPA:

The acute (short-term) effects of methylene chloride inhalation in humans consist mainly of nervous system effects including decreased visual, auditory, and motor functions, but these effects are reversible once exposure ceases. The effects of chronic (long-term) exposure to methylene chloride suggest that the central nervous system (CNS) is a potential target in humans and animals. Human data are inconclusive regarding methylene chloride and cancer. Animal studies have shown increases in liver and lung cancer and benign mammary gland tumors following the inhalation of methylene chloride.<sup>38</sup>

The VOC formaldehyde is also considered a Hazardous Air Pollutant (HAP) by the US EPA (EPA).<sup>39</sup> It is one of the emissions chemicals that the natural gas development industry is required to report, for instance to the PA DEP. According to these reports, compressor stations are the highest UNGD source for formaldehyde.<sup>40</sup> For the year 2012, emissions of formaldehyde from compressor stations in Pennsylvania ranged from 0.0 TPY to 22.5 TPY. <sup>41</sup>

A recent study of air emissions in the Barnett shale region of Texas found concentrations of formaldehyde at sites with large compressor stations.<sup>42</sup> Some of these concentrations were greater than the Texas Commission on Environmental Quality’s health protective levels (page 62). Formaldehyde was one of 101 chemicals found in association with methane in this study. The research showed that aromatics in particular were associated with compressor stations.

Air exposures to formaldehyde target the lungs and mucous membranes and in the short-term can cause asthma-like symptoms, coughing, wheezing, and shortness of breath. The EPA classifies it as a probable human carcinogen.<sup>43</sup> The World Health Organization classifies it as carcinogenic to humans.<sup>44</sup> It has also been associated with childhood asthma.<sup>45</sup> The California Office of Environmental Health Hazard assessment (OEHHA) has “identified formaldehyde as a Toxic Air Contaminant and gives it an inhalation Reference Exposure Level (REL) of 55 ug/m<sup>3</sup> for acute exposures and 9 ug/m<sup>3</sup> for both 8-hour and chronic exposures.<sup>46</sup> The acute REL is 74 ppb based on irritation of asthmatics.<sup>47</sup> It has also been linked with adverse pregnancy outcomes and reproductive and developmental toxicity.<sup>48</sup>

More recent investigations on formaldehyde near compressor stations are focused on the chemical reaction

between methane and sunlight.<sup>49</sup> While it is well known that stationary compressor station engines emit formaldehyde, it is less well known that formaldehyde may also be formed at these sites through this chemical reaction. While the research is ongoing, it suggests that health hazards associated with formaldehyde may be greater than previously thought. Because reported health symptoms near compressor stations, such as respiratory impacts and shortness of breath, can be caused by exposure to formaldehyde, targeted monitoring of this chemical at these sites would be recommended.

#### Effects from exposure to particulate matter

In addition to the VOC exposure presented above, PM<sub>2.5</sub> also poses a significant health concern and interacts with the airborne VOCs increasing their impact. In fact, at a compressor station PM<sub>2.5</sub> may pose the greatest threat to the health of nearby residents. Fine particles are expected to reach a total of 1.136 tons for 2015 and 2016.

The size of particles determines the depth of inhalation into the lung; the smaller the particles are, the more readily they reach the deep lung. Particulate matter (PM<sub>10</sub>, PM<sub>2.5</sub> and ultrafine PM), in conjunction with other emissions, are at the core of concern over potential effects of UNGD.

High particulate concentrations are of grave concern because they absorb airborne chemicals in their midst. The more water soluble the chemical, the more likely it is to be absorbed onto a particle. Larger sized particles are trapped in the nose and moist upper respiratory tract thereby blocking or minimizing their absorption into the blood stream. The smaller PM<sub>2.5</sub> however, is more readily brought into the deep lung with airborne chemicals and from there into the blood stream. As the particulates reach the deep lung alveoli the chemicals on their surface are released at higher concentrations than they would in the absence of particles. The combination of particles and chemicals serves, in effect, to increase in the dose of the chemical. The consequences are much greater than additivity would indicate; and the physiological response is intensified. Once in the body, the actions between particles and chemicals are synergistic, enhancing or altering the effects of chemicals in sometimes known and often unknown ways.<sup>50</sup>

Reported clinical actions resulting from PM<sub>2.5</sub> inhalation affect both the respiratory and cardiovascular systems. Inhalation of PM<sub>2.5</sub> can cause decreased lung function, aggravate asthma symptoms, cause nonfatal heart attacks and high blood pressure.<sup>51</sup> Research reviewing health effects from highway traffic, which, like UNGD, has especially high particulates, concludes, “[s]hort-term exposure to fine particulate pollution exacerbates existing pulmonary and cardiovascular disease and long-term repeated exposures increases the risk of cardiovascular disease and death.”<sup>52</sup> PM<sub>2.5</sub>, it has been suggested, “appears to be a risk factor for cardiovascular disease via mechanisms that likely include pulmonary and systemic inflammation, accelerated atherosclerosis and altered cardiac autonomic function. Uptake of particles or particle constituents in the blood can affect the autonomic control of the heart and circulatory system.”<sup>53</sup>

Ultrafine particles (<0.1) get less attention in the literature than PM<sub>2.5</sub> but is found to have high toxic potency.<sup>54</sup> These particles readily deposit in the airways and centriacinar region of the lung.<sup>55</sup> Research suggests increases in ultrafine particles pose additional risk to asthmatic patients.<sup>56</sup> Ultrafine particles are generally produced by combustion processes. They, along with the larger PM<sub>2.5</sub>, are found in diesel exhaust.

Diesel is prevalent during the construction phase of compressor station site. High levels of diesel exhaust from construction machinery as well as trucks increase the level of respirable particles. Health consequences of diesel exposure have been widely studied and include immediate and long term health effects. Diesel emissions can irritate the eyes, nose, throat and lungs, and can cause coughs, headaches, lightheadedness and nausea. Short-term exposure to diesel exhaust also causes inflammation in the lungs, which may aggravate chronic respiratory symptoms and increase the frequency or intensity of asthma attacks. Long-term exposure can cause increased risk of lung cancer.<sup>57</sup>

#### PM<sub>2.5</sub> acute effects

There is an abundance of research on the health effects of short term PM<sub>2.5</sub> exposure. Mills et al demonstrate that one to two hours of a diesel exhaust exposure, which occurs during the construction phase of

development, includes reduced brachial artery diameter and exacerbation of exercise-induced ST-segment depression in people with pre-existing coronary artery disease; ischemic and thrombotic effects in men with coronary heart disease;<sup>58</sup> and is associated with acute endothelial response and vasoconstriction of a conductance artery.<sup>59</sup> Fan He et al. suggest that health effects can occur within 6 hours of elevated PM<sub>2.5</sub> exposures, the strongest effects occurring between 3 and 6 hours. Such an acute effect of PM<sub>2.5</sub> may contribute to acute increase in the risk of cardiac disease, or trigger the onset of acute cardiac events, such as arrhythmia and sudden cardiac death.<sup>60</sup>

Numerous epidemiological studies have demonstrated a consistent link between particulate matter and increased cardiopulmonary morbidity and mortality (Brook et al. 2004; Mann et al. 2002; Pope et al. 2002; Samet et al. 2009; Schwartz 1999).<sup>61</sup> Previous studies have suggested that PM<sub>2.5</sub> exposure is significantly associated with increased heart rate and decreased heart rate variability (HRV; Gold et al., 2000; He et al. 2010; Liao et al. 1999; Luttmann-Gibson et al. 2006; Magari et al. 2001; Park et al. 2005).

In addition to short term exposures and associated effects, there is evidence of health impacts from long-term exposures.<sup>62</sup> An HIA reviewing data from a number of European cities found that nearly 17,000 premature deaths from all causes, including cardiopulmonary deaths and lung-cancer deaths, could be prevented annually if long-term exposure to PM<sub>2.5</sub> levels were reduced. Equivalently, this reduction would increase life expectancy at age 30 by a range between one month and more than two years in the study cities. A Canadian national cohort study found positive and statistically significant associations between non-accidental mortality and estimates of PM<sub>2.5</sub>, the strongest association being with ischemic heart disease. Associations in this study were with concentrations of PM<sub>2.5</sub> as low as only a few micrograms per cubic meter.<sup>63</sup> Research has also shown that there is an association between PM<sub>2.5</sub> and hospitalization for COPD in elderly people.<sup>64</sup>

There is also a considerable literature on the health effects specifically from diesel emission that include PM<sub>2.5</sub> along with chemical components. Mills et al conclude that even dilute diesel emissions can induce risk and point to ischemic and thrombotic mechanisms for the adverse cardiovascular events associated with diesel exposure.<sup>65</sup>

After an extensive review the EPA concluded that

long-term inhalation exposure is likely to pose a lung cancer risk to humans. Estimation of cancer potency from available epidemiology studies was not attempted.... A noncancer chronic human health hazard is inferred from rodent studies showing dose-dependent inflammation and histopathology in rats. Short-term exposures were noted to cause irritation and inflammatory symptoms of a transient nature these being highly variable across an exposed population. The assessment also indicates that there is emerging evidence from the exacerbation of existing allergies and asthma symptoms.<sup>66</sup>

#### Children, pregnant women and air contaminants

Children and pregnant women are especially sensitive to pollution. Many studies confirm a range of adverse effects of air pollution on children's lung function and respiratory symptoms, especially for asthmatics. Recent studies have found statistically significant associations between the prevalence of childhood asthma or wheezing and living very close to high volume vehicle roadways.<sup>67</sup> Other research aimed specifically at children's PM<sub>2.5</sub> exposure has found that PM<sub>2.5</sub> and several of its components have important effects on hospital admissions for respiratory disease, especially pneumonia. The authors count among the sources for this exposure diesel exhaust, motor vehicle emissions, and fuel combustion processes.<sup>68</sup>

Health effects have been found in pregnant women from high particulate highway pollution. Such particle pollution "may provoke oxidative stress and inflammation, cause endocrine disruption, and impair oxygen transport across the placenta, all of which can potentially lead to or may be implicated in some low birth weight ... and preterm births." The consequences do not stop with low birth weight and preterm births because these conditions can negatively affect health throughout childhood and into adulthood.<sup>69</sup>

### Mixtures and sequential exposures

Mixtures of pollutants are a critically important topic in addressing the public health implications of UNGD broadly and compressor stations in this case. While this report has focused primarily on three pollutants (VOCs, formaldehyde as one example, and PM<sub>2.5</sub>), in fact, a very large number of chemicals are released together. Medical reference values are not able to take the complex nature of the shale environment, its multiple emissions and interactions into full consideration.<sup>70</sup> Although the shale gas industry is not unique in emitting multiple pollutants simultaneously, this industry is unique in doing so as close as 500 feet from residences.

Chemicals that reach the body interfere with metabolism and the uptake and release of other chemicals, be they vitally important biochemical produced and needed by the body or other environmental chemicals with potentially toxic effects. Some chemicals attack the same or similar target sites creating an additive effect. This is the case with chemicals of similar structure such as many in the class of VOCs. Some mixtures like PM and VOC act synergistically to increase the toxicity of the chemicals. Other chemicals released environmentally are rapidly absorbed and slowly excreted. These slowly excreted chemicals will interfere with subsequent actions of chemicals because the body has not yet cleared the effects from the earlier exposure.

### Noise

Excessive noise has been associated with an array of psychological and physical effects.

A review article on noise exposure and health risk published in *Noise and Health* claims that the evidence for a causal relationship between community or transportation noise and cardiovascular risk has risen in recent years. In sum, the author finds limited evidence for a causal relationship between noise and biochemical effects; limited or sufficient evidence for hypertension; and sufficient evidence for ischemic heart disease.<sup>71</sup>

According to a World Health Organization assessment of research, excessive noise can also increase risk of cognitive impairment in children, sleep disturbance, tinnitus, and high levels of annoyance.<sup>72</sup> Researchers have found associations between elevated sound levels – including community sounds levels – and hearing loss, reduced performance and aggressive behavior.<sup>73</sup> Additionally some attention is being paid to the health effects of vibration exposure which is connected with but distinct from noise itself.<sup>74</sup>

Noise exposures are associated with construction activities and during blowdown episodes. As with air exposures, the periods of extreme exposures (in this case noise exposures) can cause different and sometimes more serious effects than low-level exposures.

### Summary

In sum, we know that a number of different chemicals as well as PM<sub>2.5</sub> are present during the construction phase of compressor stations and they are present in close proximity to compressor stations that are on line. Some, although not all, have documented health effects on vulnerable populations and on the population at large. What we do not know is the precise mix and concentration of chemicals that will be released into the air. Without that information it is not possible to assess the compressor station's full impact on area residents.

### **Reported health effects specific to compressor stations**

There is a growing body of research on emissions and health impacts from UNGD generally, though few studies specifically address health impacts from compressor stations. This is partly due to the fact that many compressors are sited in proximity to other UNGD sites such as well pads, impoundments, condensate tanks and processing stations. As the infrastructure for transporting natural gas continues to expand, more pipelines, metering stations and compressor stations will be sited away from other UNGD facilities.

Recent research that has been conducted near compressor stations in different parts of the country shows consistencies in the types of symptoms experienced by those living near these sites. These symptoms are associated with health impacts on respiratory, neurological and cardiovascular body systems. It should be noted that in each of the studies cited here health survey forms were filled out by residents and, as such, the

findings are self-reported. To date there have been no epidemiological studies performed to identify health impacts from compressor stations.

A peer-reviewed article, *Investigating Links Between Shale Gas Development And Health Impacts Through A Community Survey Project In Pennsylvania* (2014) is one of the few publications that explicitly addresses health impacts from compressors.<sup>75</sup> The report states:

In the Pennsylvania study, distance to industrial sites correlated with the prevalence of health symptoms. For example, when a gas well, compressor station, and/or impoundment pit were 1500-4000 feet away, 27 percent of participants reported throat irritation; this increased to 63 percent at 501-1500 feet and to 74 percent at less than 500 feet. At the farther distance, 37 percent reported sinus problems; this increased to 53 percent at the middle distance and 70 percent at the shortest distance. Severe headaches were reported by 30 percent of respondents at the farther distance, but by about 60 percent at the middle and short distances. <sup>76</sup> P.62

Age groups also responded differently in terms of health symptoms:

Among the youngest respondents (1.5-16 years of age), for example, those within 1500 feet experienced higher rates of throat irritation (57% vs. 69%) and severe headaches (52% vs. 69%). It is also notable that the youngest group had the highest occurrence of frequent nosebleeds (perhaps reflective of the more sensitive mucosal membranes in the young), as well as experiencing conditions not typically associated with children, such as severe headaches, joint and lumbar pain, and forgetfulness.

Among 20- to 40-year-olds, those living within 1500 feet of a facility reported higher rates of nearly all symptoms; for example, 44 percent complained of frequent nosebleeds, compared to 29 percent of the entire age group. The same pattern existed among 41- to 55-year-olds with regard to several symptoms (e.g., throat and nasal irritation and increased fatigue), although with smaller differences and greater variability than in the other age groups.

The subset of participants in the oldest group (56- to 79-year-olds) living within 1500 feet of facilities had much higher rates of several symptoms, including throat irritation (67% vs. 47%), sinus problems (72% vs. 56%), eye burning (83% vs. 56%), shortness of breath (78% vs. 64%), and skin rashes (50% vs. 33%).

In sum, while these data do not prove that living closer to oil and gas facilities causes health problems, they do suggest a strong association since symptoms are more prevalent in those living closer to facilities than those living further away. Symptoms such as headaches, nausea, and pounding of the heart are known to be the first indications of excessive exposure to air pollutants such as VOCs [36], while the higher level of nosebleeds in the youngest age group is also consistent with patterns identified in health survey projects in other states [9, 10].” P.64

Earthworks, a non-profit organization, conducted the Pennsylvania study referred to above, (*Gas Patch Roulette 2012*) in which they surveyed residents about health symptoms and conducted air and water tests near residences in Pennsylvania and New York<sup>77</sup>. In their report, specific mention is given of a residence 800 feet from a compressor station. Health symptoms experienced by the residents (parents and children) were extreme tiredness, severe headaches, runny noses, sore throats and muscle aches, as well as dizziness and vomiting by one individual.

Earthworks also conducted a health survey in Dish, Texas in 2009.<sup>78</sup> The health symptoms reported to be associated with compressors were: burning eyes, nausea, headaches, running nose, sore throat, asthma, sinus problems and bronchitis. Odors experienced by residents near compressor stations were described as: sulfur smell, odorized natural gas, burnt wire, strong chemical-like smell and ether.

Wilma Subra<sup>79</sup>, an environmental chemist and consultant who is on the Earthworks Board of Directors, has compiled information on health symptoms experienced near compressor stations based on her research with communities concerned about health impacts from UNGD<sup>80</sup>. Subra has served as Vice-Chair of the Environmental Protection Agency National Advisory Council for Environmental Policy and Technology

(NACEPT), and recently completed a five year term on the National Advisory Committee of the U.S. Representative to the Commission for Environmental Cooperation and a six year term on the EPA National Environmental Justice Advisory Council (NEJAC) where she served as a member of the Cumulative Risk and Impacts Working Group of the NEJAC Council. While her research on health impacts associated with compressor stations is reported back to communities, most of the data shown here have not been published in peer-reviewed journals (she is an author on the above-mentioned peer-reviewed article on Pennsylvania data).

Subra has reported the following health impacts in association with compressor stations:

**Table 2. Most Prevalent Medical Conditions In Individuals Living in Close Proximity to Compressor Stations and Metering Stations**

<u>Medical Conditions:</u>	<u>% of Individuals (71)</u>
Respiratory Impacts	58
Throat Irritation	55
Weakness and Fatigue	55
Nasal Irritation	55
Muscle Aches & Pains	52
Vision Impairment	48
Sleep Disturbances	45
Sinus Problems	42
Allergies	42
Eye Irritation	42
Joint Pain	39
Breathing Difficulties	39
Severe Headaches	39
Swollen & Painful Joints	32
Frequent irritation	32

The full list of health impacts “Reported by Community Members Living 50 feet to 2 miles from Compressor Stations and Gas Metering Stations Along Gas Transmission Pipelines” is available at the Luzerne County Citizens for Clean Air website<sup>81</sup>. It is notable that Subra reports that 61% of health impacts are associated with the chemicals present in the air that were in excess of short and long term effects screening levels.

Subra further reports that the following units at compressor stations and gas metering stations release emissions into the air:

- |                          |                           |
|--------------------------|---------------------------|
| Compressor Engines       | Compressor Blowdowns      |
| Condensate Tanks         | Amine Units               |
| Storage Tanks            | Separators                |
| Truck Loading Racks      | Fugitive Emission Sources |
| Glycol Dehydration Units |                           |

She reports that 90% of individuals surveyed reported experiencing odor events from these facilities. Based on her analysis, the following health symptoms are associated with the chemicals detected in the air at compressor stations:

- |                      |                             |
|----------------------|-----------------------------|
| Allergies            | Difficulty in Concentrating |
| Persistent Cough     | Nervous System Impacts      |
| Shortness of Breath  | Forgetfulness               |
| Frequent Nose Bleeds | Sores and Ulcers in Mouth   |
| Sleep Disturbances   | Thyroid Problems            |
| Joint Pain           |                             |

Subra reports that both the construction and production phases of compressor stations can cause acute and chronic impacts. In the construction phase impacts come from diesel truck emissions and from dust par-

ticles. In the production phase impacts are derived from constant emissions, venting, blowdowns, accidents/malfun-  
 ctions and from the effects of noise, light and stress. She considers respiratory health impacts of par-  
 ticular concern, and vulnerable groups such as pregnant women, children, the elderly and sensitive individu-  
 als to be at greatest risk. Acute and chronic health impacts that Subra has documented are listed below.

### **Acute Health Impacts Experienced by Individuals Living and Working near Compressor Stations**

Tense and nervous	Irritates skin, eyes, nose, throat and
Joint and muscle aches and pains	lungs
Vision Impairment	Respiratory impacts
Personality changes	Sinus problems
Depression, Anxiety	Allergic reactions
Irritability	Headaches
Confusion	Dizziness, Light headedness
Drowsiness	Nausea, Vomiting
Weakness	Skin rashes
Irregular Heartbeat	Fatigue
	Weakness

### Radioactive elements: a long-term health threat

The possibility of exposure to radiation from natural gas pipelines and compressor stations is also a concern, especially for long-term health effects. The New York public health group, Concerned Health Profession-  
 als of New York, describes the problem in their report, Compendium Of Scientific, Medical, And Media  
 Findings Demonstrating Risks And Harms Of Fracking (Unconventional Gas And Oil Extraction) (July 10,  
 2014):

“Unsafe levels of radon and its decay products in natural gas produced from the Marcellus Shale, known  
 to have particularly high radon content, may also contaminate pipelines and compressor stations, as well as  
 pose risks to end-users when allowed to travel into homes.”(P.5). Health impacts from exposure to radioac-  
 tive materials in compressor station emissions have not been documented, but the risk of exposure to these  
 carcinogens are a serious public health concern.

- 
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*{end of 20150803-0013}*

July 27, 2015

Governor Maggie Hassan  
Office of the Governor  
State House  
107 North Main Street  
Concord, NH 03301

Governor Charlie Baker  
Massachusetts State House  
Office of the Governor  
Room 280  
Boston, MA 0218

Loretta E. Lynch  
Attorney General of the United  
States  
Office of the Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, D.C., 20530-0001

RE: FERC Docket DG 14-380.

Dear Governor Hassan, Governor Charlie Baker and Attorney General Loretta E. Lynch:

I take this moment to jointly bring to your immediate attention the enclosed information titled "NATURAL GAS PIPELINE SAFETY SETBACK" in relation to the proposed Tennessee Gas/Kinder Morgan NED natural gas pipeline through New Hampshire and Massachusetts. I have enclosed two copies of the information for each of you.

1. A clean copy without markup is enclosed to support the integrity of the information as found on the noted internet location. I only added the website link<sup>1</sup> to the top of the first page and transferred the content into a WORD document to present it to you.
2. A marked up copy is enclosed to quickly bring focus to the innate hazards of large diameter high pressure natural gas pipelines. My markups are more directed to Governor Hassan since I live in NH, but the concerns for Massachusetts are very much the same.

The enclosed explains the conditions experienced in multiple pipeline accidents, many applicable to 30 inch diameter pipelines such as that now proposed for the NED route. They are quite telling of the inadequacies inherent to large diameter high pressure natural gas pipelines.

I bring the following three excerpts to your attention. Others are equally, if not more alarming.

#### **Excerpt 1**

SAN BRUNO, CALIFORNIA:

On September 9, 2010 at 6:11PM a 30 inch diameter buried natural gas pipeline operating at a pressure of 400 psia ruptured and burned in a single family estate home residential area in San Bruno, California. San Bruno is a southern suburb of San Francisco, about 2 miles from the San Francisco airport. The homes near the rupture location each had lot sizes in excess of one acre. San Bruno had the benefit of probably the best available municipal fire fighting capacity in North America.

There was a modest delayed ignition explosion followed by a large natural gas fire that persisted for more than two hours. Secondary fires continued for more than eight further hours. The fire scene attended by 67 fire trucks, 4 fixed wing aerial water bombers and 1 fire fighting helicopter.

#### **Excerpt 2**

When a large diameter high pressure natural gas pipeline operating at its rated working pressure develops a crack or hole more than four pipe wall thicknesses in axial length the result is a sudden full cross section pipe rupture. The escaping high pressure gas blows away the soil overburden, forming a crater. Sometime after the pipe rupture there is a large delayed ignition explosion followed by a steady state fire. This fire emits so much thermal radiation that it is impossible to approach or extinguish the fire with conventional firefighting equipment.

#### **Excerpt 3**

It typically takes the pipeline company one to two hours to close valves that isolate the ruptured section of a gas pipe.

I ask, “Where is the responsibility and accountability of pipeline companies to respond to offer safety and protection to us and our environments? “ I urge you to take notice of the enclosed information and consider how New Hampshire and Massachusetts will worsen as a result of the pipeline. Communities and neighborhoods are being broken. People are willing to walk away from their mortgages to escape to protect their families and loved ones from harm. People are no longer accepting of toxins and atomic bomb-like explosions intruding upon them.

I seek your support to push for an immediate moratorium on the pursuit of this pipeline. A rush to acceptance is inherent in the Tennessee Gas/Kinder Morgan plan. Time is of the essence to them to move forward and get this done before the resistance effort can spread the word of the dangers and costs. Tennessee Gas shows no interest in divulging these negative effects. I believe their mission is to head straight to the bank to deposit their profits.

Will New Hampshire and Massachusetts fall for this pipeline scheme? If we do, will you gather a fleet of multiple fixed wing aerial water bombers, fire fighting helicopters, and additional traditional firefighting equipment as we will need them.

The safety record shows that another pipeline mistake will occur and cause another disaster event somewhere. Will that somewhere be New Hampshire or Massachusetts?

Respectfully,

Evelyn Taylor  
213 Old Wilton Road  
New Ipswich, NH 03071

Cc: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission

J. William Degnan, State Fire Marshall, Division of Fire Safety, NH Department of Safety

1 <http://xylenepower.com/Natural%20Gas%20Pipeline%20Safety%20Setback.htm>

*{editor’s note: as indicated, two copies of the report were included: one original and one heavily annotated with hand written notes and underlining; both were of poor OCR quality and incomplete (missing pages). The original article was located at <http://xylenepower.com/Natural%20Gas%20Pipeline%20Safety%20Setback.htm> and inserted below. Please see original file “20150803-0014(30789051).pdf” in the FERC PF14-22 Docket for the hand written annotations}*

XYLENE POWER LTD.

NATURAL GAS PIPELINE SAFETY SETBACK

CALCULATION OF SAFETY SETBACKS FROM LARGE DIAMETER HIGH PRESSURE NATURAL GAS PIPELINES

By C. Rhodes, P. Eng., Ph.D.

## **INTRODUCTION:**

An essential element of any electric power system is reliable load following generation that can be used to match the total electricity generation to the total electricity load. From a global warming perspective the ideal load following generator is a hydroelectric dam containing a large amount of storage. However, since about 1970 the Ontario government and other governments have failed to face both the political and practical issues involved in construction of major new hydroelectric dams and their associated electricity transmission lines.

Since about 2005 the Ontario Power Authority (OPA) has chosen to use natural gas fueled combustion turbines for supplying load following generation. In order to minimize electricity transmission line right-of-way requirements the OPA chose to locate the natural gas fueled power plants close to urban areas. However, the OPA failed to adequately consider the public safety issues related to the large diameter high pressure natural gas pipelines that these combustion turbine power plants require. For public safety these pipelines

should be installed in dedicated energy transmission corridors. The minimum width of these corridors is twice the minimum setback distance between the pipeline axis and the public. At present in Ontario, for natural gas pipes up to 20 inches in diameter, this minimum setback distance is municipally regulated. This web page focuses on determination of reasonable minimum setback distances, which distances are functions of both the pipeline diameter and the pipeline operating pressure.

### **DEDICATED ENERGY TRANSMISSION CORRIDORS:**

Natural gas transmission pipelines in Canada have a relatively good safety record. There have been various explosive rupture failures with accompanying major fires, but the incidence of these failures and the related loss of life has been relatively small because most natural gas transmission lines are located in rural areas and are buried in dedicated energy transmission corridors. The use of dedicated energy transmission corridors located in rural areas reduces the incidence of both accidental impact damage and long term corrosion damage and provides distance separation between the pipeline and the public.

A major error in the Ontario Power Authority's planning has been allowing routing of large diameter high pressure natural gas pipelines under public road allowances where these pipelines are subject to a high ongoing risk of damage by third parties engaged in drainage maintenance, installation or replacement of utility poles, installation and maintenance of other buried services and road construction. Furthermore, burial of large diameter high pressure natural gas pipelines beneath public road allowances eliminates much of the distance separation that is normally achieved by pipeline burial within dedicated energy transmission corridors that run through rural areas.

### **COST CONSTRAINTS:**

To minimize capital cost natural gas is transported in steel pipes.

Major high pressure natural gas pipelines are generally designed for a maximum working pressure that causes an operating pipe hoop stress of about 30% of the pipes Specified Minimum Yield Stress (SMYS). A further margin of safety can be introduced by reducing the working pressure. However, practical material cost considerations usually prevent a major reduction in working pressure.

There are pipeline sections that operate at 67% of SMYS. However, such pipeline sections provide little safety margin against local earth movement (earth quakes) or local weld or corrosion problems. Pipelines routed through urban areas should be restricted to a maximum allowable operating pressure that causes a hoop stress of 33% of SMYS.

### **CORROSION PROTECTION:**

1. To prevent external corrosion steel pipes conveying natural gas pipe are coated with a layer of electrically insulating material known as dielectric. The pipe steel is electrically or galvanically biased slightly negative with respect to the surrounding ground water. This bias is usually maintained by use of sacrificial magnesium electrodes or by use of DC power supplies that are electrically bonded to the steel pipe.
2. The negative bias attracts positive hydrogen ions in ground water toward any pipe steel that is exposed by imperfections in the pipe's external dielectric coating. The corresponding negative hydroxyl ions flow toward the sacrificial positive electrode.
3. The hydroxyl ions cause corrosion of the sacrificial electrode.
4. As long as corrosion is confined to the sacrificial electrode, corrosion of the pipe steel is prevented.
5. Eventually the sacrificial electrode will corrode away or worse, it may be accidentally disconnected or may be stolen for its scrap metal value. Under these circumstances the galvanic corrosion protection mechanism is defeated and corrosion will occur anywhere that pipe steel is exposed to ground water, such as at a coating scratch that might have been inadvertently caused by a backhoe, trenching machine or utility pole auger used for work on a nearby unrelated service.
6. A relatively new threat to buried steel pipelines is electrical ground current that results from nearby

grounded electrical equipment such as wind turbine transformers. Such ground current can aggravate otherwise minor corrosion problems. In extreme cases of soil over bed rock the region of accelerated pipe corrosion can extend as far as 1 km from the wind generator transformer. This issue must be considered when a wind farm and a buried steel pipeline are in close proximity.

### **SAFETY:**

Usually large diameter high pressure natural gas pipes are buried. The functions of the soil cover are to protect the pipe and its dielectric coating from damage due to UV radiation, external impact, thermal stress and frost heaving.

There are real risks related to long term corrosion and to damage from mechanical equipment such as trenching machines, back hoes, utility pole augers and boom trucks. In the winter, when snow is piled high or during flood conditions the operators of such equipment frequently scratch or damage other buried services, in spite of their best efforts to avoid such damage.

The risks of being scratched or damaged by mechanical equipment are greatly reduced if the large diameter high pressure natural gas pipeline is buried in a dedicated energy transmission corridor. Then almost all the risks due to installation and maintenance of utility poles, buried electrical services, drainage culverts, fresh water pipes, storm sewer pipes, sanitary sewer pipes, low pressure natural gas pipes, district heating pipes, district cooling pipes, subways, telephone multipair cables, TV coaxial cables and fiber optic cables are eliminated. Frequently a natural gas transmission corridor is located adjacent to or within a high voltage electricity transmission corridor.

Another means of improving public safety is to ensure that buildings that routinely contain large numbers of people are not constructed within a specified setback distance from the axis of a large diameter high pressure natural gas pipeline. Similarly a setback distance should be maintained between the pipeline axis and outdoor locations where large groups of people routinely assemble.

A responsible organization that focuses on pipeline safety matters is the Pipeline Safety Trust. Its website is [pstrust.org](http://pstrust.org). Its telephone number is 360-543-5686.

### **RISKS:**

The main risks to a large diameter high pressure natural gas pipeline are:

1. Improper engineering, fabrication or commissioning, including but not limited to inadequate:

- a) Provision for hoop stress
- b) Provision for thermal stress
- c) Provision for shear stress related to ground movement
- d) Provision for pipe buoyancy
- e) Mill testing of pipe steel
- f) Weld inspection
- g) Route choice (high and dry preferred to low and wet)
- h) Burial depth
- i) Pipe bedding and support
- j) Corrosion protection
- k) Hydraulic pressure testing
- l) Drainage after hydraulic pressure testing
- m) Nitrogen pressure testing
- n) Documentation of magnesium electrode locations
- o) Documentation of DC corrosion protection
- p) Provision for insertion of pigs for automatic scanning of pipe wall thickness

2. Physical damage from external human activity. eg. The gas line is directly damaged by a trenching machine, backhoe, utility pole auger or boom truck leg.

3. Physical damage due to non-human activity. eg Earthquake, sinkhole, landslide or flood.
4. Minor outside surface damage in combination with loss of galvanic corrosion protection. eg Plastic coating is scratched by a trenching machine, backhoe or utility pole auger and the scratch is not promptly repaired. The magnesium electrode then rapidly corrodes away. Alternatively a magnesium electrode may be accidentally disconnected by a backhoe or utility pole auger or may be stolen for its scrap metal value.
5. Failure of the pipeline owner to periodically check that all the magnesium electrodes are still present and connected.
6. Failure of the pipeline owner to periodically fully check the actual pipe wall thickness using a pig type electronic inspection apparatus that scans the pipe wall from the inside and measures and records the pipe wall thickness as a function of linear and angular position.

Risks #2, #4 and #5 above are greatly magnified if the pipeline is installed in a road allowance instead of in a dedicated energy transmission corridor.

Risk #6 occurs if there are pipe joints, pipe elbows, pipe fittings, valves or compressor stations that are not designed to allow insertion and axial travel of the pig type electronic equipment for measuring the pipe wall thickness as a function of linear and angular position.

Risk #6 is greatly magnified if the pipeline maintenance personnel do not have adequate time to examine the pig data and the resources to follow up risks identified via the pig data. It is essential that the pipeline owner employ sufficient staff whose first priority is pig data acquisition, analysis and followup.

#### **RUPTURE FAILURE MECHANISM:**

If one makes a small hole with a diameter less than twice the pipe wall thickness in a high pressure natural gas pipeline the immediate result is a loud hissing noise as natural gas leaks out. The leaking high pressure natural gas will blow away soil in its path. The natural gas will mix with surrounding air and form a cloud with concentrated natural gas at its center and dilute natural gas at its edges. If the edge of this cloud with a natural gas concentration in the range 5% to 15% encounters a source of ignition such as a spark made by an electrical switch, there will be a delayed ignition explosion followed by a localized ongoing fire. However, the size of this fire will be limited by the size of the original small hole in the natural gas pipe.

However, if a hole in a high pressure natural gas pipe grows to an axial length that exceeds about four times the pipe wall thickness, a very different sequence of events takes place. At the axial ends of the hole the local hoop stress will exceed the material yield stress. The pipe will then immediately rip down its axis to form a rupture that has an open area several times the cross sectional open area of the pipe. This rupture discharges natural gas at the maximum possible flow rate from both open ends of the ruptured pipe.

#### **PIPE RUPTURE SEQUENCE:**

1. The pipe wall is thinned by corrosion, by cutting, by defective welding or by impact;
2. At the thin spot a hoop stress concentration develops that exceeds the yield stress of the pipe material;
3. The pipe wall deforms in a manner that magnifies the hoop stress concentration. This process can be observed in a stretched elastic band with a nick;
4. The pipe suddenly rips down its length causing a complete rupture. This process is similar to the sudden explosive rupture of a fully inflated child's balloon that is hit by a dart.

#### **DAMAGE SEQUENCE:**

1. The escaping high pressure natural gas explosively blows away the soil over burden, forming a large crater in the ground;
2. The pipe rupture is fed with high pressure natural gas from both the upstream and downstream pipes.
3. The escaping gas makes a noise comparable to a large jet aircraft at takeoff;
4. The escaping gas mixes with the surrounding air. In regions where the volumetric natural gas concentra-

tion is in the range 5% to 15% the mixture is highly flammable;

5. When the flammable gas mixture finds a source of ignition such as a flame, hot surface or electric spark there is an explosive delayed ignition pressure pulse. This pressure pulse is deafeningly loud and can break windows in buildings over a kilometre from the pipe rupture location. In extreme cases the energy release during the delayed ignition explosion is comparable to the energy release of a small atom bomb.

6. Then there is a steady state flame that is fed by high pressure gas flowing out of both open ends of the ruptured pipeline. This flame is almost impossible to extinguish and continues burning until it runs out of fuel. It typically takes the pipeline company one to two hours to close valves that isolate the ruptured section of gas pipe. The natural gas flame typically burns for several more hours.

#### **SETBACK UNCERTAINTY:**

Due to uncertainty regarding wind conditions and the position of the nearest point of ignition it is impossible to specify a practical safety setback distance that will ensure no damage or personnel injury from concussion or shrapnel related to the delayed ignition explosion. However, the subsequent fire emits a quantifiable amount of thermal radiation for which a reasonable safety setback distance can be calculated.

#### **THERMAL RADIATION:**

1. The thermal radiation intensity from the steady state natural gas flame is easy to calculate and is the basis of minimum setback calculations;

2. The radiation level may be substantially larger than calculated if black smoke from burning oil, wood or asphalt is conveyed by natural convection into the natural gas flame;

3. For a clean lean natural gas flame I have derived a formula for recommended safe setback distance as a function of pipe diameter and maximum operating pressure;

4. The distance  $R_s$  corresponds to a thermal radiation intensity from the natural gas flame equal to the solar irradiance (the maximum solar energy intensity incident on the Earth).

5. At distance  $R_s / 2$  the thermal radiation intensity from the natural gas flame is four times as large as at distance  $R_s$ .

6. Natural gas pipeline rupture accident site photographs show that due to secondary fires everything inside radius ( $R_s / 2$ ) burns to a crisp. Municipal fire departments are not normally equipped to get closer than radius ( $R_s / 2$ ). At ( $R_s / 2$ ) the exposed surface temperature due to direct radiation from the natural gas inferno is about 200 °C. At that infrared radiation level vehicle windows crack and human flesh is quickly damaged.

#### **PRESSURE PULSE:**

The magnitude of the initial delayed ignition pressure pulse is unpredictable. The size of the delayed ignition explosion depends on the distance between the pipe rupture and the point of ignition. The larger this distance the larger the delayed ignition explosion. Depending on the location of the source of delayed ignition the pressure wave damage radius can exceed the radius of the thermal radiation damage by several fold. In extreme cases the delayed ignition explosion is comparable to the blast wave from a small tactical nuclear weapon. For this reason it is important to limit the sizes of high pressure natural gas lines in urban areas. In the Middletown, Connecticut accident the delayed ignition blast wave shattered windows over 1.6 km away from the location of the natural gas release. At Englehart, Ontario the delayed ignition explosion pressure pulse tossed a length of 914 mm OD steel pipe with 9.1 mm wall thickness a distance of 150 m from the rupture point.

#### **FORMULA FOR SAFE DISTANCE $R_s$ :**

In this document a formula is developed for the safe setback distance  $R_s$  from a natural gas pipe line required for personnel to avoid radiation related skin damage from the steady state fire that follows a high pressure natural gas pipeline rupture. It must be emphasized that the calculated safety setback  $R_s$  applies only to thermal radiation from lean combustion of clean natural gas.

A delayed ignition explosion can cause blast damage beyond the calculated radiation safety radius. Toxic gases such as H<sub>2</sub>S can cause loss of life beyond the calculated radiation safety radius. If the natural gas flame is over rich or if the natural gas burns in combination with other substances such as oil, coal, asphalt, wood, plastic resins, etc. soot forms. That soot can increase the thermal radiation fraction Fr as much as four fold and hence can double the required radiation safety radius Rs. Secondary fires can lead to a fire storm that causes damage far beyond safety radius Rs.

The formula developed herein assumes that only natural gas is burning and that there is sufficient combustion air to keep the burning air-gas mixture lean. The results of the formula are compared to the actual fire damage radius that occurred at Appomattox, Virginia where a 30 inch diameter buried high pressure natural gas pipeline ruptured and burned in a farm field on September 14, 2008. There have been other major natural gas pipeline ruptures, delayed ignition explosions and fires in urban areas such as at Middletown (suburb of Hartford), Connecticut on February 7, 2010 and at San Bruno (a suburb of San Francisco), California on September 9, 2010.

### **FORMULA DEVELOPMENT:**

Consider a long straight natural gas pipeline that is subject to a sudden rupture that opens the full cross section of the pipe. To calculate the radiant heating consequences if there is a fire it is necessary to first find the natural gas mass flow rate out of the rupture. In reality there are two flows, because the pipes on both sides of the rupture discharge natural gas into the rupture. We will calculate one of these gas flows and then double the result to obtain the total mass flow rate out of the rupture.

Let Pa = the pressure in the pipeline distant from the rupture

Let Pb = the pressure at the point of rupture after the rupture. Normally Pb is atmospheric pressure.

Let Dp = pipe inside diameter

Let Pi = 3.14159

Let En = nozzle efficiency of natural gas pressure energy to kinetic energy conversion in a long straight pipe.

Generally:

$$0.90 < E_n < 0.99$$

The uniform pipe cross-sectional area Ac is given by:

$$A_c = P_i (D_p / 2)^2$$

Let X indicate linear position along the pipe of an element of volume Ac dX.

Let Rm = natural gas mass density as a function of linear position X.

Let Rma = natural gas density at pressure Pa

Let Rmb = gas density at pressure Pb

The mass of gas dM contained in the element of volume Ac dX is:

$$dM = R_m A_c dX$$

Let T = time

Then the gas linear velocity V is given by:

$$V = (dX / dT)$$

The gas linear motion kinetic energy in element of volume Ac dX is:

$$(dM / 2) (dX / dT)^2$$

$$= (R_m A_c dX / 2) (dX / dT)^2$$

Hence the kinetic energy density is:

$$(R_m / 2) (dX / dT)^2$$

Let  $P$  = pressure at  $X$

Then the gas pressure potential energy contained in the element of volume  $A_c dX$  is given by:

$$P A_c dX$$

The pressure  $P$  is the gas potential energy density at  $X$ .

Within the pipe but near the point of rupture the gas pressure potential energy density decreases and the gas linear motion kinetic energy increases causing an increase in linear gas velocity  $V$ .

Let  $E_n$  be the nozzle efficiency with which gas pressure potential energy converts into gas kinetic energy of linear motion.  $E_n$  is complex to calculate but generally lies in the range:

$$0.90 < E_n < 0.99$$

Note that a small fraction  $(1 - E_n)$  of the pressure potential energy is converted into heat.

Conservation of energy along the pipe requires that:

$$- dP E_n = d[(R_m / 2) (dX / dT)^2]$$

or

$$- 2 E_n dP = d[R_m (dX / dT)^2]$$

Let subscript  $a$  indicate a parameter value at a point in the pipe far from the rupture. Let subscript  $b$  indicate a parameter value at the rupture location. Hence the linear gas velocity at the point of rupture is  $V_b$ . The mass flow rate from one pipe at the point of rupture is:

$$R_{mb} A_c V_b$$

Integrating from  $P_a$  to  $P_b$  gives:

$$- 2 E_n (P_b - P_a) = [R_m (dX / dT)^2]_b - [R_m (dX / dT)^2]_a$$

Assume that as a result of the pipe rupture the natural gas pipeline supervisory control system closes isolation valves distantly upstream and downstream from the pipe rupture. Then the condition at the location of each of these valves is no flow, or expressed mathematically in terms of the gas stream:

$$[dX / dT]_a = 0$$

Hence:

$$2 E_n (P_a - P_b) = [R_m (dX / dT)^2]_b$$

or

$$[dX / dT]_b = [2 E_n (P_a - P_b) / R_m]^{0.5}$$

$F_m$  = exiting gas mass flow rate from one pipe

$$= R_{mb} A_c [dX / dT]_b$$

$$= R_{mb} A_c [2 E_n (P_a - P_b) / R_m]^{0.5}$$

$$= A_c [2 E_n (P_a - P_b) R_m]^{0.5}$$

Let  $E_c$  be the combustion heat release per unit mass of natural gas. Then the total combustion heat release  $H$  per unit time is given by:

$$H = 2 F_m E_c$$

where the 2 reflects the fact that the rupture is fed by two pipes.

Let  $F_r$  be the fraction of the combustion heat that is emitted via radiation.

Let  $R_z$  = radius from the center of the flame to a surface subject to radiation damage.

Assume that the radiation is evenly distributed over a sphere with radius  $R_z$  and surface area  $4 \pi R_z^2$ .

Then at radius  $R_z$  the radiation intensity / unit area is:

$$R_z = (H F_r) / (4 \pi R_z^2)$$

Assume that to avoid skin damage the radiation intensity should be less than the most intense possible solar

radiation incident on the Earth's surface ( 1365 W / m<sup>2</sup>). This parameter is known as the Solar Irradiance. Hence, in terms of radiant energy, the safe distance Rs from the center of the flame is defined by:

$$(H Fr) / (4 Pi Rs^2) = 1365 \text{ watts} / \text{m}^2$$

or

$$Rs = [(H Fr) / (4 Pi X 1365 \text{ watts} / \text{m}^2)]^{0.5}$$

$$= [(2 Fm Ec Fr) / (4 Pi X 1365 \text{ watts} / \text{m}^2)]^{0.5}$$

where natural gas mass flow Fm is given by:

$$Fm = Ac [2 En (Pa - Pb) Rmb]^{0.5}$$

$$= Pi (Dp / 2)^2 [2 En (Pa - Pb) Rmb]^{0.5}$$

Combining the formulas for Rs and Fm gives:

$$Rs = [(2 Fm Ec Fr) / (4 Pi X 1365 \text{ watts} / \text{m}^2)]^{0.5}$$

$$= [(2 Pi (Dp / 2)^2 [2 En (Pa - Pb) Rmb]^{0.5} Ec Fr) / (4 Pi X 1365 \text{ watts} / \text{m}^2)]^{0.5}$$

$$= Dp [En (Pa - Pb)]^{0.25} [( [2 Rmb]^{0.5} Ec Fr) / (8 X 1365 \text{ watts} / \text{m}^2)]^{0.5}$$

The value of Fr can be found from a paper by J. P. Gore et al titled Structure and Radiation Properties of Large-scale Natural Gas/Air Diffusion Flames, published in Fire and Materials, Vol. 10, 161-169 (1986). These authors found that the radiation emission from a 207 MW natural gas flame measured at ground level about 11.9 m from the flame center was 6.37 kW / m<sup>2</sup>.

The surface area of that sphere was:

$$4 Pi (11.9 \text{ m})^2 = 1778.62 \text{ m}^2$$

Hence the emitted radiation was:

$$6.37 \text{ kW} / \text{m}^2 X 1778.62 \text{ m}^2 = 11330 \text{ kW}$$

$$= 11.330 \text{ MW}$$

Hence:

$$Fr = 11.330 \text{ MW} / 207 \text{ MW}$$

$$= .0547$$

This Fr value is in good agreement with other Fr data for lean burn flame retention natural gas burners provided to this author by the Canadian Gas Research Institute.

#### NUMERICAL SIMPLIFICATION:

$$Pi = 3.1415928$$

$$Rmb = 16 \text{ gm} / 22.4 \text{ lit}$$

$$= 16 X 10^{-3} \text{ kg} / 22.4 X 10^{-3} \text{ m}^3$$

$$= .714 \text{ kg} / \text{m}^3 = \text{density of natural gas at standard temperature-pressure}$$

$$Ec = (10.4 \text{ kWh} / \text{m}^3) X (1 \text{ m}^3 / .714 \text{ kg}) X 3600 \text{ s} / \text{h}$$

$$= 52437 \text{ kJ} / \text{kg}$$

Hence:

$$Rs = Dp [En (Pa - Pb)]^{0.25} [( [2 Rmb]^{0.5} Ec Fr) / (8 X 1365 \text{ watts} / \text{m}^2)]^{0.5}$$

$$= Dp [En (Pa - Pb)]^{0.25} [( [2 X .714 \text{ kg} / \text{m}^3]^{0.5} X 52437 \text{ kJ} / \text{kg} X .0547) / (8 X 1365 \text{ watts} / \text{m}^2)]^{0.5}$$

$$= Dp [En (Pa - Pb)]^{0.25} [[1.428 \text{ kg} / \text{m}^3]^{0.5} X .26266 \text{ kJ m}^2 / \text{kg-watts} X 1000 \text{ J} / \text{kJ}]^{0.5}$$

$$= Dp [En (Pa - Pb)]^{0.25} [1.195 \text{ kg}^{0.5} \text{ m}^{-1.5} X 262.66 \text{ J m}^2 / \text{kg-watts}]^{0.5}$$

$$= Dp [En (Pa - Pb)]^{0.25} X 17.71 \text{ kg}^{0.25} \text{ m}^{-.75} \text{ (J} / \text{kg-watts)}^{0.5}$$

$$= 17.71 D_p [E_n (P_a - P_b)]^{0.25} \text{ kg}^{0.25} \text{ m}^{-.75} \text{ m (watt s / kg-watts)}^{0.5}$$

$$= 17.71 D_p [E_n (P_a - P_b)]^{0.25} \text{ kg}^{-0.25} \text{ m}^{.25} \text{ s}^{0.5}$$

$$= 17.71 D_p [E_n (P_a - P_b) / \text{Pascal}]^{0.25}$$

If pipe diameter  $D_p$  is in meters and if the operating pressure  $(P_a - P_b)$  is in Pascals this formula gives the safe setback distance  $R_s$  in meters.

Units Check:

$$(\text{Pascal})^{0.25} = (\text{newtons} / \text{m}^2)^{0.25} = (\text{kg m s}^{-2} \text{ m}^{-2})^{0.25}$$

$$= \text{kg}^{0.25} \text{ m}^{-.25} \text{ s}^{-0.5}$$

For practical calculations use the assumption that:

$$E_n^{0.25} = 1.0.$$

This assumption may lead to as much as a 2.7 % error in the calculated value of  $R_s$  but this assumption simplifies the formula for  $R_s$  sufficiently to make it suitable for practical regulatory use.

### **INTERPRETATION OF RESULTS:**

At:

$$R_z = R_s$$

the radiation level from the natural gas inferno is equal to the solar irradiance, so human skin damage is confined to sunburn like effects.

At:

$$R_z = (R_s / 2)$$

the radiation level from the natural gas inferno is four times the solar irradiance. This is the maximum radiation level that normally equipped municipal fire fighters can sustain. Hence in the area defined by:

$$R_z < (R_s / 2)$$

secondary fires usually burn unimpeded unless suppressed by water bombers or other comparable specialized equipment.

At:

$$R_z = (R_s / 4)$$

the radiation level from the natural gas inferno is sixteen times the solar irradiance. In the region:

$$R_z < (R_s / 4)$$

there is rapid direct ignition of almost all combustable surfaces and there is total property loss regardless of the available fire fighting capability.

### **SECONDARY IGNITION:**

Almost immediately after the natural gas fire starts exposed combustable surfaces in the region:

$$R_z < (R_s / 4)$$

ignite. However, from a property damage perspective the bigger problem is that fires which are directly ignited within the region:

$$R_z < (R_s / 4)$$

quickly spread into the region:

$$(R_s / 4) < R_z < (R_s / 2)$$

because the thermal radiation levels in the region:

$$R_z < (R_s / 2)$$

are too high for municipal fire fighters to function in that region.

History has demonstrated that the practical way of minimizing property damage in the region:

$$(R_s / 4) < R_z < (R_s / 2)$$

is to use water bombers to minimize spread of fires via secondary ignition.

Assuming normal municipal fire fighter response not supported by water bombers, the area that will likely be destroyed by secondary fires is the ring defined by:

$$(R_s / 4) < R_z < (R_s / 2).$$

The area of this ring is about three times the area defined by:

$$R_z < (R_s / 4)$$

that burns via direct ignition.

### **DAMAGE MITIGATION:**

Both theory and field experience indicate that the most favorable condition for mitigating of damage by a burning natural gas pipeline is a deep snow cover. The snow reflects the infrared radiation up into the sky and if the snow melts the resulting water prevents most surfaces getting hot enough to ignite.

### **POTENTIAL IMPACT RADIUS (PIR):**

In the Province of Ontario the Technical Standards & Safety Authority (TSSA) has defined what TSSA terms Potential Impact Radius or PIR, where:

$$1.0 \text{ PIR} \sim (R_s / 4).$$

A technical representative of TSSA readily admitted that 1.0 PIR is not an adequate safety radius. 1.0 PIR is a compromise made by TSSA between urban pipeline corridor real estate cost and public safety. Buildings such as secondary schools, etc. that routinely contain concentrations of healthy independently mobile people should be set back at least 2.0 PIR from the pipeline axis. Buildings such as elementary schools, nursing homes and hospitals, that routinely contain people who are not independently mobile, should be set back at least 4.0 PIR from the pipeline axis. However, in Ontario the actual amount of setback from the pipeline axis is determined by the governing municipal authority, not TSSA.

The practical effect of using the TSSA PIR as a regulatory setback is to reduce the cost of natural gas pipeline rupture failure related fire damage by about a factor of three under circumstances of no wind and good municipal fire fighting capacity. Assuming these circumstances, a regulatory setback of at least 2.0 PIR is required to reduce the direct fire damage to close to zero. If the region in question has frequent wind or minimal fire fighting capacity, then a setback of 4.0 PIR should be used.

### **EXAMPLES:**

#### **ENGLEHART, ONTARIO:**

On September 12, 2009 a 914 mm OD, 9.1 mm wall natural gas transmission pipe operating at 6869 kPa ruptured about 12 km NW of Englehart, Ontario. An area of 25 hectares (250,000 m<sup>2</sup>) was totally destroyed, indicating an average radius R of total destruction of:

$$R = (250,000 \text{ m}^2 / \text{Pi})^{0.5}$$

$$= 282 \text{ m}$$

The fire was contained by use of water bombers. In spite of use of water bombers a rural home 320 m from the rupture point was damaged.

Assume:

$$E_n^{0.25} = 1.0$$

$$D_p = .914 \text{ m}$$

$$P_b = 14.7 \text{ psia} = 1 \text{ bar} = 101 \text{ kPa} = 1.01 \times 10^5 \text{ newtons} / \text{m}^2$$

$$P_a = 6.869 \times 10^6 \text{ newtons / m}^2$$

Hence:

$$\begin{aligned} R_s &= 17.71 \times .914 \text{ m} \times (6.869 \times 10^6 \text{ newtons / m}^2)^{0.25} \text{ kg}^{-0.25} \text{ m}^{.25} \text{ s}^{.5} \\ &= 17.71 \times .914 \text{ m} \times 686.9^{0.25} \times 10 \text{ (kg m s}^{-2} \text{ m}^{-2})^{0.25} \text{ kg}^{-0.25} \text{ m}^{.25} \text{ s}^{.5} \\ &= 828.5 \text{ m} \end{aligned}$$

The corresponding theoretical value of  $(R_s / 2)$  is given by:

$$R_s / 2 = 414 \text{ m}$$

and

$$(R_s / 4) = 207 \text{ m}$$

Clearly the actual destruction was in good agreement with the theoretical formula.

### **YORK ENERGY CENTRE PIPELINE, KING TOWNSHIP, ONTARIO:**

The York Energy Centre is a natural gas fueled air cooled combustion turbine based 400 MW electricity generation station located in York Region, north of Toronto. This facility is served by a dedicated 16 inch diameter 600 psi natural gas pipeline running through a mostly rural area.

Assume:

$$E_n^{0.25} = 1.0$$

$$D_p = 16 \text{ inches} = .406 \text{ m}$$

$$P_b = 14.7 \text{ psia} = 1 \text{ bar} = 101 \text{ kPa} = 1.01 \times 10^5 \text{ newtons / m}^2$$

$$P_a = 600 \text{ psia} = 40.81 \text{ bar} = 4122.4 \text{ kPa} = 41.22 \times 10^5 \text{ newtons / m}^2$$

Hence:

$$\begin{aligned} R_s &= 17.71 \times .406 \text{ m} \times (40.21 \times 10^5 \text{ newtons / m}^2)^{0.25} \text{ kg}^{-0.25} \text{ m}^{.25} \text{ s}^{.5} \\ &= 17.71 \times .406 \text{ m} \times 402.1^{0.25} \times 10 \text{ (kg m s}^{-2} \text{ m}^{-2})^{0.25} \text{ kg}^{-0.25} \text{ m}^{.25} \text{ s}^{.5} \\ &= 321.97 \text{ m} \end{aligned}$$

Application of this formula to the York Energy Centre pipeline gives a radiation safety distance of about:

$$R_s = 322 \text{ metres.}$$

At  $R_z = (R_s / 2) = 161$  metres the radiation level will be four times as high as at  $R_s = 322$  m. In practice:

$$R_z = (R_s / 2)$$

is the closest that municipal fire fighters are able to approach the natural gas inferno. Hence in the area where:

$$R_z < (R_s / 2)$$

secondary fires involving both buildings and farm crops will burn unimpeded.

In the case of the York Energy Centre pipeline a minimum 161 metre setback should be maintained from the pipeline center line to all human occupied structures and to all places of routine outdoor human assembly. This is an ongoing setback requirement that should be actively enforced by municipal authorities for the life of the pipeline. All parties should clearly understand that the radiation emitted by a pipeline rupture/fire is so intense that the only practical strategy for a municipal fire department is to let the fire burn itself out. It is also unrealistic to expect persons within radius:

$$R_z < (R_s / 2)$$

of a pipeline rupture/fire to be rescued by fire department personnel who lack equipment for working in zones of high thermal radiation.

If possible the municipality should attempt to enforce a 322 m setback instead of a 161 m setback. There could still easily be litigation related to injury and property damage in the ring:

161 m < Rz < 322 m

resulting from the fire simply overwhelming the capabilities of rural municipal fire department(s).

### **APPOMATTOX, VIRGINIA:**

On September 14, 2008 a 30 inch diameter buried natural gas pipeline that normally operates at a pressure of 800 psi ruptured and burned in a farmer's field near the intersection of Highway 26 and State Route 677 just north of Appomattox, Virginia. There was a modest delayed ignition explosion. Overhead news photographs showed the area where the crop burned. The burned area was measured using distance calibrated overhead photographs from Google maps. It was found that with reference to the pipe rupture crater the burned crop area extended 311 m to the south-west and 275 m to the north-east.

Assume:

$$E_n^{0.25} = 1.0$$

Application of the formula for the radiation safety distance Rs gives:

$$D_p = 30 \text{ inch} \times .0254 \text{ m / inch} = 0.762 \text{ m}$$

$$P_a = 800 \text{ psi} \times 101 \times 10^3 \text{ Pa} / 14.7 \text{ psi} = 549.66 \times 10^4 \text{ Pa}$$

$$P_b = 101 \times 10^3 \text{ Pa} = 10.1 \times 10^4 \text{ Pa}$$

$$R_s = 17.71 D_p (P_a - P_b)^{0.25} \text{ kg}^{-0.25} \text{ m}^{.25} \text{ s}^{.5}$$

$$= 17.71 \times 0.763 \text{ m} \times (539.56 \times 10^4 \text{ Pa})^{0.25} \text{ kg}^{-0.25} \text{ m}^{.25} \text{ s}^{.5}$$

$$= 651.25 \text{ m}$$

Thus the radius to which the crops spontaneously burned approximately conformed with:

$$R_z < (R_s / 2).$$

### **SAN BRUNO, CALIFORNIA:**

On September 9, 2010 at 6:11 PM a 30 inch diameter buried natural gas pipeline operating at a pressure of 400 psia ruptured and burned in a single family estate home residential area in San Bruno, California. San Bruno is a southern suburb of San Francisco, about 2 miles from the San Francisco airport. The homes near the rupture location each had lot sizes in excess of one acre. San Bruno had the benefit of probably the best available municipal fire fighting capacity in North America.

There was a modest delayed ignition explosion followed by a large natural gas fire that persisted for more than two hours. Secondary fires continued for more than eight further hours. The fire scene was attended by 67 fire trucks, 4 fixed wing aerial water bombers and 1 fire fighting helicopter.

Aerial photographs showing the area that burned were compared to distance calibrated Google maps. In spite of the large amount of immediately available fire fighting equipment almost all the homes (38) within a 150 m radius damage circle were completely destroyed. A further 17 homes were severely damaged and a further 53 homes sustained lesser damage. The center of the damage circle was displaced from the pipe rupture location by about 100 m. The cause of this displacement was a combination of local factors including natural gas pipeline orientation, natural gas exit velocity, wind, steep local terrain, local tree concentrations and asymmetrical application of fire fighting resources.

Assume:

$$E_n^{0.25} = 1.0$$

Application of the formula for the radiation safety distance Rs gives:

$$D_p = 30 \text{ inch} \times .0254 \text{ m / inch} = 0.762 \text{ m}$$

$$P_a = 400 \text{ psia} \times 101 \times 10^3 \text{ Pa} / 14.7 \text{ psia} = 274.8 \times 10^4 \text{ Pa}$$

$$P_b = 101 \times 10^3 \text{ Pa} = 10.1 \times 10^4 \text{ Pa}$$

$$R_s = 17.71 D_p (P_a - P_b)^{0.25} \text{ kg}^{-0.25} \text{ m}^{.25} \text{ s}^{.5}$$

$$= 17.71 \times 0.762 \text{ m} \times (264.7 \times 10^4 \text{ Pa})^{0.25} \text{ kg}^{-0.25} \text{ m}^{.25} \text{ s}^{.5}$$

$$= 544.3 \text{ m}$$

Thus the calculated area of damage to or loss of homes was the area where:

$$R_z < (R_s / 2),$$

which is a circle of radius 272 m.

It is clear from subsequent photographs and incident reports that absent the massive fire fighting resources that were immediately available close to the San Francisco Airport, including four water bombers, the actual area of total destruction would have closely conformed to the calculated destruction radius:

$$(R_s / 2) = 272 \text{ m.}$$

The practical experience at San Bruno indicates that there is a limit to the capabilities of urban municipal fire departments. Even when there is an army of immediately available emergency personnel and almost unlimited municipal fire fighting equipment, the municipal water mains and their pumping systems limit the municipal fire fighting capacity. Water bombers designed for fighting large forest fires are of considerable help because they can combat secondary fires in the ring:

$$(R_s / 4) < R_z < (R_s / 2)$$

which is not accessible to municipal fire fighters due to high infrared radiation levels.

However, the standby costs of maintaining a fleet of large water bombers that are available and ready to fly at a moments notice are prohibitive for most jurisdictions. In this respect the residents of San Bruno were particularly fortunate that there were four suitable water bombers immediately available and based only two miles away. Otherwise the fire damage losses would have likely at least tripled.

An important conclusion from the San Bruno NTSB accident investigation report was that the pipe section that ruptured was defective at the time of original installation and had never been subject to an as-built hydraulic pressure test to the Specified Minimum Yield Stress (SMYS) for the pipeline material.

### **JERSEY CITY, NEW JERSEY:**

In March 2012 this author was made aware of a plan to build a 42 inch diameter 1200 psi natural gas pipeline through a densely populated area of Jersey City, New Jersey. This author's immediate response was that this plan is stupid because that pipeline would be a long term magnet for every anti-USA terrorist in the world. This author strongly recommended that this pipeline be rerouted outside the urban area, regardless of the extra cost.

If construction of this pipeline proceeds as originally contemplated, the consequences of a rupture failure, perhaps intentionally caused, would be comparable to the air burst of a small tactical nuclear warhead. The safety radius  $R_s$  and the radius of probable total destruction ( $R_s / 2$ ) can be calculated as follows:

Assume:

$$E_n^{0.25} = 1.0$$

$$D_p = 42 \text{ inch} \times .0254 \text{ m / inch} = 1.0668 \text{ m}$$

$$P_a = 1200 \text{ psia} \times 101 \times 10^3 \text{ Pa} / 14.7 \text{ psia} = 824.5 \times 10^4 \text{ Pa}$$

$$P_b = 101 \times 10^3 \text{ Pa} = 10.1 \times 10^4 \text{ Pa}$$

$$R_s = 17.71 D_p (P_a - P_b)^{0.25} \text{ kg}^{-0.25} \text{ m}^{.25} \text{ s}^{.5}$$

$$= 17.71 \times 1.0668 \text{ m} \times (814.4 \times 10^4 \text{ Pa})^{0.25} \text{ kg}^{-0.25} \text{ m}^{.25} \text{ s}^{.5}$$

$$= 1009.2 \text{ m}$$

Thus the calculated area of spontaneous combustion is an area where  $R_z < (R_s / 2)$ , which is a circle of ra-

diameter 504.6 m. The perimeter length of that circle, which would be the fire fighting front length, is:

$$2 \pi (504.6 \text{ m}) = 3170 \text{ m.}$$

The only way to stop a fire of that size is to make back fires to create a fire break about 3 km long and a block wide through the center of the city. The direct and consequential damages from the natural gas fire and the back fire would be unprecedented in United States history. The fire storm and consequent loss of life and property would be comparable to the WWII fire storms in Dresden, Hamburg, Tokyo and Hiroshima.

It is the hope of this author that common sense will prevail and that senior members of the United States government will do all necessary to force rerouting of this large diameter high pressure natural gas pipeline to a longer but much safer rural route.

One practical way to force rerouting of this pipeline is to immediately enact strong legislation to require the pipeline owners to continuously carry credible third party liability insurance and reinsurance sufficient to replace everything and everyone within 500 m of any potential pipe rupture location.

It must be emphasized that no amount of hydraulic pressure testing or pig testing will protect the public from intentional sabotage of such a pipeline passing through an urban area. The stress in the pipe walls is sufficient that even a relatively small suitably shaped fast explosive charge will cause a rupture failure.

### **CONCLUSIONS:**

When a large diameter high pressure natural gas pipeline operating at its rated working pressure develops a crack or hole more than four pipe wall thicknesses in axial length the result is a sudden full cross section pipe rupture. The escaping high pressure gas blows away the soil overburden, forming a crater. Some time after the pipe rupture there is a large delayed ignition explosion followed by a steady state fire. This fire emits so much thermal radiation that it is impossible to approach or extinguish the fire with conventional fire fighting equipment.

One can define a radiation safety distance  $R_s$  from the fire at which distance the thermal radiation level is similar to the thermal radiation level at noon in the middle of the Sahara desert on a clear cloudless day. The formula for a lean burn natural gas flame is:

$$R_s = 17.71 D_p [E_n (P_a - P_b) / \text{Pascal}]^{0.25}$$

where:

$R_s$  = radiation safety distance in metres

$D_p$  = pipeline diameter in metres

$E_n$  = nozzle efficiency ( $0.90 < E_n < 0.99$ )

$P_a$  = pipeline absolute working pressure in Pascals

$P_b$  = atmospheric pressure in Pascals. Normally atmospheric pressure is about 101,000 Pascals.

In highly precise scientific measurements:

$$0.90 < E_n < 0.99.$$

However, even if the nozzle efficiency  $E_n$  is as low as:

$$E_n = 0.90$$

in the formula for  $R_s$ :

$$E_n^{0.25} = .974$$

Hence for practical calculation purposes it is convenient to simply use the approximation that:

$$E_n^{0.25} = 1.0$$

At radii  $R_z$  from the rupture in the range:

$$R_z < (R_s / 4)$$

almost all exposed combustible materials rapidly spontaneously ignite and burn. In this radius range there is

virtually nothing that can be done to prevent 100% loss of lives and property.

At radii  $R_z$  from the rupture in the range:

$$(R_s / 4) < R_z < (R_s / 2)$$

secondary ignition causes exposed combustible materials to burn. In this radius range the thermal radiation level is too high for the fire to be fought by municipal fire departments. However, in this radius range damage can be mitigated through the use of water bombers if they are immediately available.

At radii  $R_z$  from the rupture in the range:

$$R_z > (R_s / 2)$$

absent a high wind, a well equipped and well staffed municipal fire department is usually able to prevent significant secondary ignition fire damage.

It should be emphasized that the above calculations apply to thermal radiation from steady state combustion of natural gas in a clean lean flame. There is additional danger if the natural gas flame is rich or if it triggers combustion of materials that form soot. If large amounts of soot mix with the natural gas combustion air the soot could increase the radiant heat fraction  $F_r$  four fold which would double the safety radius  $R_s$ .

The damage radius from the initial delayed ignition explosion could easily be larger than  $R_s$ . Based on eye-witness reports from Appomattox the sequence of events at that pipeline rupture/fire was a large delayed ignition explosion followed by steady state combustion. The same sequence of events has occurred elsewhere.

The above calculation shows that even if someone is fortunate enough to survive the initial delayed ignition explosion, the temperature within the radiation safety radius  $R_s$  of the flame will quickly rise past the point of human tolerance.

For large diameter high pressure natural gas pipelines passing through urban areas this author strongly recommends an initial as-built hydraulic pressure test to 100% of pipe SMYS (Specified Minimum Yield Stress) and a maximum operating pressure producing a pipe material stress of no more than 30% of SMYS. Furthermore, as long as the pipe remains in service in an urban area the pipe should be retested at least every five years with a non-combustible fluid to the larger of 50% of pipe SMYS or 150% of the maximum allowable operating pressure. These safety margins have been proven through many years of pressure vessel design, construction and use and are the basis of almost all modern pressure vessel safety codes.

In theory if the pipe could be assembled in the rigorously controlled conditions of a certified pressure vessel fabrication facility with complete material control and ideal welding, initial as-built hydraulic pressure testing to 50% of SMYS might be adequate. However, under the practical conditions that natural gas pipelines are assembled and welded in the field that degree of material and fabrication control is impossible. Hence the only solution is an initial as-built hydraulic pressure test to 100% of pipe SMYS. There is no mill test, x-ray test, pig test, spectrograph test, sampling test or inspection procedure that can replace a hydraulic pressure test to 100% of SMYS.

Given the limited resources of rural fire departments it is reasonable to assume that in the event of a large diameter high pressure natural gas pipeline rupture/fire they will simply ensure that the pipe is valved off on both sides of the rupture and then let the fire burn itself out. It is also reasonable to conclude that crops, buildings and other combustibles within a distance  $R_z < (R_s / 2)$  of the pipeline rupture/fire will be totally destroyed.

The principal objective of emergency services must be to immediately evacuate humans from inside the radiation safety radius  $R_s$ . It can safely be assumed that for:

$$(R_s / 2) < R_z < R_s$$

damage to property will be significant and for:

$$R_z < (R_s / 2)$$

almost everything will be destroyed. Most municipal fire departments are not equipped to function within the high thermal radiation levels that will occur at:

$R_z < (R_s / 2)$ .

Life and property insurance coverages should reflect this reality.

### **REGULATORY ISSUES:**

To minimize potential damage large diameter high pressure natural gas pipelines must be installed near the center lines of available energy transmission corridors. This issue needs to be embedded in regulation.

With reference to Ontario Technical Standards & Safety Authority (TSSA) Fuels Safety Program, OIL AND GAS PIPELINE SYSTEMS CODE ADOPTION DOCUMENT AMENDMENT FS-196-12 dated November 1, 2012, the formula for Potential Impact Radius (PIR) should be replaced by the formula for  $(R_s / 2)$  contained herein. The issue is that the formula for PIR contained in AMENDMENT FS-196-12 yields a Potential Impact Radius that is only about  $(R_s / 4)$  whereas recent pipeline rupture fires have confirmed the validity of  $(R_s / 2)$  as being the actual impact radius.

Alternatively TSSA should modify the language in its regulations so that the general public clearly understands that the PIR, as defined by TSSA, is only about one half of the radius of 100% property loss.

The Ontario TSSA should be realistic with respect to the limited capability of municipal fire fighters working within high thermal radiation zones. In the event of a major natural gas pipeline rupture/fire the available fire fighters will likely attempt to save human lives but in so doing will likely sustain both personal skin damage and equipment damage. They will then be unable to fight or extinguish fires. Furthermore, the experience in San Bruno, California and elsewhere has been that the municipal fire fighting capacity is further constrained by the available hydrant water flow. The fire in San Bruno was in large measure contained through the use of water bombers that were stationed nearby for controlling forest fires. However, in much of Ontario there is no immediate water bomber availability nor viable chain of command for prompt water bomber dispatch.

In this matter I speak from personal experience. I grew up in British Columbia where during the 1960s major forest fires, and a major fire on the Vancouver waterfront, were contained using a fleet of WWII surplus giant Martin Mars flying boats. These flying boats were converted from military transports into water bombers. I believe that two of them are still in service today. When trying to control a big fire, there is nothing comparable to dropping 6000 imperial gallons of water/foam on the fire in a few seconds. The water/foam will not extinguish the main natural gas inferno but it will cool the surrounding exposed surfaces and thus minimize secondary fires in the ring:

$(R_s / 4) < R_z < (R_s / 2)$ .

This ring, which is not accessible to municipal fire fighters due to high thermal radiation from the natural gas inferno, may contain hundreds of homes.

It is a huge mistake to create a regulatory framework which has the practical effect of not allowing parties that build, own, operate and maintain large water bombers to financially prosper. There is no doubt that a fleet of large water bombers has a high ongoing cost that must be borne by the taxpayers and/or insurance industry and/or major forest companies. However, when there is a fire that overwhelms the municipal fire department/forest service, then every dollar invested in the water bomber fleet provides a handsome return. In hindsight, one of the benefits of leasing exclusive timber rights to large forest companies was that those companies, in their own self interest, paid the costs of ownership, operation and maintenance of the fleet of large water bombers.

There is a major problem related to both provincial and municipal land use planning. In Ontario both provincial and municipal planners have failed to provide sufficiently wide dedicated energy transmission corridors into major urban centers such as Toronto. The 400 series highways are located in corridors that are typically about 400 m wide, including the width allowance for the adjacent electricity transmission lines. These corridors are simply not wide enough to provide an adequate safety setback distance from a 36 inch diameter high pressure natural gas pipeline, even if the pipeline is on the corridor center line. However, in Toronto there are no other even remotely suitable corridors, so private property owners on both sides of

these highways are being exposed to risk related to major pipeline rupture failures.

This problem of failed governmental planning is not unique to Toronto or Ontario. There are even worse pipeline setback problems in the New Jersey - New York City area.

There is also a new class of pipeline risks related to grounded electrical equipment located near pipeline corridors. In an effort to efficiently utilize land, in some places 3.0 MVA wind turbines are being installed in or adjacent to existing dedicated energy transmission corridors. However, wind turbine transformers can cause ground currents that lead to rapid corrosion of nearby buried steel pipelines. It is crucial that the electrical codes relating to wind turbines and other distributed power equipment address this ground current issue. Every wind turbine within a wind farm must be separately isolated from its transmission/distribution line via an ungrounded low capacitance delta type transformer connection. Every wind turbine must be fitted with ground fault detection and alarm signalling. Substation transformers need to be selected for low harmonic generation.

There needs to be new legislation that makes parties that cause ground currents financially responsible for accelerated corrosion damage to nearby buried steel pipelines. In extreme cases, especially in the proximity of large unbalanced electrical power inverters, or with subsurface bed rock, the radius of such ground current induced pipeline damage can extend more than 3 km from the electrical equipment grounding point.

This web page last updated December 8, 2014.

{end of 20150803-0014}

*{source: <http://xylenepower.com/Natural%20Gas%20Pipeline%20Safety%20Setback.htm>}*

**20150803-0024**

BRICE HEREFORD  
94 MAIN POLAND ROAD  
CONWAY, MA 01341  
413-369-4046  
briceherefordCkemail.com

July 29,2015

Docket No. PF14-22-000

COMMENT FOR SCOPING MEETINGS

Good day,

I am Brice O. Hereford, a citizen of the United States and a longtime resident of the Commonwealth of Massachusetts (38 years). I claim standing to oppose the issuance of a Federal Energy Regulatory Commission (FERC) permit for the Kinder Morganfennessee Gas Pipeline Company, L.L.C.,and its Northeast Energy Direct Project

Why are the utilities capping solar net metering in Massachusetts while at the same time promoting this pipeline as the solution to the rising energy needs of the area?

Since the volume capacity of the pipeline will enable a large surplus to be collected at the terminus; what is the intended use of this surplus by the utilities? Would the plan be to export the surplus to Europe?

Wouldn't a better use for this energy investment be to increase the investment in the solar and wind generating capacity of the northeast and helping the utilities to upgrade the transmission lines to better handle this new surge of renewable energy?

Respectfully submitted,

Brice Hereford

**20150803-0025**

**TOWN OF CONWAY, MASSACHUSETTS  
BOARD OF HEALTH**

5 Academy Hill Rd.  
P. O. Box 240  
Conway, Ma 01341

Phone: (413)369-4235 Ext. 8  
Fax: (413)369-4237

Email: [boardofhealth@townofconway.com](mailto:boardofhealth@townofconway.com)

July 27, 2015

Norman Bay, Chairman  
Kimberly Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE  
Washington, DC 20426  
RF.:Docket 1PF14-22

Dear Chairman Bay and Secretary Bose,

The Board of Health of the Town of Conway, Massachusetts hereby submits this letter as part of the proceedings under this docket.

The Town's Pipeline Task Force is in the process of preparing comments to submit as part of the scoping hearings and have noted, the lack of complete and clear information regarding details of Kinder Morgan's proposed Tennessee Gas NED pipeline that would bisect our Town.

Kinder Morgan released a revised Draft Environmental Report (Resource Reports I through 13) and Project Scope Update of Tennessee Gas Pipeline Company, L.L.C. under PF14-22 on Friday, July 24th. We understand that the revised reports contain new information that would significantly and substantially impact the town of Conway. The areas of concern to the BOH include air and water quality, noise, public safety and emergency response.

We are writing to support the requests of Senator Stan Rosenberg, the Massachusetts Association of Conservation Commissions, and The Northeast Municipal Gas Pipeline Coalition to extend the deadline for written and electronic comments.

Specifically, we request that the deadline for written and electronic comments be rescheduled to September 30, 2015 to allow for an appropriate and careful review of the proposed project.

Thank you,

Sincerely,

Carl Nelke  
William McLoughlin  
Ann Gibson  
Margaret Burch  
Marie Iken

cc: Governor Baker, Senator Rosenberg, Representative Kulik, Senator Downing, Attorney General Healy, Senator Warren, Congressman Neal

**20150803-0026**

July 27, 2015

Dear Senator Shaheen,

We are writing to ask that you, as our Senator, oppose the Kinder Morgan Northeast Energy Direct (NED) pipeline. This project will bring no benefit to New Hampshire and little to no benefit to New England.

The proposed compressor station will be a high-pressure, 80,000-horsepower hub of toxic chemicals and deafening noise, prone to frequent "blow downs" where volatile organic compounds and carcinogenic gases

are released into the air to reduce pressure on the pipeline. These gasses can travel anywhere from one to one hundred miles depending on how the wind blows and they can cause a host of health problems for people, ecosystems and water bodies on a day-to-day basis and will eventually cause ruin to all of New Hampshire. In the event of a catastrophic disaster, any building within a half mile radius of the compressor station, including the Temple Elementary School will likely burn to the ground along with anyone nearby. Please don't let this happen!

The property values near the pipeline and compressor station will plummet and our homes and land will be worthless. What is even worse about this pipeline - no local community will reap any benefit. Help us save our homes and New Hampshire!

Senator Shaheen, please oppose this pipeline and work with us to stop this project.

Most Sincerely,

Roger & Joan Crooker

cc: FERC

**20150803-0028**

*{same text as 20150803-0026 but addressed to: }*

Dear Senator Ayotte,

Roger & Joan Crooker

**20150803-0029**

*{same text as 20150803-0026 but addressed to: }*

Roger & Joan Crooker

**20150803-0030**

*{same text as 20150803-0026 but addressed to: }*

*Signature not legible*

**20150803-0031**

*{same text as 20150803-0026 but addressed to: }*

Dear Senator Ayotte,

*Signature not legible*

**20150803-0032**

*{same text as 20150803-0026 but addressed to: }*

*Signature not legible*

**20150803-0035**

Kimberly Bose, Secy  
Nathaniel J. Davis, SR., Deputy Secy  
Federal Energy Regulatory Commission  
888 First St. NE  
Washington DC 20426

Dear Sirs:

RE: docket PF 14-22-000

As a resident and homeowner in the Town of Lanesboro I oppose the proposed Kinder Morgan pipeline for the following reasons:

The proposed pipeline route passes through the Lanesboro water aquifer. There is a good chance that the aquifer would be damaged and we would no longer have a clean water supply.

Do we want to truck in water or drink bottled water for the rest of our lives?

Heavy equipment needed for construction would damage and destroy surface terrain.

The compressor station, proposed for a pristine natural setting and occupying up to 100 acres, would be a source of constant noise and light pollution. During ‘blows’ toxic fumes would be expelled into the surrounding area jeopardizing people, livestock and wildlife.

A meter station proposed for Lanesboro would also require blowdowns with the same deleterious effects.

Kinder Morgan has a poor safety track record.,

From 2006-2014, Pipeline and Hazardous Materials Safety Administration lists 92 Tennessee Gas Pipeline leakages and explosions - including personal injury and property damage of \$88,144,152.

The proposed pipeline is primarily for gas transport and only a small portion will service the communities through which it will pass; much will be exported out of the country.

Of the several thousand temporary jobs needed for construction of the pipeline only several hundred would be permanent. In contrast, the clean energy industry is rapidly growing, provides long term jobs, and does not destroy our planet.

As a limited liability company, Kinder Morgan is responsible only for fixing the pipeline. Property and environmental damage must be paid for by the owners.

The amount of money which would be paid to the impacted towns is dependent upon gas flow through the pipeline (fracked gas wells drop significantly in productivity after 3-5 years ) and customers to buy the gas. Kinder Morgan has already downsized the pipeline and removed a lateral because they had only half as many customers as they anticipated.

The amount of money towns would receive, as suggested by Kinder Morgan, is unrealistically high.

Let’s be visionary. Clean renewable energy is our future. No amount of Kinder Morgan money is worth the proposed pipeline damage to our property values, quality of life, health, natural habitats, air, soil, and water quality.

Please join with me and my town in opposing this unnecessary destructive pipeline.

Selma Josell

Lanesboro, MA 01237

**20150803-0038**

**Southwest Region Planning Commission**

87 Ashuelot Street, Keene, NH 03431 603-357-0557 Voice 603-357-7440 Fax

July 28, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

RE: Project docket number: PF14-22-000

Dear Ms. Bose:

Please accept this correspondence related to the Northeast Energy Direct (NED) proposal which would

impact several communities in the planning district served by the Southwest Region Planning Commission (SWRPC). As you know, scoping meetings are being conducted at this time and comments regarding impacts of the proposal are being accepted by your agency through August 31, 2015. In view of the amount of information which has been filed, including a substantial filing of new information on July 24, 2015, I ask that the previously established comment period be extended to allow more time for review of this information in order to more fully assess potential impacts associated with NED.

NED represents a significant proposal in Southwest NH and perhaps the most substantial infrastructure project in the past several decades for those communities which lie along the suggested corridor. The intent of the FERC process includes the opportunity for public input. For this process to be effective and transparent, adequate time must be allowed to review the significant volume of information which has been filed, some of which was made available only days ago. A comment deadline of August 31, 2015 does not represent sufficient time for agencies like SWRPC and the communities we serve to conduct thoughtful and detailed review of the information and develop comments which thoroughly identify resource impacts anticipated as a result of this proposal.

Thank you for the opportunity to provide input. Please feel free to contact me if you have any questions.

Sincerely,

Tim Murphy  
Executive Director

cc: US Senator Jeanne Shaheen  
US Senator Kelly Ayotte  
US Representative Ann McLane Kuster  
NH Governor Maggie Hassan

#### **20150803-0039**

Hand written card, Vicki Coppinger, 12 Matthew Way, New Ipswich, NH 03071, opposing & asking for Scoping Meeting in New Ipswich, NH

#### **20150803-0040**

Hand written card, Carissa Brailsford, 35 Dupaw Gould Rd, Brookline, NH 03033, opposing & asking for Scoping Meeting in New Ipswich, NH

#### **20150803-0041**

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First St. NE, Room 1A  
Washington, DC 20426

Subject: Docket No. PF14-22-000

July 28, 2015

Dear Ms. Bose,

This refers to the subject docket number and request for comments on Environmental Issues and Notice of Public Scoping. We have been following the discussions of the NED Project and its proposed route through the town of Amherst, NH. Under the initial proposed routing the installation of the pipeline diverts where from utility right of way that traverses north to cross the Souhegan River in Amherst, NH. The current route has the pipeline crossing the winding, Souhegan River no less than 4 times within one half mile.

The locations in Amherst where the pipeline will cross the river within one half mile four times are areas of wetlands and vernal pools which will be obviously impacted by construction as well as drilling and most likely impacted in the future. We are concerned about these impacts to the wildlife and their habitats in this area. We are not experts on what endangered or protected species may or may not be resident in this area

and would appreciate if this is looked into as well since there are numerous species that make their homes in this region.

Additionally, we are concerned about the effects of drilling and construction of a pipeline across the river and through an area of our aquifer as to what impacts will be immediately determined that will effect residential drinking water systems, all the properties that the pipeline will cross are on shallow well systems and septic fields. Any change in the aquifer due to drilling nearby may change the quality of water to these wells during and after construction. Our understanding is that the proposed route through Amherst, NH is 56% RESIDENTIAL

It is unclear to us how the construction and maintenance of a pipeline will affect ground water, surface water, residential drinking wells and the Souhegan River itself. It would seem that the proposed route may well have effects on soil stability and effect erosion and be a potential hazardous effect on storm water. I believe that much of the area is zoned a flood zone by FEMA. The risk of accidental spillage and/ or leaks is a major concern in these areas.

Since the proposed route through the Town of Amherst, NH is 56% Residential we are concerned about the impact on public health. This may be from ruptures of the system or from non-rupture leaks. It should be noted that the proposed route does cross roads which are cul-de-sacs and which are fairly heavily forested with old pines.

We understand that the Amherst Conservation Commission has a far better understanding of the environmental impact of the proposed route. We also understand that the Town has proposed alternate routing that would prove to be less intrusive and potentially less disruptive to the environment and citizen's public safety.

Lastly, we believe that the proposed NED pipeline will provide no benefit to the residents of New Hampshire. We believe that there are far more cost effective, prudent and less disruptive ways to meet the proposed market needs without this massive undertaking.

John and Cynthia Lobsitz  
26 Simeon Wilson Rd.  
Amherst, NH 03031

#### **20150803-0042**

Hand written card, Laura Ellen Gurney, 28 James St. Unit 3, Milford, NH 03056, opposing

#### **20150803-0043**

**The Commonwealth of Massachusetts**  
**House of Representatives**  
State House, Boston 02133-1054

REP ELLEN STORY  
3RD HAMPSHIRE DISTRICT  
AMHERST • PELHAM • GRANBY, PRECINCT I

July 29, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Room A1  
Washington, D.C. 20426

Dear Madame Secretary:

I regret that I cannot attend tonight's scoping meeting on the prospective Northeast Energy Direct Project. The state House of Representatives is in session, so I must be in Boston to attend to legislative business.

Please accept this letter as testimony.

I have strong reservations about the environmental impacts of the proposed gas pipeline. The materials that Kinder Morgan has provided to my office and to the public do not address these concerns adequately. I have heard many objections about environmental effects from my constituents, and even more from people who live in the vicinity of the prospective pipeline. In particular, I have heard a very persuasive case from a hydrogeologist who lives in a town adjacent to my district that we must study thoroughly the consequences of creating new manmade preferential pathways along this route. Because it alters the geomorphic structures of several unconnected watersheds, this project cannot move forward until the consequences on trophic interactions, nutrient dynamics and contaminant pathways are fully vetted.

Environmental review of this project should be a question for scientists, cartographers and land stewards, not corporate spokesmen, bureaucrats and lawyers. Please enforce a thorough review of this under-vetted project.

Yours sincerely,

Ellen Story  
State Representative  
3rd Hampshire District

#### **20150803-0044**

Kimberly Bose, secretary  
Federal Energy Regulatory Commission  
888 First St, NE  
Washington DC 20426

Dear Sirs:

At a previous meeting with Kinder Morgan representatives, they were masterful at not answering questions. We deserve specific answers to the following questions.

The proposed pipeline will pass through the Lanesboro aquifer. Is there a guarantee by Kinder Morgan that our clean water will not be contaminated either during construction or after the pipeline is in place? Can they guarantee that there will be no leakage of gas into our water supply making it unusable?

How much noise, in decibels, will the compressor station in windsor generate?

How far away - in yards or in miles will the noise be audible?

For what distance will the lights be visible?

What products and toxins are spewed into the air during blowdowns and how much of each?

How much noise, in decibels, does a blowdown generate?

What is the radius of the impacted area?

I have the same questions about the meter station planned for Lanesboro.

Kinder Morgan states that there is a gas shortage in the northeast. What percentage of the pipeline gas will go to New England and what percentage will be exported? Will the amount of gas going to New England eliminate the shortage? What areas of New England will receive the gas?

Perhaps the pipeline is not necessary. Kinder Morgan has already downsized the pipeline for lack of customers.

We should look into renewable energy which is clean, will provide long term jobs and will not destroy our planet.

Please stand up for property owners, our future generations, and businesses who are being placed in jeopardy by this unnecessary gas pipeline. This proposed pipeline places communities in Berkshire County and all across this state in danger of undermining our property values, quality of life, health, natural habitats, air,

soil, and water quality..

Sincerely,

Selma Josell  
Silver St.  
Lanesboro, MA

**20150803-0045**

Kimberly Bose, secretary  
Federal Energy Regulatory Commission  
888 First St, NE  
Washington DC 20426

Dear Sirs:

At a previous meeting with Kinder Morgan representatives, they were masterful at not answering questions. We deserve specific answers to the following questions.

The proposed pipeline will pass through the Lanesboro aquifer. Is there a guarantee by Kinder Morgan that our clean water will not be contaminated either during construction or after the pipeline is in place? Can they guarantee that there will be no leakage of gas into our water supply making it unusable?

How much noise, in decibels, will the compressor station in Windsor generate?

How far away - in yards or in miles will the noise be audible?

For what distance will the lights be visible?

What products and toxins are spewed into the air during blowdowns and how much of each?

How much noise, in decibels, does a blowdown generate?

What is the radius of the impacted area?

I have the same questions about the meter station planned for Lanesboro.

Kinder Morgan states that there is a gas shortage in the northeast. What percentage of the pipeline gas will go to New England and what percentage will be exported? Will the amount of gas going to New England eliminate the shortage? What areas of New England will receive the gas?

Perhaps the pipeline is not necessary. Kinder Morgan has already downsized the pipeline for lack of customers.

We should look into renewable energy which is clean, will provide long term jobs and will not destroy our planet.

Please stand up for property owners, our future generations, and businesses who are being placed in jeopardy by this unnecessary gas pipeline. This proposed pipeline places communities in Berkshire County and all across this state in danger of undermining our property values, quality of life, health, natural habitats, air, soil, and water quality..

Sincerely,

Robert Josell  
Silver St.  
Lanesboro, MA

**20150803-0047**

July 26, 2015

Kimberly D. Bose  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A

Washington, DC 20426

RE: Tennessee Gas pipeline proposal FERC Docket P PF14-22-000

Dear Secretary Bose,

We are writing to you to register our vehement objection to the gas pipeline and compressor station project being proposed by Tennessee Gas Pipeline, L.L.C. in our region. We own a home on sixty acres in Temple abutting the New Ipswich boundary. As property owners near the proposed compressor station cite we have been contacted by both TNC and FERC.

The industrial nature of this project is entirely out of keeping with the rural and ecologically sensitive character of this area. The facility as proposed places the compressor and pipeline within a drinking water protection area and poses a threat to wetlands, a reservoir, sensitive wildlife, farms and the children at our elementary school.

This proposal violates the tenets of our town master plan and major zoning ordinance provisions. We feel that this project presents a danger to the health and safety of our community. This project is certain to severely impact the value of our home and land resulting in a graphic loss of property as well as peace of mind.

We hope that all our elected representatives will unite to speak out aggressively against this proposal and act to halt its continued progression.

Thank you for your attention,

Richard J. Fressilli

Leah R. Fressilli

404 Fish Road (PO Box 10)

Temple, N.H. 03084

**20150803-0048**

**TOWN OF LONDONDERRY**

Town Manager

268B Mammoth Road

Londonderry, NR 03053-3416

July 27, 2015

Kimberly D. Bose, Secretary

Federal Energy Regulatory Commission

888 First Street, N.E.

Washington, DC 20426-0002

Re: Docket PF 14-22

Dear Ms. Bose,

Enclosed, please find a copy of Resolution 2015-04 adopted by the Town Council in Londonderry, New Hampshire, by a 5-0 vote, at its most recent meeting on July 20, 2015.

Of particular importance, please note the Town Council's stated opposition to the location of the proposed pipeline in the Town of Londonderry.

If you have any further questions, please do not hesitate to contact me at 603 432-1100, ext. 111. Thank you for your attention to this matter.

Respectfully,

Kevin H. Smith

Town Manager

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RESOLUTION 2015-04

A RESOLUTION REGARDING NORTHEAST DIRECT PROJECT

First Reading: 07/20/2015

Adopted: 07/20/2015

WHEREAS Tennessee Gas Pipeline Company, L.L.C., (“TGP”) a subsidiary of Kinder Morgan Energy Partners, L.P., has proposed to construct a new natural gas distribution pipeline in southern New Hampshire, known as the Northeast Energy Direct Project (“NED”);and

WHEREAS TGP has filed proceedings in the United States Federal Regulatory Commission (“FERC”), Docket No. PR14-22-000, requesthg comments on environmental issues and other matters, and meetings for receipt of public comments are scheduled in New Hampshire in July; and

WHEREAS In addition, related proceedings have been or may be filed in the future with the New Hampshire Public Utilities Commission (“PUC”) and the New Hampshire Site Evaluation Committee (together, the “State Agencies” ); and

WHEREAS A portion of the proposed NED pipeline is proposed to be constructed in Londonderry; and

WHEREAS The proposed pipeline will create no direct benefit to the residents of Londonderry, and the disruption to the residents of Londonderry caused by the construction of the new pipeline may outweigh the benefits to the Town and its residents.

NOW THEREFORE BE IT RESOLVED by the Londonderry Town Council that the Town of Londonderry does not support the location of the proposed pipeline in the Town of Londonderry, and

BE IT FURTHER RESOLVED that the Town Manager is authorized to file such statements at the proceedings and meetings held by FERC snd the State Agencies as he determines appropriate to convey the foregoing resolution to TGP snd to FERC and the State Agencies.

John Farrell, Chairman  
Town Council

Sherry Farrell  
Town Clerk

A TRUE COPY ATTEST:  
07/20/2015

**20150803-0049**

PROPERTY ACCESS DENIED

Tennessee Gas Pipeline Company, LLC  
1615 Suffield Street  
Agawam, MA 01001

Date: 07/25/15

Via Certified Mail, Return Receipt Requested

RE: Denying Property Access

As the owner of the property located at:

Street Address: 137 Eastern Ave

Town & Zip: Keene 03431

Map & Lot Number(s) (if known) \_\_\_\_\_

I am denying permission to the Tennessee Gas Pipeline Company, LLC (a Kinder Morgan Company), its representatives, contractors, sub-contractors, or associates to enter my land or to perform surveys, or for any other purpose in furtherance of a pipeline infrastructure project. Any such physical entry onto my property from the date of this letter forward will be considered unauthorized, and treated as trespass.

Andrew Plewa

CC:

FERC

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426

**20150803-0050**

Dawn Aquino  
PO Box 175 / 42 Cutter Road  
Temple, NH 03084

July 1, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426

RE: FERC docket number PF14-22

Dear Secretary Bose:

In regard to the proposed Kinder Morgan/TGP natural gas pipeline, when is FERC going to hold its Scoping meetings in the towns of New Ipswich, Temple, Greenville, and Mason, NH?

All of these towns would be affected by the potential compressor station.

**20150803-0051**

**trustees**

200 High Street | Boston | MA 02110

July 23, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Room 1A  
Washington, DC 20426

Re: Docket No. PF 14-22-000- Tennessee Gas Pipeline Company, L. L. C., Northeast Energy Direct Project  
- **Delay of Scoping Sessions**

Dear Secretary Bose,

The Trustees preserve, for public use and enjoyment, properties of exceptional scenic, historic, and ecological value in Massachusetts. Since our founding in 1891, we have protected over 25,000 acres and have grown to an organization with over 100,000 members who care about the outdoors and the charms of New England. As we have previously noted, the current preferred route of the Northeast Energy Direct (NED) project crosses a portion of our Notchview Reservation in Windsor, MA. Notchview is over 3,000 acres of rolling hills and high elevation spruce/fir forest in the Hoosac Range, with wildlife habitat, scenic vistas, and Nordic ski and hiking trails. During the winter of 2013-14 roughly 12,000 Nordic skiers visited Notchview, and many hikers and walkers visit during rest of the year. It is a destination for star gazing, as its elevation and lack of light pollution make it an ideal spot. In addition to the pipeline itself, an 80,000 horsepower compressor station is proposed nearby to Notchview Reservation. This would be one of the largest compressor stations in the North East. These are loud, well-lit industrial facilities that are not at all consistent with

the character or economy of Windsor and would have a direct impact on the quality of experience and visitation to our Reservation.

As part of the review process, your Commission has scheduled National Environmental Policy Act scoping sessions for late July and August. However, in order for The Trustees, and for other conservation organizations, affected landowners, and government agencies to meaningfully participate in the scoping sessions, we need adequate time to review the scope and potential impacts as described by Tennessee Gas Pipeline (TGP) in their Resource Reports. Revised Resource Reports are anticipated, as the route has changed, but are not yet filed. Detailed information on the compressor stations is also not available.

I am writing to request that the National Environmental Policy Act scoping meetings be postponed until fall, after Tennessee Gas Pipeline files its revised Resource Reports and after there is adequate time of at least 30 days to review the reports. The deadline to file comments should also be at least 30 days after the filing of the revised Resource Reports. Additionally, late summer is vacation time and many affected landowners are likely to be unable to attend the meetings as currently scheduled.

Impacts will not be minimal. Roughly 1/4 of the current proposed NED route cuts through public or private conservation land. This will significantly fragment and devalue the network of public and private conservation land that we, along with other conservation organizations, municipalities, and the Commonwealth of Massachusetts, have worked for decades to protect.

In addition to natural resource impact concerns, we do not believe that a significant expansion of natural gas/fossil fuel infrastructure is consistent with greenhouse gas reduction goals, as put forth in the 2008 Massachusetts Global Warming Solutions Act [GWSA, Chapter 29B of the Acts of 2008). The GWSA created a framework for reducing heat-trapping emissions to levels that scientists believe give us a decent chance of avoiding the worst effects of global warming. The Massachusetts Attorney General has recently called for a study to better understand the need for additional gas capacity in the New England region and to better understand how new natural gas capacity will affect our ability to meet the mandatory GWSA goals. This study is to be completed by October, 2015.

Demonstrating need is a critical step in federal approval of natural gas pipelines. NED has an estimated capacity, according to TGP, of 1.3 billion to 2.2 billion cubic feet of natural gas per day. At this time, TGP has contracts to ship roughly 550 million cubic feet per day, which is significantly less than capacity. The MA Attorney General's study will also address other ways to meet energy needs, including energy efficiency and renewable energy generation as well as updating existing infrastructure. I also note that a recent study by London Economics International, commissioned by the Maine Public Utilities Commission, found that the benefit to consumers from NED or other projects would not outweigh costs<sup>1</sup>.

The Massachusetts Association of Conservation Commissions, Mass Audubon, Nashua River Watershed Association, and the Northeast Municipal Gas Pipeline Coalition have also requested that the scoping sessions be postponed.

Please add me to the Commission's environmental mailing list for this project.

Thank you for the opportunity to provide comment.

Sincerely,

Barbara Erickson  
CEO and President  
The Trustees

1 Maine Energy Cost Reduction Act: Cost benefit analysis of ECRC proposals, London Economics International, 2015

Cc:

US Senator Elizabeth Warren  
US Senator Edward Markey  
US Representative Richard Neal

US Representative James McGovern  
US Representative Niki Tsongas  
US Representative Joseph P. Kennedy III  
US Representative Katherine Clark  
US Representative Seth Moulton  
US Representative Michael Capuano  
US Representative Stephen Lynch  
US Representative William Keating  
MA AG Maura Healey  
MA Executive Office of Energy and Environmental Affairs Secretary Matthew Beaton  
MA Energy Facilities Siting Board  
MA Senate President Stanley Rosenberg  
MA Speaker of the House Robert DeLeo  
MA Senator Ben Downing  
MA Senator Mare Pacheco  
MA Representative Paul Mark  
MA Representative Steve Kulik  
MA Representative Lori Ehrlich  
MA Representative Frank Smizik

**20150803-0053**

Barbara Steelman  
300 Hill Rd  
Temple, NH 03084

July 1,2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426

RE: FERC docket number PF14-22

Dear Secretary Bose:

In regard to the proposed Kinder Morgan/TGP natural gas pipeline, when is FERC going to hold its Scoping meetings in the towns of New Ipswich, Temple, Greenville, and Mason, NH?

All of these towns would be affected by the potential compressor station.

**20150803-0054**

Daniel M. Clifton  
300 Hill Rd  
Temple, NH 03084

July 1,2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426

RE: FERC docket number PF14-22

Dear Secretary Bose:

In regard to the proposed Kinder Morgan/TGP natural gas pipeline, when is FERC going to hold its Scoping

meetings in the towns of New Ipswich, Temple, Greenville, and Mason, NH?

All of these towns would be affected by the potential compressor station.

**20150803-0055**

Kimberly Bose, Secy  
Nathaniel J. Davis, SR., Deputy Secy  
Federal Energy Regulatory Commission  
888 First St. NE  
Washington DC 20426

Dear Sirs:

RE: docket PF 14-22-000

As a resident and homeowner in the Town of Lanesboro I oppose the proposed Kinder Morgan pipeline for the following reasons:

The proposed pipeline route passes through the Lanesboro water aquifer. There is a good chance that the aquifer would be damaged and we would no longer have a clean water supply.

Do we want to truck in water or drink bottled water for the rest of our lives?

Heavy equipment needed for construction would damage and destroy surface terrain.

The compressor station, proposed for a pristine natural setting and occupying up to 100 acres, would be a source of constant noise and light pollution. During ‘blows’ toxic fumes would be expelled into the surrounding area jeopardizing people, livestock and wildlife.

A meter station proposed for Lanesboro would also require blowdowns with the same deleterious effects.

Kinder Morgan has a poor safety track record.,

From 2006-2014, Pipeline and Hazardous Materials Safety Administration lists 92 Tennessee Gas Pipeline leakages and explosions - including personal injury and property damage of \$88,144,152.

The proposed pipeline is primarily for gas transport and only a small portion will service the communities through which it will pass; much will be exported out of the country.

Of the several thousand temporary jobs needed for construction of the pipeline only several hundred would be permanent. In contrast, the clean energy industry is rapidly growing, provides long term jobs, and does not destroy our planet.

As a limited liability company, Kinder Morgan is responsible only for fixing the pipeline. Property and environmental damage must be paid for by the owners.

The amount of money which would be paid to the impacted towns is dependent upon gas flow through the pipeline (fracked gas wells drop significantly in productivity after 3-5 years ) and customers to buy the gas. Kinder Morgan has already downsized the pipeline and removed a lateral because they had only half as many customers as they anticipated.

The amount of money towns would receive, as suggested by Kinder Morgan, is unrealistically high.

Let's be visionary. Clean renewable energy is our future. No amount of Kinder Morgan money is worth the proposed pipeline damage to our property values, quality of life, health, natural habitats, air, soil, and water quality.

Please join with me and my town in opposing this unnecessary destructive pipeline.

Robert Josell  
Lanesboro, MA 01237

**Amherst Christian Church**  
134 Hollis Road ~ Amherst, NH 03031  
Tel 603-672-1541 ~ Fax: 603-672-6242  
Website: www.amherstchristianchurch.org

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426

Re: Docket No. PF14-22-000: Proposed NED Pipeline

Dear Ms. Bose,

It is my understanding that at the present time Kinder Morgan is planning to route the pipeline through Patricia Lane, and through our churches parking lot. It is 'roposed also my understanding that to date, the final decision has not been made and you are still in an evaluation process. There are a couple of factors related to the operation of our church and the services we provide to the local communities that would be negatively impacted by the proposed pipeline routing.

Our church campus is approved and licensed by the state as for child care and has operated a pre-school and kindergarten at this facility for 23 years with an average attendance of 80 students. We suspended our pie-school operation a few years ago for a number of reasons. However, we are in the process of developing a new operational plan with the goal of reopening our school in September of 2016. Our school staff numbered 11 individual plus the church staff'f 3 on site personal.

Attending one of the Kinder Morgan presentations I observed that the proposed routes avoided schools and can only assume there is a reason for Kinder Morgan routing the pipeline considerable distances from educational facilities. We would appreciate the same safety parameters for our school that have given to the other educational facilities.

Various special events including Thanksgiving, Christmas and graduations in the past have been attended by over three hundred (300) individuals. It is my understanding the proposed pipeline route as presently proposed by Kinder Morgan will be less than fifty yards from the front doors of our facility.

No matter hcv safe Kinder Morgan claims the pipeline will be the fact is that is presents a potential risk and danger to ow studeots. In addition, the pipeline is being projected as a risk to all who have it passing through their back yards. In the event of leak, fire or explosion it would block the entrance and exits to our campus and a cause of physical injury to those present on our campus.

Our assembly area is approved for five hundred occupants making it the largest auditorium in the towns of Amherst, Milford, and Hollis.

At present our facility is used for our Sunday services, special events, i.e., concerts, seminars, interchurch events, small groups, including youth women's and including concerts, seminars, interchuih events, small groups, including youth women's and special interest groups and church events.

In addition to the above our campus houses New Hampshire Family Radio's broadcast studio and the Community Marriage Initiative. My concern is also for the inconveniences we would experience during construction and the safety issues associated with the pipeline and its impact on our school.

Thank you for your attention to above issue. Your careful consideration will be greatly appreciated.

Sincerely,

Ronald A Tannariello  
Lead Pastor

**20150803-0057**

Kimberly D. Bose, Secretary  
Federal Energy Regulation Commission  
888 First Street, NE  
Room 1A  
Washington, DC 20426

Date: July 29, 2015

Via Certified Mail, Return Receipt Requested

Re: Denying property access: PF 14-22-000

As the owner of the property located at:

12 Arrow Lane, Amherst, NH

I am denying permission to the Tennessee Gas Pipeline Company, LLC (a Kinder Morgan Company), its representatives, contractors, sub-contractors, or associates to enter my land or to perform surveys, or for any other purpose. Any physical entry onto my property will be considered unauthorized, and treated as trespass.

Barbara Zaenglein

**20150803-0058**

Kimberly D. Bose, Secretary  
Federal Energy Regulation Commission  
888 First Street, NE  
Room 1A  
Washington, DC 20426

Date: July 26, 2015

Via Certified Mail, Return Receipt Requested

Re: Denying property access: PF 14-22-000

As the owner of the property located at:

33 Kennybeck Ct  
New Ipswich, NH 03071

I am denying permission to the Tennessee Gas Pipeline Company, LLC (a Kinder Morgan Company), its representatives, contractors, sub-contractors, or associates to enter my land or to perform surveys, or for any other purpose. Any physical entry onto my property will be considered unauthorized, and treated as trespass.

Gretchen H. Walker

Paul E. Walker

**20150803-0059**

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426

July 28, 2015

Dear Ms. Bose,

I am writing to express my ardent opposition to the proposed Kinder Morgan Pipeline running through southern New Hampshire, Docket PF14-22. I am concerned about the impact the building and maintenance of the pipeline will have on our well water, the water quality in our many lakes, our air quality and our wild-life.

- ~ That is to say nothing of the negative impact the project will have on the local highway infrastructure and the noise pollution it will produce.
- ~ The project will mostly employ highly skilled unionized labor that is brought in for the job, not our local workforce.
- ~ The gas traveling through the pipeline will not even be used in our area but rather will be sent along to Massachusetts for further dispersal. There is already an existing pipeline in eastern Massachusetts that can be expanded and used instead.

I am deeply saddened that the pipeline will run through Rhododendron State Park in Fitzwilliam part of which was designated a National Natural Landmark in 1982. The parkland was given to the Appalachian Mountain Club in 1903 with the condition that it “be held as a reservation properly protected and open to the public...forever”. In addition the contract barred the cutting down of any trees. It is difficult to think that this magnificent gift of nature from our forefathers will be forever scarred by mankind solely for the profit of big business and that their wishes for the land will be so blatantly ignored.

It is not just local residents who will be impacted by the pipeline. The 125,000 people who hike Mount Monadnock, commonly held to be the second most climbed mountain in the world, annually will be treated to the eyesore. Also impacted will be many of the lakes and hiking trails in the area that are widely used for recreation by residents and vacationers alike.

Finally, my home was built not long after Samuel Rockwood bought the property in 1792. The house has withstood all that Mother Nature has conjured up for 220 years. I have poured my life savings into renovating the house, and now it stands in the incineration zone of the pipeline. It boggles the mind that I have no control over what will happen to my property, potentially my house, my property value and all the spectacular flora and fauna that exist here with me.

I came to New Hampshire because of the natural beauty and peace the area provide, not to be situated in close proximity to a potential manmade disaster. The area does not have the infrastructure to support the building and maintenance of the pipeline let alone the resources to cope with a fire or explosion. This is terrifying to me especially given Kinder Morgan’s poor safety record and the fact that they have approval to use lesser quality materials since we are designated a rural area.

This pipeline is wrong for me, wrong for Fitzwilliam, wrong for the Monadnock region and wrong for New Hampshire!

Thank you for your consideration of this matter.

Holly Woodward  
226 Rockwood Pond Road  
Fitzwilliam NH 03447  
Hwoodward82@gmail.com  
603-562-4321

## **20150803-0060**

Project docket number (PF14-22)

July 28, 2015

Alice Spatz  
56 Bridge St., P.O. 324  
Lanesborough, MA 01237  
4134442-2969  
spatzlarryalice@verizon.net

Please extend the scoping period for the Kinder Morgan project (PF14-22) and look into the legitimacy of the need for more natural gas.

Shrouded in secrecy, the New England States Committee on Electricity (NESCOE) undertook efforts that were poised to tax electric customers to pay for bringing massive new gas pipelines into the region. Studies

commissioned by NESCOE showed that if current levels of state energy efficiency programs continue, there is no need for additional natural gas infrastructure even with economic growth taken into account Now the New England Governors are stepping away from a high-risk gamble with clean air and electric customers' money.

'NESCOE "New England Gas-Electric Focus Group Final Report" of March 28, 2014, the gas/electric industry analyst firm concluded and recommended, among other things, that, "No long-term infrastructure solutions are necessary under the Low Demand Scenario", and, "Further analysis would be required to determine whether policies that would result in a Low Demand Scenario are cost-competitive with infrastructure investments." Berkshire the edge newsletter June 11, 2015

The need for more capacity has been cited as peak demand during cold weather when gas for heating and gas for electric generation compete for existing pipeline capacity. These conditions only happen for a few hours a day, about 10-27 days a year, and it has never led to a dip into our electric generation buffer (the extra electric capacity ISO-NE likes to keep on hand), let alone actual electric demand. ISO New England actually issues Minimum Generation Emergency Warnings." These are times when consumers were using so little electricity that the grid operator had to ask power plants to NOT generate electricity. (ISO NEWS-WIRE — 12/2010)

Instead of building an enormous pipeline designed for export, and that doesn't supply gas to new local customers, a good place to start is by making wise use of our existing pipelines. We can make sure the pipeline capacity that we already have is being well utilized before leaping to build expensive new pipelines. This starts with fixing leaks and creating opportunities for storage or contracts to address the few hours of a few days of high demand in the winter.

If new pipeline capacity is added, any capacity increase should include a "system transformation charge." Similar to the energy efficiency charge, this would recapture a portion of the expected economic savings and use those funds to enable more energy efficiency and renewable power supplies. These funds would allow customers to reduce their reliance on fossil fuels each year, making the possibility of using natural gas as a "bridge fuel" a reality.

Sincerely, Alice Spatz

**20150803-0064**

Hand written postcard, Lucille D. Krieger, 45 Win? Dr, Dracut, MA 01820, opposing

**20150803-0065**

Hand written card, Eloise M. Crane, 2 Sugar Hill Circle, Methuen, MA 01844, opposing

**20150803-0066**

Hand written card, Evelyn Taylor, 213 Old Wilton Rd, New Ipswich, NH 03071, recommending a moratorium on proceedings until full disclosure by TG/Kinder Morgan of all hazardous substances...

**20150803-0067**

Hand written card, Evelyn Taylor, 213 Old Wilton Rd, New Ipswich, NH 03071, opposing

**20150803-0068**

Hand written postcard, Claudette Af?, 226 Trout Brook Road, Dracut, MA 01826, opposing

**20150803-0069**

Hand written postcard, Linda Jezak, 755 Broadway Rd, Dracut, MA 01826, opposing

**20150803-0070**

Hand written postcard, Shelley Frechette, 226 Trout Brook Rd, Dracut, MA 01826, opposing

**20150803-0071**

Hand written postcard, Yvette Fortier, Tennis Plaza Rd, Dracut, MA 01826, opposing

**20150803-0072**

Hand written postcard, James Czerlonka, 11 Cinderella Circle, Dracut, MA 01826, opposing

**20150803-0073**

Hand written postcard, Pearl Czerlonka, 11 Cinderella Circle, Dracut, MA 01826, opposing

**20150803-0074**

Hand written postcard, Richard J. Frechette, 226 Trout Brook Rd, Dracut, MA 01826, opposing

**20150803-0075**

Hand written card, Ken Bury, 7 Patricia Lane, Amherst NH 03031, opposing

**20150803-0076**

Hand written card, Chris Bradler, New Ipswich, NH 03071, opposing

**20150803-0077**

Hand written card, Chris Bradler, New Ipswich, NH 03071, opposing

**20150803-0078**

Hand written card, Wendell Jay, 15 Willard St, Lowell, MA 01850, opposing

**20150803-0079**

Hand written FERC comment form, James & Susan Ferguson, 44 Mead Road, Armonk, NY 10504, concerned about proximity, noise, odor, leakage, breakage, etc.

**20150803-0080**

Hand written FERC comment form, Robert Blanton, 1381 Stewart Rd, East Meridith, NY 13757, opposing

**20150803-5000**

Lorraine Stockwell, Temple, NH.

Here are some of the reasons I have for NOT supporting the natural gas pipeline through Southern New Hampshire:

- If approved:
  - o It will cross 17 towns, 40 conservation lands, 155 wetlands, 116 bodies of water, 8 miles of state forest or parks, and the property of 822 NH households, changing the look and feel of beautiful New Hampshire forever.
  - o It will leak methane from valves, compressor, and metering stations. How will our health and the health of our children, our pets, and all animals in the area be impacted?
  - o It will endanger students at the Temple Elementary School and everyone else in the “burn zone” of the compressor station.

- The possible environmental/health impacts for humans, animals, and plants have not been adequately studied. What about the farms? What about local food?
- New Hampshire would get only a small percentage of gas. Some would go to Massachusetts. Most would be exported to Europe and Asia.
- It will not lower prices.
- It will not provide jobs

Opposition to the pipeline is strong among New Hampshire residents, especially those living in Southern New Hampshire. I am scared and appalled and saddened with the prospect of the construction of and possible existence of a natural gas pipeline and compressor station in our neighborhoods.

My family and I moved here 26 years ago because we wanted a beautiful, clean, rural, healthy place to raise our children. If the pipeline is approved, we and most of our friends, want to leave the area. Unfortunately, even the threat of the pipeline has already affected property values. Who would want to move here now? I certainly wouldn't.

I know you must weigh all costs and benefits when deciding whether or not you will support the pipeline. The costs clearly exceed any small benefits. The residents clearly do not want the pipeline.

Please make the right decision and cancel this project.

### **20150803-5002**

Amy Glowacki, Mason, NH.

Please push to schedule more scoping sessions for people impacted by the TGP NED pipeline. The two sessions in S NH were scheduled too soon after TGP-KM filed their latest report with FERC. The report was available on Friday 7/24 in the evening and the first session was 7/29. That is inexcusable and doesn't reflect fair and open dialog opportunities.

Also, two sessions in NH are not enough to accommodate all who wish to participate. The Milford location was too small. The overflow room filled up and people were turned away. This is not acceptable. The hall was not handicap accessible. How can you justify this treatment of your citizens? It is criminal. Our land and way of lives are being changed without our consent and now it is happening without opportunities to voice our concerns. Won't you stand up for your constituents? I am saddened and disillusioned in our democratic process and how our officials have seemingly sold us out to private business for profit under the guise of public benefit. What is the public benefit - I would like to see the true facts honestly presented and shared I a fair exchange where all voices are heard. Sadly this isn't happening here in NH.

### **20150803-5003**

Susan M Baxter, Appleton, WI.

07/31/2015

My scoping comments for Segment A of the NED:

Updated Areal imagery was to be captured in the spring of 2015. It is now summer. I am commenting on imagery from 2010.

This area has a proposed 36" loop, and true to form, the loop is proposed to be placed 25 ft away from the existent lines. Whether or not this offset is most protective of the wetlands and waterways on this segment should be examined by someone. I presume TGP is not insisting that the existent pipelines would be in jeopardy with a shorter distance between these two pipelines (loops).

I would suggest that the areas in the current ROW which look like they are to be used as "Additional Temporary Work space" and are planned as such should probably be accounted for as such. INGAA has tried to determine what the "safe construction work spaces limits" should be for pipeline projects, and masking ATWS requests will probably just impede their efforts. FERC has rules about protection of resource areas,

even if they are in the current ROW. I don't know when the 300-1 or 300-2 were built or if surveys have been done on this segment. Based on my experience with TGP's 200-1 and the 200-2 lines they probably go through many resource areas.

The request for ATWS-A-82 should be examined, and split up.

I don't know what to say about ATWS-A-093, except what a mess.

ATWS-A-122 should be split up and minimized.

ATWS-A-138 should be split up.

Sincerely, Susan Baxter

### **20150803-5005**

Jill, Merrimack, NH.

It pains the community of Southern New Hampshire to have to fight for our rights again Kinder Morgan and the proposed pipeline. The government is supposed to be for the people which means when the people have their land taken away, we need to look to our government and our official to help us fight the battle. It is unfair and unjust to allow a private company like this come and take our beautiful resources and land away from us. One important thing to remember is no one has proven there is a need for this resource. There are plenty of alternatives that will not damage our land or communities. No one did any research to confirm the need in NH for Natural gas. The proposed route is not well thought out. They only reason I would think Kinder Morgan is choosing this route is because MA fought against this and got it out of their state, that or is it way more expensive for Kinder Morgan to fight that battle with that state. Why should my children have to worry about their land and health. Why would you allow a private company put our kids and the future of our country in harms way? Isn't the government supposed to protect us against due harm. We need the federal government to listen to the community and neighbors affected by this pipeline. I ask you if you would be ok to have this in your backyard. I can't find one person ok with that. Not one person I know wants this in their backyard. There are plenty of studies against the damage this will cause to our land and natural resources. Not to mention the need is not there. We have constitutional rights and this would directly impact our water, nature conservation, wild life, schools to mention a few, Also, not one person from Kinder Morgan came out and stated what NH has to gain from this. This will decrease our property value, increase our insurance, put us in constant harms way of an explosion. If , KM wants to do this they should buy all our houses from us and allow us to move elsewhere. I would be in negotiation for that. I moved to Merrimack for the love of the land and all it has to offer. Now I want to leave due to the proposed pipeline but who would want to buy our land now. My house it already under value and this would just make that worse. Don't we have to consider what is best for the people and community it is impacting. Who is doing that research when you go to approve this. Does anyone care about the people impacted anymore?

### **20150803-5006**

Jill, Merrimack, NH.

New Hampshire citizens have some of the cleanest water in the nation . Any landowner who has applied for a water-related permit knows how stringent those rules can be. The question now is whether those same rules apply to out-of-state oil and gas companies.

Kinder Morgan is a multi-billion dollar company not located in NH and they want to build a huge pipeline through the conservation land, water supply, within 100 feet of our future and schools, 50 feet in my backyard. Ironically named the "NED," this corporate partnership has been granted the right of eminent domain to take private property for the purpose of carrying fracked shale gas. Employees and officers of both corporations have stated to their investors that they want to sell gas at the highest possible price on the international market.

To do that, Kinder Morgan has chosen the most destructive route and the cheapest construction methods.

Described as a "greenfield project," the Constitution Pipeline would convert pristine fields and forests into

an industrial corridor. Construction would involve clear-cutting, blasting, and digging a 124-mile-long, 125-foot-wide gash up and down hills, through cold-water trout streams, and across scores of farms and rural communities. Instead of carefully boring under fragile wetlands and streams, Kinder Morgan would maximize impacts by trenching through them, burying their pipeline just below the surface where it would be extremely vulnerable to scouring, exposure, and rupture. Critical aquatic habitat, which has never been surveyed for species of concern, would be harmed. The project would also fragment forests and wipe out more than 700,000 trees in a region known for devastating floods. Clear-cutting on steep slopes would cause massive erosion and contaminate streams and watersheds, especially during the extreme storms that have become frequent in recent years.

Under section 401 of the federal Clean Water Act, the pipeline cannot be built unless DEC certifies that the state's strict water quality standards will not be violated. The problem is that there is no way to tear through the sensitive hills, forests, wetlands, and streams where this pipeline is proposed without threatening water quality and degrading aquatic habitat. DEC must therefore deny the 401 Water Quality Certificate.

Despite the inevitable violations to the state's water quality standards, we are hearing that a deal has been made to approve the project anyway.

NH needs our Governor and Acting Commissioner on our side as well as FERC, please do not let the rubber stamp of a federal agency and pressure by the fossil-fuel industry destroy our state's most precious natural resources. You not only have the authority, but a legal obligation, to protect the water quality and safety of New Hampshire. It is impossible for the FERC to certify that this proposed pipeline complies with New Hampshire's State's stringent water quality standards. We therefore urge you to do the right thing by denying the pipeline.

## **20150803-5008**

Pixie Holbrook, Conway, MA.

(My comments were intended for the FERC Scoping Hearing in Greenfield MA on July 29th. My name was called to speak but a well-intentioned selectboard member went up instead.)

I would like to touch upon 4 topics....

First, our local Council of Governors held a public informational meeting that included a gas industry engineer, whose specialty was pipeline installation. When asked how far away a pipeline should be from high-tension wires, he quickly responded with "400, 500 feet away". Then with a lowered voice, "1000 feet..." We would like Kinder Morgan to justify the placement of this pipeline that runs parallel and only about 50-100' away from the Eversource high-tension wires. And how will it and who will be monitoring the integrity of that juxtaposition?

Secondly, last Friday KM provided us with an extremely lengthy Resource Report delineating the details of the installation and operation of this pipeline. They gave it to us only 6 days before this hearing. Clearly intentional, this is unethical behavior. I am here with many others to demand a new schedule with a full 60 days for us to review the information.

Thirdly, you should be questioning the ethics of this company, Kinder Morgan, in general. They lie about hiring 1000's of people to install this pipeline, while in fact we know historically that they bring in their own crews. They lie about building a pipeline to benefit New England, yet there are countless indications that this gas is for export. They display a photograph of a quaint barnlike building, a very small compressor station. In fact, the one planned for our neighbors in Northfield, is the largest compressor station in the nation. They say they will reduce the size, but we all know full-well that once given your approval, that that station will return to one large enough to provide ample gas to Europe!

Lastly, I want to add that in that Resource Report, we discovered that my rural, quiet Conway is the location for a Mainline Valve and a Remote Blowoff Valve. It will serve to periodically release the pressure in the pipe, sending pressured fracked gas into our air. We know that fracked gas carries countless particles of

chemicals used in the fracking process. Those particles are heavier than air, and once released, will shoot up into the air, then travel and drop to the ground...on our rivers, streams, wetlands, farms, livestock, flower gardens and swings. For years and years and years...

We don't need this pipeline and it is of no benefit to us here. Pipeline leaks can be fixed, other pipelines can be run at capacity. Gas can be stored in the warm months for cold days in winter. We can further pledge, as a state, to conservation and renewables. We ask you to tell Kinder Morgan to pack up and leave. They're not wanted or needed here. Thank you.

**20150803-5011**

Fred Teeboom, Nashua, NH.

1 August 2015

Subj: Tennessee Gas pipeline Company's Northeast Energy Direct Project

Re: Docket No. PF14-22-000

My Comments:

I am greatly in Favor of the pipeline:

1. We need this pipeline to get our energy costs under control. Please proceed with your review and approval at fast pace possible. No Delays!
2. I tried to speak at the FERC Focus Meeting in Nashua NH on 29 July, but was unable to due to my high assigned speaker number (#72).
3. The "Stop the Pipeline" people, organized in groups with signs and T-shirts and prepared comments are a bunch of NIMBYs, but scare all those in favor of the pipeline with interruptions; shouting boos and with physical intimidation; much like mass-hysteria.
4. I recommend you videotape these meetings and observe the extremely rude behavior by the "Stop the Pipeline" NIMBYs.

Sincerely,

Fred S. Teeboom  
24 Cheyenne Drive  
Nashua, NH 03063  
(603) 889-2316

**20150803-5012**

Carolyn Bosch, Dracut, MA.

Ms Kimberly D Bose, Secretary

Federal Energy Regulatory Commission, FERC

Reference: Docket number PF14-22-000. Northeast Energy Direct Project.

I am totally against the proposed pipeline. I do not believe that we need to further damage the environment by continuing to rely on fossil fuels. Other alternatives like solar and wind should be seriously considered and invested in before we continue to along the path of destroying our environment. Global warming is not a theory. It is real. I strenuously urge you to stop this proposal.

I would like to address the actual need for a pipeline. Addressing the environmental issues before addressing the Energy Needs implies that the need is real and this is already the next step. That is what Morgan Kinder wants you to believe. That is their strategy. They want to persuade FERC, our elected politicians and citizens to believe that the need is real. It isn't. There are 15 days a year that require additional energy needs that can be handled without this new pipeline. Why is a new pipeline even being considered for such a small problem? Investigate energy efficiency (fix the existing leaky gas pipes), look at solar and wind

generation, and increase the use of LNG. I believe this is more about big business and long term potential profits to sell off the “unused” gas that Kinder Morgan “says” “New Englanders” need. I don’t buy it. And FERC, neither should you.

**20150803-5013**

Richard B. Putnam, Milford, NH.

To: FERC re: Project docket number PF14-22-000

From: Richard B. and C. Victoria Putnam  
153 Jennison Road  
Milford, NH 03055

Date: August 1, 2015

We are writing to express our vehement opposition to the proposed natural gas pipeline by Tennessee Gas Pipeline Company for the following reasons:

- 1: The disruption and devaluation of property along the path of the pipeline.
- 2: The hazardous nature of the process of transporting flammable material in close proximity to homes, schools and otherwise developed areas along the path of the pipeline.
- 3: The noise and emission of toxic materials associated with the proposed compression stations.
- 4: We oppose the fact that the gas being transported was produced by hydraulic fracturing at its source; a process which is wrong by any measure of safety or respect for the environment.
- 5: We fail to see any value to our area given the fact that the end users of the product are many miles from us.

The very idea that a distant corporation feels it can run rough-shod over our environment, disrupting the lives and assets of members of our communities is reason enough to reject this proposal out of hand.

Respectfully,

Richard B. Putnam  
C. Victoria Putnam

**20150803-5014**

Janice Fiandaca, Rindge, NH.

This past week, I attended one of the two scoping meetings in our area. Many valid points were made but I’d like to repeat one regarding our water. As noted, many of the towns rely on well water and there is great concern with the effect of drilling, possible gas leakage, etc. on our water supply. The statement that I will repeat is: you can find an alternate form of energy; you cannot find an alternate form of water. I have read that much of the disease in India stems from the unavailability of clean water. We do not need to replicate this problem in southern New Hampshire. Please keep this in mind as we ask to extend the scoping period for another 60 days past 8/31/15.

**20150803-5015**

Lucie W Murray, Nassau, NY.

From:

Docket No. PF14-22-000

Lucie Murray  
110 Clarks Chapel Rd.  
Nassau, NY

Regarding the Tennessee Gas Pipeline Company, LLC Docket No. PF14-22-000

To: FERC,  
Washington, DC

8/1/2015

My name is Lucie Murray. My husband and I live on Clarks Chapel Rd. in Nassau NY and we live within the 1/2 mile “buffer zone” of the proposed 90 thousand-horse power compressor station.

When I first brought my property almost 40 years ago it was designated then, and still is, a rural zone. Our land consists of pastureland and forest land. We grow our own vegetables; we have a small apple orchard and have sold Christmas trees for many years. We built our own home and have invested all we have into this dwelling. My husband and I raised 5 children on this piece of property and thus far we have 4 grandchildren who often stay with us and who have thoroughly enjoyed their country life here with us.

One week after I retired in June of this year I received a letter from Kinder Morgan informing me they have re-zoned my property into a “buffer zone”.

My home, my property, nor my neighbor’s homes and properties, cannot “buffer” anything.

We are totally helpless to defend ourselves from anything the proposed Compressor Station will inevitably throw at us; such as their toxic wastes, constant noises (24/7), and the fear of possible bodily harm or incineration and property damage in the case of an accident or leak in the pipes and the diminution of our property value which we have worked so hard to acquire.

We believe the proposed Compressor Station on Clarks Chapel Rd. will inevitably reduce the quality of our lives, the Bald Eagle’s quality of life, our environment and the value of our property.

Our local fire department is not equipped to rescue us, or our property, from any accidents that may occur at this compressor station and Kinder Morgan has not made any provision to deal with these accidents which in all likelihood will always be catastrophic because of the volume of gas transmitted and the huge pressure generated.

From our understanding “the proposed “buffer zone” is in reality a “dumping zone” for the compressor’s wastes.

Our town has not yet recovered from the waste products dumped in our area (Dewey Loeffel) by other companies, which contaminated our drinking water and killed the animals/fish in our lakes.

The people in my neighborhood have waited 50 years for the Bald Eagle to return to our area. He was designated as an endangered species until only a few years ago. My husband and I recently witnessed the Bald Eagle’s return to our neighborhood. We saw him perched on a dead tree on the very property targeted for the Compressor Station. He was a majestic sight and we want to keep him in our neighborhood. Environmental pollutants almost led to the bald eagle’s extinction back in 1967 and now the proposed Compressor Station will again pollute his environment and possibly drive him away or kill him altogether. I took the liberty to represent him in this letter as he cannot talk for himself. Don’t forget the Bald Eagle is still protected under the Golden Eagle Protection Act, and it is a federal crime to poison the bald eagle.

My parents immigrated to this country when I was young to get away from the devastation in Europe, which resulted from one man wanting to rule the world.

And now towards the end of my life a company, that I never even heard of until a month and a half ago, is proposing to invade my private space and take away my right to peace and quiet and tranquility and my right to clean air and clean water, and my right to live without fear of bodily harm, possible incineration and possible decrease in my property value

Clarks Chapel Rd. is fairly highly populated for a rural area and although it is strictly a rural area, the proposed compressor station will adversely affect many people, including many children.

Kinder Morgan has a purchase agreement for 142 acres of pristine rural land on Clarks Chapel Rd, which is highly populated for a rural area. Just because Kinder Morgan finds it convenient to place the compressor station on Clarks Chapel Rd (and has a willing purchase agreement for 142 acres of land) does not mean it is in the best interest of the people in this neighborhood and all the other neighborhoods along the proposed pipeline.

The people's interest should take precedence over a powerful, profit driven gas companies' interests and convenience.

I and my neighbors living on Clarks Chapel Rd and surrounding areas oppose the Compressor Station to be built on Clarks Chapel Rd as this road is densely populated for a rural area. The proposed Compressor Station and pipeline if built on Clarks Chapel Rd will be devastating to the many families living on this road.

The Nassau Sportsman's Club is within a stones throw of Clarks Chapel Road and hosts many special events (such as weddings, parties etc), and has always been a large gatherings place for community events. The proposed gas pipeline will traverse this property and possible putting many lives in jeopardy should something go wrong.

In addition Section 401 of the federal Clean Water Act gives states the right to review federal projects and judge them according to state water quality standards. Any project that requires a federal license or permit requires a 401 water quality certificate (WQC), and it is supposed to be issued BEFORE the federal license or permit. Please make sure that Kinder Morgan's proposal meets NY states strict water quality regulations under the Clean Water Act and do not allow them to violate NY State's Water quality standards.

We the people here in Nassau all pay taxes, both state and federal taxes. In return we want you to protect our fundamental rights to clean air, clean water, unwanted noise and intrusions and to protect us from powerful profit driven companies from robbing us of the equity

#### **20150803-5016**

Patrick C. Austin, Pittsfield, MA.  
Saturday, August 1, 2015

From: Patrick C. Austin, MPH (Master of Public Health, Columbia University)  
46 Glenwood Avenue, Pittsfield, MA 01201

Comments regarding the proposed natural gas pipeline project through Berkshire County:

How will this project benefit the people of the small towns, farms, cities, and wilderness that are going to be affected by the pipeline and the pipeline construction process? Clearly, there must be some sort of compensation for those whose well-being and quality of life will suffer.

I would suggest that community-friendly landscaping be required along the pipeline route to mitigate the damage and suffering that the gas pipeline and its construction will bring. Such landscaping should incorporate recreational design to benefit the people affected. It might include bike paths, golf, nature trails, swimming holes, picnic tables, softball, . . . use your imagination.

Sincerely,

Patrick C. Austin, concerned citizen

#### **20150803-5019**

Garth Fletcher, Mason, NH.

I would like to correct possible misimpressions created in Mr. Teeboom's description (Docket #20150803-5011) of the July 29, 2015, FERC Scoping meeting in Nashua NH.

In his item #2 he complains that he wanted to speak but "... was unable to due to my high assigned speaker number (#72)". That could be misinterpreted to suggest that speakers were prevented from speaking.

I attended that meeting and was in the room when the last assigned speaker spoke; I believe his number was #95. In addition, and despite the late hour, Mr. Tomasi, FERC's Project Manager, then asked if any people who had not signed up wished to speak and allowed them to do so.

With 3 minutes allotted per speaker, something less than 20 speakers per hour could be accommodated. So Mr. Teeboom's #72 would have required close to a 4 hour wait as those with lower numbers took their turns.

He may have CHOSEN not to wait for his turn, but he most certainly was not prevented from speaking. In his item #3 dismisses the 600 or so people in the room who opposed the pipeline as “a bunch of NIM-BYs” but then goes on to accuse them of “...physical intimidation; much like mass-hysteria”.

He may feel “intimidated” by the realization that the great majority in the room oppose his position - as indicated by wearing bright tee-shirts or green ribbons, and by the fact that around 95% of the speakers spoke in opposition - but that hardly justifies a slander of “physical intimidation”.

Occasionally ending up in the minority is natural in a democracy and certainly no reason to feel “intimidated”; though I often have found it a reason to consider rethinking my own position.

Garth Fletcher  
Mason, NH 03048

### **20150803-5020**

victoria elson, Northampton, MA.

The Northeast Energy Direct pipeline is unnecessary, expensive, and extraordinarily destructive to pristine environments and residential areas as well.

It is baldly for-profit and does not offer benefits that offset the sacrifices being asked of Western Massachusetts -- in fact, it's not clear that it offers us any benefits at all.

It's unconscionable. STOP THE PIPELINE.

THANKS!

### **20150803-5031**

#### **Major Concerns About Kinder Morgan Gas Pipeline**

Walter J Pasko, 65 Bridge St, Lanesborough, Ma, 01237

Work Experience:

Worked 35 years for General Electric power transformer and Naval Ordnance Departments

Graduate of General Electric Toolmaking Apprentice Program

Early years, hands on, fabricating machine tools and equipment for GE manufacturing facility.

Graduate of UMASS Amherst, PhD - Mechanical engineering

Mid years worked in the, Advance Development Engineering section of Power Transformer manufacturing specializing in magnetic circuit design and transformer noise control.

Late years worked in the Advance Development Engineering section of Naval Ordnance department developing a prototype liquid fuel howitzer cannon in conjunction with Army Ballistic Research Lab. Activities include: hardware design and analysis, internal ballistics simulation, gun firing data analysis, and hardware failure analysis.

#### **Pipeline Safety Issue: Proximity to Dwellings**

The proposed Pipeline Path is located on the south side of the power line as it passes the base of constitution hill, thus placing several dwellings in close proximity to the pipeline while the north side is free of dwellings. After passing constitution hill eastward the pipeline then crosses over to the north side. A safer design would be to locate the crossover to the west of constitution hill.

The access road to the power line is also public access to private property. This unpaved road, composed of clay and gravel, is nearly impassible during the spring thaw, even under very limited traffic conditions.

#### **Pipeline Safety Issue: Pipe Mechanical Stress Failure from thermal expansion:**

The change in length of a piece of steel pipe a mile long exposed to a seasonal change in temperature of 70 degree is estimated to be approximately 34 inches, based on a coefficient of thermal expansion for steel of .

0000078 inch per inch per degree F.

If the ends of the pipe are restrained and the pipe cannot freely contract in length with a 70 degree F seasonal drop in temperature, an internal tensile stress will develop at every point along the length of the pipe. The maximum Internal tensile stress in the pipe wall under this condition is calculated to be approximately 19000 psi. This value was calculated assuming zero gas pressure in the pipe. This stress value is approximately 1/3 the failure strength of hot rolled steel. Adding the tensile stress from gas pressure will further increase the total tensile stress to possibly unsafe levels.

Because the pipeline is continuous over many miles with all section simultaneously expanding or contracting with changes in temperature, all sections of the pipeline are prevented from expanding or contracting by all the other adjacent pipeline sections making up the complete pipeline, thus in actual practice the pipeline will likely experience the 19000 psi stresses give in the above paragraph.

At Constitution Hill in Lanesborough the terrain in the pipeline path consists of two irregular ridges 1400 feet apart with a 135 foot deep valley in between. This configuration will require straight pipe sections welded to pipe elbows having relatively sharp turning angles at the two peaks and the valley in between. Each elbow configuration together with its welded joints acts as a stress multiplier, thus amplifying the already high stresses due to seasonal changes in temperature described above.

Additional stress intensification may arise in the joint area from surface cracks resulting from to hydrogen embrittlement, a normal byproduct of cathodic corrosion protection. Cyclic fluctuation in pipe temperature can lead to longer term fatigue failure from crack propagation at stress risers.

#### **Pipeline Safety Issue: Pipe Mechanical Stress Failure from Soil Frost Expansion:**

From my personal observations, annually, after most snow cover is melted in the spring the clay soil on my property is expanded vertically approximately 6 inches above the surrounding soil every year in the areas exposed to the winter air temperature, specifically along walkways and driveways cleared of snow cover throughout the winter.

The expansion of water in forming ice is virtually an unstoppable force able to break rock, lift buildings, and break buried pipes.

The proposed pipeline will pass through alternating clay soil and rock ledge, sometimes exposed to air temperatures and sometime covered with snow. Clay soil will expand upon freezing while the rock ledge will not. The effect of variable frost heaving along the length of the pipeline is of concern because of uneven frost heaving will apply a bending force upward in the areas where the clay soil expands upon freezing.

The 30 inch pipe has a 5 times greater surface area exposed to the heaving soil compared to the 6 inch the so the lifting forces will also be 5 times greater then in the 6 inch pipeline currently buried in berkshire county.

Stress in the 30 inch pipe will rise 5 times faster with increasing bending deflection because of the bigger diameter of the 30 inch pipe compared to the 6 inch pipe. Combining the unstoppable forces of expanding soil and the much higher rate of increase in stress brings into question the viability of a 30 inch high pressure underground pipeline in the northeast.

#### **Pipeline Safety Issue: Pipe external corrosion and failure:**

Pipe corrosion is accelerated by chemical reactions between pipe and soil, and also from externally generated current passing between soil and pipeline. The three known sources of current that can contribute to pipe corrosion are:

##### **#1. Electrochemical interaction between pipe and soil.**

The usual solution to prevent corrosion of buried pipe is passive cathodic protection which consists of zinc metal plates electrically connected to the pipe along its length. The combination of two different metals, pipe steel and zinc plate, submerged in wet soil constitutes the elements of a simple battery which generates a small direct current with a flow direction that inhibits corrosion. If the weak currents from this arrange-

ment are overwhelmed by large external current sources described on the following paragraphs below, the intended corrosion protection will be ineffective or reversed, resulting accelerated corrosion .

## **#2. Geomagnetic currents in the earth**

Geomagnetic currents in the earth are generated by the interaction of the earth's rotating magnetic field with charged particles emitted by the sun. Geomagnetic current levels as high as several 1000 amps, have been measured in some locations on the earth at peak solar activity, while lower currents occur more frequently. These current can travel on both long distance power transmission lines and pipelines. In the past these earth currents, traveling over electric transmission lines, have created major electric power outages in various places on earth.

These high currents flowing into and out from a long pipelines can exacerbate pipeline corrosion by interfering with the normal current flow generated by cathodic corrosion protection installed along the pipeline.

Compensation for this phenomenon can be achieved through high levels of active cathodic protection. However, active protection would require electric power stations along the pipeline with the result that large amounts of electric power would be consumed. Also, active protection would produce more hydrogen gas at the pipe surface leading to higher levels of hydrogen embrittlement which can increase the possibility of surface cracking ,which can then lead to crack propagation failure of the pipe.

The prediction of Geomagnetic currents in the pipeline by computer simulation appears to be impractical because of its 3-dimensional complexity, requiring as computer input, the distributed subsurface electrical and magnetic properties of the earth over the entire pipeline region, as well as the time varying voltage distribution across the earth.

## **#3. High voltage transmission line induced currents:**

An electrical transformer is created when two parallel conductors carrying current transfer electrical energy from one conductor to the other by means of the circular magnetic fields encompassing both conductors.

Fundamentally the pipeline, as one conductor, and the high voltage transmission lines as the other conductor, form a huge electric transformer extending over hundreds of miles.

The magnitude of electrical coupling between the pipeline and power line is inversely related to the spacing between the two but is directly proportional to the length of the two in parallel.

When alternating current flows in the power line an alternating voltage is induced in the pipeline by the changing magnetic field of the power line. This voltage can drive alternating electric currents in the pipeline.

Soil above the pipe being a poor conductor will not be an effective magnetic shield for the pipeline. Some of the current induced in the pipeline will circulate locally between the soil and pipe in small loops along the length of the pipeline and may accelerate pipe corrosion. Because these currents will be alternating current, passive cathodic corrosion protection may not protect the pipeline.

In conclusion, both geomagnetically induced currents and power line induced current should be investigated in detail to determine their impact on passive cathodic protection and hydrogen embrittlement at surface of the pipeline, both effects may dramatically shorten the life of the pipeline.

## **Safety Issue: Pipe internal corrosion and failure:**

Internal to the pipeline water vapor carried along with the gas can condense to liquid water and accumulate at a any low point in the pipeline. One such point is in Lanesborough at the valley floor along route 7, located under the town aquifer. A similar situation exists in the valley west of the ridge at Constitution Hill. It unclear how this accumulated water accumulation will be controlled to prevent internal corrosion of the pipeline.

## **Noise Pollution: Metering Station Noise and Compressor Station Noise**

### **Disruptive Metering Station Noise**

Placing a metering station within the community of Lanesborough could produce serious noise pollution issues due to the near proximity of houses to the pipeline and also because the frequency spectrum of the noise may contain discrete tones which are more noticeable than broadband noise.

Noise can be characterized as narrowband noise (discrete noise), or broadband noise (random noise), or a combination of both.

Narrowband noise is produced by such equipment as rotating and reciprocating machinery, electric transformers, jack hammers, engines, pumps, etc. These noise sources generate a few dominant sound frequencies. Electrical equipment generally produces noise at two frequencies, 60 Hz and 120 Hz. Because these are very low frequencies, sound waves can travel long distances without much sound attenuation and thus can be a serious annoyance problem.

Ambient background noise is generally broadband noise without a dominant frequency, examples are: turbulent water flow, ocean wave action, wind through a forest, cooling fans, tires-road noise, etc.

Since narrow band noise is much more annoying than broad band noise, proper sound analysis of the noise source requires the use of spectrum analysis to determine that adequate noise control has been achieved.

Simple measurements of Total Noise Level before and after installing noisy equipment does not properly assess the annoyance issue.

In the power transformer industry annoyance level from external noise is primarily determined by measuring and comparing the octave band sound spectrum of both noise source and ambient noise. For proper masking of annoying noise from power equipment the dominant frequency bands produced by the noise source should be lower than that of the lowest night time ambient noise level in the same frequency bands.

The above factors need to be properly addressed when locating new equipment in an otherwise quiet environment.

**Disruptive sound and vibration transmission over long distances from pipeline compressor stations:**

Transmission of low frequency sounds and subsonic vibrations are efficiently propagated over long distances along metal conduits as well as in compacted soil and rock. High pressure pumps at the compressor station may generate low frequency pulses which can propagate efficiently along the pipeline for long distances and be detected as subsonic vibration by communities a long distance from the compressor station.

Studies of existing similar systems should be performed.

Note: all numerical values in this paper are estimated from first order calculations.

**20150803-5063**

August 1, 2015

The attached file (CUOMO GERSTMAN FERC FILE.pdf) requests NY DEC denial of Section 401 Water Quality Certification for Kinder Morgan / Tennessee Gas Pipeline LLC regarding (Docket #PF14-22-000). It also cites and addresses related matters.

Filed by William D. Jackson / PO Box 2758 / Stephentown, NY 12168

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August 1, 2015

The Honorable Andrew M. Cuomo  
Governor of New York State  
NYS State Capitol Building  
Albany, NY 12224

The Honorable Marc Gerstman  
Acting Commissioner  
New York State Department of Environmental Conservation

625 Broadway  
Albany, NY 12233-1010

Dear Governor Cuomo and Acting Commissioner Gerstman:

In New York State, as well as parts of New Hampshire and Massachusetts, the Kinder Morgan / Tennessee Gas Pipeline LLC Northeast Energy Direct (NED) project (FERC Docket No. PF14-22-000) proposes to subject multiple communities and their citizens to numerous hazards, not the least of which – broadly framed – will be the degradation of the natural environment, public health, and individual well-being. The Constitution Pipeline Project poses all of the same negative issues for New York State’s residents.

Unfortunately – in spite of state/local laws and regulations – the Natural Gas Act continues to validate and empower the Federal Energy Regulatory Commission (FERC) in its role as an advocate for and tool of private, for-profit energy corporations. For the five FERC commissioners the question is not Will there be a NED or Constitution pipeline? but instead Where specifically will these pipelines and their related infrastructure be located? while generating the least opposition to collateral environmental damage. Put another way, “The pipelines are going to be built. It won’t hurt as much as you think, if you co-operate.”

At a recent Castleton, NY FERC Scoping Meeting, in response to questions about lower pipeline safety standards for rural areas, FERC’s NED Project Manager asserted: Where the pipeline actually goes “... comes down to a cost benefit analysis.” Consequently, even the proposed pipelines’ power grid ROW “co-location” effort is a market-driven concept – not a random act of kindness for field birds.

We have no faith in the vaguely proposed corrosion mitigation concepts or unmanned compressor stations and sector valves – all monitored and remotely controlled by personnel in Houston, TX – especially when the bulk of the NED’s projected shipped product appears headed for foreign export. (As a FERC biologist told me at a KM “Open House” in Schodack, NY, these export opportunities could help stabilize the global price of natural gas... and, as Americans, we need to support such initiatives. He seemed sincere.)

Such patriotic sounding, global initiatives aside – the potential granting of a “Certificate of Public Convenience and Necessity” has become a threat to, not an assurance of environmental justice and public safety – particularly for those who live in the pipeline “potential impact areas” and who ultimately will be forced through eminent domain to provide pipeline easements, access roads and staging areas. (We will also need to pay local taxes on these uninvited easements, as well as State and Federal taxes on any resulting compensation, based on diminished assessments. In spite of glowing, noimpact assertions in the KM/TGP LLC revised Environmental Report, property resale values will drop 30-50%, even without any pre-existing environmental contamination of lands, air, or water supplies.)

Fortunately, under Section 401 of the federal Clean Water Act, New York State DEC can regulate the state’s water quality standards. We urge the protection of our water resources -- and all the associated natural resources – through denial of 401 Water Quality Certificates to both the NED and Constitution gas pipeline projects.

Contamination of and damage to water resources is not a responsible option; despite trends in the Federal Government, NY State should not assume or condone such risks. We assert that our elected officials should not facilitate the profit motives of private/for profit industries and/or corporate shareholders. Unfortunately, it appears such highminded values are not an option. Consequently, if the fear is that State pension funds will be impacted if NYSDEC doesn’t “play ball” – then it is time to divest the offending holdings and reinvest in clean energy initiatives, ideally in-sourced by New York State and powered by our own labor force. Furthermore, water resource damage is also linked directly to airborne emissions, which stem from designed/planned releases, accidents, undetected and ignored system leaks. These issues are already in play in the natural gas transport and delivery systems.

Leaks and deliberate releases of natural gas (as in “blow-downs”) are typically industryaccepted realities. (i.e. – mere costs of doing business) Associated with pipeline gathering and transportation infrastructure, the requisite compressor stations are fixed variables; with turbines fueled by the shipped/fracked natural gas,

they EACH annually (24 x 7) produce tons of hazardous emissions, including volatile organic compounds and greenhouse gasses. The existing infrastructure already demands mitigation. Let's not add even more risk to the present exposure levels by building and expanding obsolete industrial models.

The proposed 50+ year natural gas "bridge fuel" sacrifice of public health and well-being is not moral or ethical. New York should become the leader in renewable energy and should model environmentally responsible energy policies. State submission to the same industry forces the FERC enables and advocates for will never produce the lasting, quality jobs that clean and renewable energy options can spawn.

In all of the 15+ hours of FERC scoping and multiple "open houses" hosted by KM/TGP the only pro-pipeline voices were from union labor. They need, want, and deserve good jobs! A clean energy Renaissance in New York State can provide them. We don't think they were looking for careers in pollution mitigation.

When New Yorkers do have the opportunity to set a national/international example for positive change through the design and implementation of responsible energy policies, why inadvertently or through political neglect support the generation of avoidable hazardous waste(s), water/soil/air contamination, the creation of soft target terrorist opportunities (just a few of the concerns for human and animal populations) along the proposed NED and Constitution routes?

Although presented "separately", these two proposed natural gas pipeline projects are in reality conflated. Approval of one will essentially guarantee the approval of the other. Presented as mere "transportation infrastructure" and therefore allegedly disassociated from the risk realities of the product shipped – such projects will inexorably serve as agents of widening environmental contamination.

Denial of the necessary Section 401 Water Quality Certificates will guarantee we can avoid the numerous cumulative, negative impacts on our communities, populations – born or unborn.

As abutters/stakeholders on the proposed NED path in Stephenstown, NY – my wife and I are appalled by the evasive tactics and arrogance of Kinder Morgan / Tennessee Gas Pipeline. Having attended over 15 hours of FERC Scoping Meetings, it is clear these sessions are merely mandated exercises in "feel good" politics. They have remained polite, but they don't feel good to impacted citizens. It appears the pending EIS for NED will favor KM/TGP – not guarantee protection of our air or water quality. The Constitution Pipeline is part of the same environmental risk package.

In our present era, would Hercules be jailed for the environmental impacts of his 5th Labor? With his struggles in mind, we must start to clean our own Energy Stables -- understaffed, underfunded, and clogged by decades of State and Federal Agency exemptions, segmentation, and collusion. Mitigation of these issues won't be achieved by directing the flow of radon laden, fracked natural gas into (or potentially from) New York through two giant, risk-laden high-pressure pipeline systems, serving as yet unknown and potentially foreign markets. Promotion of natural gas exports to foreign markets cannot reduce the price of energy in domestic markets, one of the primary propipeline arguments cited by KM/TGP.

The FERC asserts export licenses are not in their domain, being restricted to overseeing the sale of natural gas ultimately used in interstate commerce. KM/TGP claims their transport/delivery services are driven by "customers", wherever they may be found. Such elastic thinking has become an accepted part of our national energy policy – now a hydra that can adapt swiftly to circumvent responsible, unbiased management and public pressure. As you know, the FERC Commissioners are independent agents, who answer to no one else. Their criteria for decisions remain undocumented. Citizens must hope and trust they will "act responsibly". However, historically, the only interests of the oil & gas industries have been served predictably. We can cite the "Haliburton Loophole" for part of this unacceptable mess. The FERC advocates for and facilitates the O&G industries. Mitigation is not regulation.

The Pipeline and Hazardous Materials Safety Administration is clearly struggling to fulfill its mandate and appears either unable or unwilling to adequately address inspection protocols. This kind of enforcement vacuum places additional and critical regulatory responsibilities on states. New York is no exception.

Meanwhile, the natural gas industry continues to present the public with thousands of "to be determined"

(TBDs), actively avoiding full disclosure during the completely inadequate comment periods. Industry performance and behaviors prove that “faith” in vaguely referenced technologies cannot guarantee the same degree of security that can come with denial of Section 401 Water Quality Certificates.

My wife and I look forward to your public position statement(s) on these and the many related matters. We hope your deliberations will result in an environmentally optimal, responsible and ethical decision: Denial of the necessary Section 401 Water Quality Certificates for both the Constitution and the NED projects. This would be a brave and highly welcome step toward reframing our collective future through proactive, responsible energy policy reform.

Should these pipeline projects be allowed to transcend the jurisdiction of New York State? Please respond in detail.

Respectfully,

William D. Jackson  
PO Box 278  
Stephentown, NY 12168  
wegfischer@fairpoint.net

Lucy S. Jackson  
PO Box 278  
Stephentown, NY 12168

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**20150803-5066**

Margaret Huard  
13 David Drive  
Hudson, NH 03051  
603-578-9346

Nashua Regional Planning Commission  
9 Executive Park Drive  
Merrimack, NH 03054-4058

July 30, 2015

RE: Kinder Morgan/Tennessee Gas Pipeline Proposal/NE Direct  
FERC Docket # 14-22

Dear Tim,

I am writing to you with concerns about the DRAFT Environmental statement submitted by TGP/KM to FERC on July 24, 2015. Kinder Morgan has very little, specifically about environmentally sensitive areas in Hudson, NH or David Drive in this latest environmental report.

Kinder Morgan does not consider my property to be affected, however it will fall within a 1000 foot radius that is considered to be a blast/incineration zone that will be completely obliterated in the event of a pipeline explosion at the power lines. I have great concerns my property and the surrounding area is not more of a concern to Kinder Morgan.

My home is set in a wooded area that is a habitat for wildlife and vegetation unique to a wooded area. The vast amount of wildlife roam freely. I am an active gardener and rely on the abundant amount of bees.

My road, David Drive, is part of an 1100 acre watershed that drains into Robinson Pond.

There is an intricate piping system along the entire road, as well as into the area of the proposed pipeline. This piping system is designed to collect the run-off water and bring it down to the pond. The pipeline is proposed to cut across the road at 24 and 25 David Drive. This water shed will be greatly affected during construction and during operation of any pipeline that is installed there. Not only will the water quality of the pond diminish to the point that it can no longer be used for swimming and recreation, but the wildlife and vegetation will either be harmed temporarily or permanently. The large areas of land left devastated from the construction will leave them vulnerable to excessive erosion washing inappropriate substances into

the watershed which will ultimately will end up in the pond.

Robinson Pond, a pristine natural resource in Hudson, NH, is 88 acres of woodland habitat and hiking trails with a swimming area and boat launch. There are in fact historical and archeological areas within the Robinson Pond property including a historic and environmentally sensitive island, Sawdust Island.

Neither the watershed area, Robinson Pond, the historical, archeological nor the wildlife and vegetation appear to be noted anywhere in Kinder Morgan's report. Please find attached a map from NHDES website outlining the watershed for Robinson Pond.

My property is often visited by owls, red tailed hawks, deer, snapping turtles, wild turkeys, squirrels, chipmunks, snakes, salamanders, butterflies, dragon flies, bees, woodpeckers and an assortment of beautiful birds. This wild life comes to my property from Robinson Pond or the surrounding wooded area.

My property contains lady slippers, wild blueberries, wild raspberries, tea berry plants, oak trees, birch trees and an assortment of pine trees.

Robinson Pond and its surrounding forest is a habitat to heron, beavers, Canadian geese, fishers, turtles, bass and pickerel, water lilies, lady slippers, cat tails, teaberry, ferns, deciduous, evergreen and mixed forest.

Kinder Morgan's Resource Report 3, section 3.5.2.2 of the Environmental Report on Fish, Wildlife and Vegetation, shows an unacceptable and negligent admitted acceptance of the anticipated effects on the wildlife and vegetation during and after construction as follows.

*"Direct impacts to wildlife that are temporary in nature are associated with the active construction period of the Project. During construction, wildlife may be temporarily displaced or stressed when construction activities cause them to relocate away from the Project area. Direct impacts to species with greater mobility are expected to be minimal as they can easily avoid the construction area. Other temporary impacts associated with the construction period would likely result from placement of physical barriers. Indirect impacts are primarily associated with noise and increased human activity during the construction period. Long-term direct impacts to wildlife habitat due to construction and operation of the proposed project will be limited to clearing of upland and wetland forest. Clearing of vegetation will temporarily and permanently reduce available habitat cover and food sources for certain species of wildlife, and also may result in habitat fragmentation and loss of interior forest habitat."*

*"As previously discussed, most animals will avoid the work sites due to increased human presence and noise. The prolonged displacement of wildlife from an area may occur where the project is co-located or intersects other projects if construction occurs consecutively or within the same relative timeframe."*

Resource Report 3, section 3.2.3.1 on Wildlife Impacts and Mitigation further reiterates this negligent position of Kinder Morgan.

*"Relocating animals will expend energy finding an alternate location. Depending on the time of year, relative sensitivity of the species and its seasonal habitat selection, and other factors, such as general fitness, reproduction, and viability of young also may be impacted. However, based upon consultations and final impact assessments that will be conducted for more sensitive and/or rare species habitats, timing restrictions on tree removal will likely be implemented to avoid and minimize impacts on wildlife. These timing restrictions will likely be limited to specific areas identified as suitable habitat for a particular rare species within the project workspace."*

*"Tennessee has contracted with a company specializing in evaluating noise impacts and identifying potential nearby receptors including residential and commercial developments, and other sensitive wildlife species or habitats. Resource Report 9 provides additional information on noise impacts and assesses minimization and mitigation alternatives."*

*"Areas cleared for TWS will naturally revegetate within one to two growing seasons and provide additional open land habitat. These areas will not be maintained post-construction, and will eventually revert back to forested habitat over time. Permanent loss of trees will occur within the permanent ROW that will be maintained by mowing and periodic tree removal. Vegetation clearing between HDD entry and exit work*

*spaces will be avoided if possible. Clearing of vegetation will permanently reduce available habitat cover and food sources for certain species of wildlife that primarily rely on forested habitats. However, following a relatively short period of regeneration within the TWS and permanently maintained ROWs, there will be more terrestrial grassland and shrubland habitats that provide important cover and a greater diversity and density of food sources for a different complex of wildlife species. ROW corridors have been demonstrated to provide a greater plant species richness that provides nectar and pollen resources, important for many species of moths and butterflies and an assortment of wild bees (Wagner et al. 2014a,b). Open ROWs also exhibit a high diversity of early successional bird species, some of which have suffered long-term population declines in eastern North America (Askins et al. 2012). Recent research by Stoleson (2013) demonstrates that for a subset of interior forest birds, there is a shift in their habitat use to early-successional areas after nesting but before migration, that results in improved physiological condition.”*

*“Most species are not dependent on any one particular habitat type to provide all of their habitat requirements and many of the mammal, bird, reptile, and amphibian species are adaptive to changing habitat conditions, possessing the capability to expand or shift their home ranges to find alternative sources of food, water, and shelter until the disturbed habitats become re-established (DeGraaf et al. 1992).”*

*“One important direct and long-term effect resulting from vegetation removal is habitat fragmentation and loss of interior forest habitat. Tennessee has routed approximately 84 percent of the total pipeline Project to follow existing utility line ROWs and gas line easements (and thus follow existing forest edges), thereby minimizing the acreage of forest lands crossed and the relatively greater impacts that would be associated with clearing an entirely new ROW through a contiguously forested area. Although colocation significantly reduces the effects of habitat fragmentation, necessary widening of an existing ROW will reduce the overall patch size of adjacent interior forest habitats by transferring the edge-effect deeper into the forest patch. Potential effects of forest fragmentation associated with the Project are discussed in Section 3.2.2.6.”*

*“Similarly, impacts are being minimized associated to temporary and permanent ARs by using existing paved roads, farm roads, agricultural sites and other disturbed open lands, and developed areas where possible. AR locations were submitted to agencies in the most recent consultation request (June 2015) and are still under evaluation. Alternative access will be selected to avoid sensitive wildlife habitats when possible. Proposed ARs designated for temporary and/or permanent use during construction and operation of the pipeline facilities are listed in Resource Report 8. A final selection of facility locations and ARs will be provided in the final ER.”*

*“Tennessee and its construction contractor will strive to minimize impacts on wildlife by expediting construction to the greatest extent possible.”*

*“Restoration and revegetation will occur after construction has been completed, and the restored areas will be closely monitored until final site stabilization and re-vegetation have been achieved.”*

*According to Section 3.2.2 Significant or Sensitive Wildlife Species and Habitats several rounds of consultations with the appropriate federal and state agencies for the Project have been conducted as described in Section 3.0. As of the date of this resource report, Tennessee HAS received responses from all agencies based on the January 2015 Project route. Additional data regarding the most recent June 2015 consultations will be provided in the final ER and in subsequent filings as needed.*

*According to 3.2.3.2 Significant or Sensitive Wildlife Species and Habitats, Tennessee is working to avoid and minimize impacts on sensitive wildlife species and their designated habitats through careful Project design and site selection, including extensive colocation with existing facilities; consultation with appropriate local, state, and federal agencies and private organizations; detailed environmental surveys conducted by qualified wetland scientists, wildlife biologists, and botanists. As the Project develops during 2015, design and implementation of the Project continues and is heavily focused on avoidance and minimization of impacts to the sensitive habitats described in Section 3.2.2. As of the date of this resource report no specific requests have been made by state and federal agencies regarding avoidance, minimization and mitigation for impacts to sensitive properties. This section will be updated with details on steps taken to achieve this in*

*the final ER and in subsequent filings as needed.*

Of equal important is the fact that the residents of David Drive are all on well water that feed off of an aquifer in the area, where we access our drinking water from. We are told by Kinder Morgan in their report that they will monitor the homes within 200 feet of any blasting! Only 200 feet?! We live only four houses down from the proposed blasting, yet over the 200 feet and I am quite sure we will suffer damage to our well and the flow of water from the aquifer to and from our well. I am certain that numerous, if not all residents of David Drive and the surrounding area will suffer from irreversible damage to the aquifer, including the possibility of damage to internal plumbing as a result.

Please find attached a picture from a resident of Pennsylvania describing alternative sources of water supplies, when their wells were damaged, along with their comments.

Please find below a selection of summaries in the Responses to Comments on Draft Resource Reports, May 15, 201 further demonstrating the admitted negligence and acceptance of the damages that the pipeline project would cause.

*“An independent contractor will inspect structures and wells prior to blasting within 200 feet of the construction work area, locations requested by the pipeline Contractor, and at the request of an affected landowner. Post-blast inspections will be performed as warranted. Blasting will be performed by registered blasters and monitored by blasting inspectors. During blasting, the contractor will monitor ground vibrations at the nearest structure (or well) within 200 feet of the construction work area.”*

*“In the unlikely event that blasting activities temporarily impair well water within 200 feet of the construction work area, Tennessee will provide alternative sources of water or otherwise compensate the owner. If well damage is substantiated, Tennessee will either compensate the owner for damages or arrange for a new well to be drilled. In the unlikely event that structural damage occurs at a nearby structure as a result of construction activities, the owner will be compensated for damages or appropriate repairs will be made.”*

The map of Surficial Aquifers in Resource Report 2, page 1 of 6, page 202, does not appear to show any aquifers for Hudson.

Kinder Morgan’s Environmental Report on Water Use and Quality states the following about New Hampshire as a whole.

*Page 20 states as follows.*

*“New Hampshire has two types of aquifers: bedrock aquifers, commonly known as deep or artesian aquifers; and stratified drift aquifers, commonly known as sand and gravel aquifers. Approximately 62 percent of New Hampshire residents rely on groundwater for their drinking water (NHDES 2008). Tennessee is consulting with NHDES to determine the groundwater quality classifications within the project area. Groundwater classification in the New Hampshire portion of the Project will be submitted in the final ER”*

*Page 35 states the following.*

*“Tennessee is currently in the process of identifying and compiling information on the location of private drinking water wells and springs within 200 feet of any Project workspace. As well information becomes available Table 2.1-2 will be updated and will be submitted in the final ER. The location and closest distance from the proposed workspace of all well locations will be submitted in the final ER. Tennessee will implement mitigation measures as described in Section 2.1.6 to ensure protection of identified groundwater resources.”*

*Page 49 states the following.*

*“New Hampshire RSA 485-A:8 classifies surface waters of the state as either Class A or Class B, depending on the designated uses and water quality conditions in the waterbody. Class A waters are of the highest quality and are potentially acceptable for water supply uses after adequate treatment. Discharges of sewage or wastes into waters of this classification are prohibited.”*

*“Any discharges to a surface water resource are subject to NHDES surface water quality regulations (Env-*

Wq 1700), administered by the NHDES Watershed Management Bureau. These regulations established water quality standards for various physical, biological, and chemical parameters for the protection of aquatic life and human health that vary depending on the designated use classification of the waterbody.”

*Section 2.2.6 on Public Watershed Areas/2.2.6.1.4 New Hampshire acknowledges that residents in the vicinity of the proposed pipeline facilities in western New Hampshire rely on private wells for their drinking water. It claims that Tennessee is in the process of reviewing USGS mapping to identify surface water reservoirs identified in the Project and available NHDES water resources GIS data layers. It further claims that consultations with local officials concerning drinking water resources in the area have been initiated but no responses have been received as of the date of this Resource Report. Information on public water supply areas for New Hampshire will be submitted in final ER.*

*Section 2.2.7 on Hydrostatic Test Water talks about the conduction of hydrostatic testing on all pipeline segments prior to placing them in service. They claim that these test will be conducted in compliance with USDOT specifications. This procedure would allow the water remaining from the hydrostatic tests to be discharged to an upland area through a dewatering structure consisting of an energy dissipation device and water filtration structure. Environmental impacts from withdrawal and discharge of test water will be minimized by utilizing the measures outlined in the Tennessee’s Project-specific Plan and Procedures (Volume II, Appendix H) and incorporated into the Project-specific ECPs for each state, as well as by complying with all applicable state and federal permit requirements.*

The Environment Report actually does make a vague mention of an unnamed tributary to Robinson Pond, referring to impairments and contaminants that Kinder Morgan will work with the NHDES to determine the depth of and avoid these contaminants.

The report further states that the Project is not anticipated to impact any water quality management and improvement plans associated with listed waters, one being this unnamed tributary, in the vicinity of the project.

*Section 2.2.10 Surface Water Construction and Operation Impacts claims that where temporary impacts to surface waterbodies cannot be avoided during construction activities, Tennessee will restore and stabilize these areas upon completion of pipeline installation to pre-construction conditions.*

*Page 4 of Report 2 4 of 6 regarding Hazardous Waste Locations numerous dots throughout Hudson noting Site Remediation and Groundwater Hazards Inventory (NH) I am not sure if these refer to asbestos that is prevalent in Hudson or something else. Most are noted further away from pond and site of proposed construction/a cluster appears at the beginning and end of the Londonderry tail end of Hudson, a bit below the site of construction. Multiple EPA sights marked throughout Hudson a distance away from site of proposed construction. One site appears to be marked at the Nashua end as a SPILL SITE.*

Section 5.6 on Property Value and section 5.7 on Homeowner’s Insurance specifically claim that property values will not decrease not will insurance costs increase. I find this difficult to believe and would like to see an in depth analysis of these areas.

Kinder Morgan’s admitted plans for our environment and properties are just as unacceptable as the numerous omissions contained in their latest report submitted to Kinder Morgan.

The issues I have relayed to you are limited to the ones I am aware of. I am not an environmental expert and would like a full evaluation of the environmental issues concerning my property, my road and the pond area. A project of this magnitude with such significant environmental impact, should be allowed more attention, with a separate environmental study and report for EACH town effected. Please specifically request this in your report. I will be as well.

As the days progress, I will be talking to others along the proposed route in Hudson and reading additional portions of the environmental report. If I am able to get any feedback of any significance, I will forward them along to you.

Thank you for your assistance!

Sincerely,  
Margaret (Peggy) Huard

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VOLUNTEER LAKE ASSESSMENT PROGRAM INDIVIDUAL LAKE REPORTS  
ROBINSON POND, HUDSON, NH  
2013 DATA SUMMARY

*{includes photos, maps, charts and text, not reproduced here}*

**20150803-5067**

Albert Lefebvre, Rindge, NH.  
Project Docket No: PF 14-22

Comments made at Nashua NH Scoping Session on July 29, 2015

My name is Albert Lefebvre and I live in Rindge NH which is along the path of the pipeline. I am a member of the Rindge Conservation Commission. As a Commission member, I request that the Federal Energy Regulatory Commission schedule new scoping sessions after we and other Conservation Commissions have had the opportunity to review and respond to the over 6500 page Resource Report prepared by Kinder-Morgan with, I might add, many items still to be decided. Those items must be completed and distributed to every affected community, Conservation Commission and other town boards in order to understand the full ramifications of the pipeline and what Kinder-Morgan has studied or is planning to study or has not properly studied. How can we as everyday citizens attempt to properly respond to this incomplete Kinder-Morgan report? It is, to say the least, unprofessional, unethical, condescending and without merit to us and you the Federal Energy Regulatory Commission.

Kinder-Morgan is a multi-billion dollar corporation with vast and varied resources at its disposal that it can draw upon and pay for. It is associated with and can draw upon the whole world-wide energy structure for assistance. Kinder-Morgan's financial resources are like a huge Goliath compared with those of the small towns along the proposed route. It seems to the people that Kinder-Morgan and the Federal Energy Regulatory Commission are using and taking advantage of the people by its actions in this regard. These small towns have significantly fewer financial and human resources to address the monumental issues confronting them with this pipeline. How can these small towns develop responsible responses in such a short period of time? How can you, a regulatory commission, allow this to happen? How is it that our government, its leaders, legislative bodies and the various arms of the government not concern itself with this issue?

The Federal Energy Regulatory Commission will certainly be looked upon negatively in NH and elsewhere if it cannot agree to an extension until all reports are completed and the towns and their people have sufficient time to respond and then to allow the Commission to ethically weigh the issues of the people of this region.

Thank you for your attention to this matter and I look forward to a response.

**20150803-5087**

Peter Feitner, Cummington, MA.

Feedback on the spending of public dollars for the direct benefit of for profit corporations (in this instance AKA: FERC, now a subsidiary of Kinder Morgan).

I recently have read the Suggested Best Practices for Industry Outreach Programs to Stakeholders and it is clearly a dedicated publication and program designed to assist industry in selling their programs to the public. This service is not described in the FERC description of its existing role: The Federal Energy Regulatory Commission (FERC or Commission) is an independent agency that regulates the interstate transmission of electricity, natural gas, and oil. FERC also authorizes the siting, construction, and operation of facilities for transporting natural gas in interstate commerce, for liquefied natural gas (LNG) import and export terminals,

and for non-federal hydroelectric projects.

The employment of staff time and agency resource in this manner, while pretending to be in the public best interest, is clearly a bleeding of the Federal system to further enhance and enrich the private industrial corporate activities to further strip resources and profit counter to the actual public good and profit.

If you are going to act as a federal agency, and want to be perceived as “independent” then where are the specific publications and programs developed in order to assist communities and landowners with their roles in these processes? For many of the communities being affected by industry profit activities, the suggested list of: “A public outreach program for any project should begin while the commercial aspects and project scope are still being determined. During this early stage of project development, the project team is created. A project team typically consists of individuals who can effectively fulfill the following roles:

- Project Developer
- Engineer
- Project Manager
- Attorney
- Regulatory Agency Representative
- Right-of-Way (Lands) Representative
- Environmental Analyst
- Government Affairs Representative
- Stakeholder Outreach Representative
- Media/Public Affairs Representative
- Local Operations Representative.

the roster is larger in most instances than the entire local governments and outstrips the financial capacity of the small communities that you recommend as targets in order to avoid more involved and complex public opposition. In addition, you are most certainly addressing the only stakeholder you hold as having of genuine value/significance to this process, which are the corporate participants in the profit venture.

Further you write: “The Commission staff suggests that companies consider working with public relations specialists in the project area that are familiar with elected officials and the local

and regional political issues. These firms can assist in disseminating project information to the media and initial key stakeholders and in developing a complete stakeholder outreach plan. It is very important to understand the culture of the project area where a natural gas facility is proposed.”

Not a suggestion that is easily viewed as being “independent” - independent of what exactly?

Clearly you have created a helpful roadmap and facilitate a process overwhelmingly created to assist industry.

I have attended public meetings where FERC staff have overseen the process, and even in those settings, while the staff is providing a process where the public concerns can be heard, they have been managed and organized in order to simplify to bullet form a compilation of “concerns” which then become a convenient time saving assistance to the industry applicant in targeting the preparation of their applications in order to demonstrate due diligence and genuine concern when there is truthfully little to none. It is all about the money.

If a private corporation wishes to engage in a profit making venture, then they should do so on their own, without the further coddling of the federal government and the application of tax dollars, which they will happily take and more happily not return via their assisted accounting finagling to avoid tax obligations.

If you believe that it is truly in the best interest of FERC to involve in this way, then you should either create and support financially programs specifically targeted to assist small communities and/or independent not-for-profit groups in development of similar strategic programs. The path you are on is not looking particularly independent.

### 20150803-5093

Peter Gill, Conway, MA.

I am a resident of the Town of Conway, MA. I oppose the Northeast Energy Direct Project that Kinder Morgan Energy and Tennessee Gas are proposing to build.

I am opposed to the hydrofracked pipeline stems for many reasons. My concerns are listed below:

- 1.) Fracked gas contains many toxic chemicals. Over time, even the soundest of pipes develop leaks.
- 2.) In rural areas such as ours, pipeline safety standards are less stringent than in more densely populated places.
- 3.) If a catastrophic event takes place, local fire departments may not be equipped to respond adequately. Insuring their readiness would require additional training and equipment. Small towns don't have the money for the kind of upgrade required.
- 4.) Homeowners who don't favor the project may be legally forced to grant a right of way.
- 5.) If damage to our infrastructure and beautiful landscape occurs during construction, repair (if possible) will cost.
- 6.) The economic vitality of our town is at stake. In a degraded, high-risk area, buying a home, business or farm would be unappealing. Property values would certainly go down.
- 7.) It is my understanding that most of the gas carried by the pipeline is to be exported overseas. It will not be used by Americans and will profit only Kinder Morgan/Tennessee Gas and their shareholders.
- 8.) The pipeline will cross in/thru/under valuable natural resources. The resources will be destroyed and/or be at risk from the building, operating and maintaining of the pipeline.
9. The pipeline will permanently scar the rural and scenic nature of Conway and other western Massachusetts towns.

### 20150803-5094

Marilyn Learner, Hollis, NH.

The FERC approval process for PF 14-22 is seriously flawed.

In December, 2014 Kinder Morgan significantly changed the route of their massive high pressure fracked gas pipeline route.

Why did the FERC approval process timeline remain the same? How does a substantially new route, which impacts different land owners, different conservation lands, different wells, aquifers, and towns NOT constitute a NEW PROJECT, generating a new docket number and a new approval process timeline?

It would appear that for purposes of rushing a project through FERC's process, corporations can and will file just about any plan, get a docket number to start the clock, and re-submit changes well into the process. "Submit and switch" chews up much of the public's time to learn and thus disadvantages more recently identified, but nevertheless, impacted land owners.

Why does FERC consider corporate needs more important than citizen needs in determining the approval timeline? If citizen needs were considered equal to corporate needs, FERC's process would guarantee a re-start of the clock if a submitter significantly changed a route and citizens, municipalities and other affected constituencies requested the re-start.

FERC is acting like a perfunctory siting agency, not a regulatory agency, and Kinder Morgan knows how to play with the rules. KM submits a plan and starts the clock, after a significant amount of time the KM drastically changes the route, essentially creating new project, but the original timeline clock keeps on ticking....

One thing FERC's process does very well; it very effectively erodes the public trust!

Peter Feitner, Cummington, MA.

Concerns and request for careful study: I am a resident of a community that will be directly impacted negatively by the proposed NED pipeline project. I have all of the concerns regarding air, soil and water quality. Specifically I am extremely concerned that this pipeline will cross a number of significant and essential rivers, streams and creeks that will effect the entire region in addition to threatening agricultural interests in this rural agricultural area.

FERC should require specific and detailed maps and watershed information, a roster of all potentially effected lands, and have the specific permission of any/all individual effected to pose that particular threat. Absence of opposition is not the same as permission. There should be extensive emergency preparedness plans developed and in place, along with the industry supplied emergency infrastructure for all effected communities.

I do not believe that there has been any genuine study into the specific public need for this new pipeline planned to disrupt irrevocably the rural area. For the application to have been amended from a 36" dia to 30" dia pipe in a short time period indicates that there is a process of dart-throwing by the industry to have their way through the permitting process. That almost 20% reduction in capacity when viewed with the further amendment to remove proposed leg lines should be a clear indicator that there is no genuine public need for this project, only a private and perhaps governmental desire. They seem to be looking for a palatable threshold whereby they can profit handsomely to the greatest extent.

There is no genuine concern by the corporate sponsors for the industrialization of this rural area. The inclusion of Compressor Stations, while necessary, would forever change negatively the rural environment via the addition of constant noise and constant light via operations.

I have a very strong concern regarding noise and the effect of placing into service industrial compressors stations which will run 24 hrs per day 365 days per year. There is absolutely no precedent for such a thing in these areas. If allowed, it will destroy the rural preserved nature of the region (which the residents of this area particularly have chosen and support). Had we a desire to live elsewhere, in a more industrialized area where noise is common and where there is compromised dark sky, then we would move. Neither I, nor anyone I know, relish the idea of needing to move in order to regain what we already have and enjoy.

I have read information regarding the determination for ambient noise and sound limits and am immediately struck by the fact that they can be simply manipulated to indicate vastly higher levels of background noise averages. There is absolutely no comparison between a noise, any noise, that is loud and intermittent in a rural area, versus a constant running industrial noise. The only way around this reality is to hide the acceptability of the noise to be produced by the compressor stations is to manipulate numbers contained in charts submitted in reports designed to placate application requirements.

Additionally, if allowed to be operated, the result is the laddering up of the noise baselines, which is the just the slippery slope to screwing up yet another of our disappearing rural areas.

I am also concerned that the preliminary reports submitted already indicate a willingness by TG to manipulate information. Not only is there no actual data in many of the TGP supplied tables (all TBD), there is inclusion/reference of studies suggested as being similar sourced from other projects in other areas which may have no actual applicability. This is a way for the corporation to favorably seed the ground, as opposed to supplying detailed or helpful information.

Then there is the matter of "blowdowns". The existence of appropriate "exhaust silencers" is utter rubbish. What is accurate is perhaps a "suppressor" which at least indicates acknowledgement that there is a noise that A) needs to be suppressed in order to be tolerable, and B) that there is no possible removal or silencing of that noise. This is rather essential in accurately understanding the impact of any constant noise on any area.

Lastly, in regard to noise, is the matter of "pure tone". There is no question that any/all turbines (or any

machinery, for that matter) produce “pure tones”. Hiding those among other noise sources does not negate that those pure tones exist, only that they are potentially palatable. You only need to have ever worked in a setting with a faulty resistor on a florescent light fixture to know that even though that hidden “pure tone” (because by the definitions to be utilized, the group of pure tones of the multi-frequency buzzing would not be considered as an identified pure tone) would be acceptable according to paper, it is intolerable in practice. No one has to endure that environment 365 days a year/24 hours per day; not even prisoners (unless being tortured).

I am sure to have more to say about this all, and will. This pipeline should not be built and forced through this area. Within the state there are areas that have already been degraded by industrial activities where pipelines, and compressor stations already exist. If there is a need for more pipeline capacity to service the residents of MA (or most probable, to export at a private corporate profit to other areas (with the end profit and benefits arriving wherever the Kinder Morgan executives live and work - AKA not in MA), then expand the capacity in those places and leave our rural and agricultural environments alone.

### **20150803-5111**

Susan Secco, Northfield, MA.

In the process of investigating the proposed NED pipeline I ask that you take my concerns into consideration.

The Commonwealth of Massachusetts does not need a new pipeline. We could satisfy our natural gas needs by repairing existing pipeline leaks and by allowing more renewable energy infrastructure. My husband and I live off the grid so we know it is possible to live comfortably with very little reliance on fossil fuels. Furthermore, a new pipeline will not enable Massachusetts to meet the goal of reducing carbon emissions.

The proposed pipeline crosses the Mill Brook in Northfield, MA within my family’s property. Drilling and blasting around Mill Brook will not only destroy the natural environment in my backyard and disrupt my home environment during construction, but will also have impact the town water supply as Mill Brook feeds into the watershed.

I am concerned that we have not been given any details as to what will happen to the many trees on our property that would need to be cut in order to make a path for the pipeline. Will they be removed from our land and will we be compensated for their value? Or will the trees and resulting brush and debris be left behind?

Warwick Road, the road leading to this section of the proposed pipeline, is a very small rural road with many small bridge crossings over Mill Brook. The impact of heavy equipment on this road will be substantial. This is the only road available to me and my family to get anywhere from our home. If it is damaged I would not be able to get to town or to work.

Finally, on a recent map it seems that Kinder Morgan proposes to use our driveway as an access road to this section of the pipeline. (Segment H,I, page 22 current Mapbook). Not only were we never contacted about this plan, we have denied access to our land for any purposes. In reality, our driveway is so steep and winding that the idea of using it for heavy equipment access is ludicrous.

### **20150803-5201**

Theresa Grant, Pelham, NH.

I am a landowner within the incineration zone for the proposed pipeline. I am vehemently opposed to this pipeline. I feel we have been blindsided by this proposal.

There are many reasons I am opposed. The first reason being I question if there really is a need for this pipeline. There are other pipeline projects that are in the works. I do not see sufficient information validating the need for NED. Access Northeast and the partnership of Algonquin Power and Utilities and Spectra Utilities are both working on other projects to provide for the “so called” demand. The NED seems to me to be primarily an export pipeline with no benefit for New Hampshire yet I see the impact on Southern New

Hampshire as being tremendous.

I originally moved to New Hampshire for the rural character. The trees, rivers, streams, brooks and lakes are all a big part of the beauty of our state. The home I have lived in for 13 years with my children has been a sanctuary for us. When I originally moved to my home I knew the power lines were close by and I truly thought that because they were there as well as Golden Brook and wetlands I would have a peaceful area with no potential for any building therefore providing a beautiful lot surrounded by nature and lots of privacy. I never in my wildest nightmares thought that there would ever be potential for a gas pipeline to come so close to the power lines, the wetlands, or my neighborhood.

The very thought of a private pipeline coming into my neighborhood is shocking. We all plan our lives. Where we live is a BIG consideration. To think that after all my careful planning and dreaming of life here with my children I could be asked to leave by eminent domain is unfathomable to me. And if not asked to leave I will have front row view of deforestation and razing of my neighborhood. We are nauseous thinking about either option. Most of us just heard about this project in January. During January and February we were buried in snow. Day to day life was shoveling snow to get to work, school, and maintaining basic life needs. This entire idea is being FORCED upon us, very fast!

I have many concerns about this project.

-The many aquifers that will be affected. How will this affect the water table in the area? How will it impact the many private and public wells along the route? Quality and supply of water?

-Blasting thru granite and the radon emitted. How does this affect the areas drinking water? The air?? How does the blasting and construction affect the houses in the area? Cracking foundations? Settling?

-The vast amount off effects on the environment. Water, plants, wild life, trees, air. Not only the construction phase but the ongoing affects after the pipeline has disrupted all of the above.

-Property values will be impacted negatively. Which in turn will affect the town's taxes. Small towns depend on real estate taxes for its budget.

Please say no to this project coming thru Southern New Hampshire. Please let us continue to preserve our beautiful neighborhoods and state.

Thank You, Theresa Grant

### **20150803-5203**

Michelle Cross, Nassau, NY.

RE: PF14-22-000 – NED Gas Pipeline

I stand before you opposing the construction of the NED gas pipeline and the 90,000 HP compressor station currently proposed for Clarks Chapel Road.

My Husband, two small children and I live within the designated 1/2 mile zone of the Compressor station and the proposed gas pipeline route will abut our property. This property has been in our family for three generations. My husband and I have certain desires and dreams for our family and raising our children in a rural residential, agricultural environment was high on our priorities. We both work 40+ hr/week jobs in addition to running our farm. We do this to maintain the quality of life that we desire, we choose to live here; to raise our children on organically grown fruits and vegetable and farm-raised beef and chicken. Not in an industrial waste zone, which is exactly what will happen to this community with the introduction of a 90,000 hp compressor station and 36" fracked gas pipeline.

My concerns for this construction, that I respectfully request FERC to fully investigate, are as follows:

The short term and long term impact, from the noise pollution from a constantly running 90,000 HP compressor station, will have on residents that are identified as living within the 1/2 mile zone.

The environmental impact and air quality impacts, both short term and long term, of the emissions of the 90000 HP compressor station. This study should include emissions from Blowdowns, Fugitive emissions as

well as accidental emissions. Even during normal operations compressor stations have been shown not to emit uniformly. The measurement of tons per year, while common in the industry and common in the environmental field where regional air quality is at issue, is not an appropriate measure to determine individuals' health risks which increase during episodes of high exposures.

The environmental impact that the proposed gas pipeline will have on the waterways that it will cross, specifically the Valatie Kill Creek. Also the surrounding bodies of water, including but not limited to the Burden Lakes, Crystal Lake, Mud Pond, Lyons Lake, Smith Pond and the Nassau Sportsman's Club pond must also be included in this study.

This study must also include the short and long term effects on ground water as the potable water for most if not all of the proposed area originates from wells. A single vein could be drilled and feeding multiple homes. Once contaminated, those contaminants will permeate and spread throughout the water table and seep further into the soil, making it nearly impossible to eradicate. It's no secret that what goes up, must come down that air pollution will ultimately result in soil and ground water contaminations. Nassau and surrounding towns are already intimately familiar with the pollutant results from big business due to the Dewey Loeffel Landfill Superfund.

I ask that FERC require Kinder Morgan to review alternative routes that would better suit the construction and access of such a pipeline and compressor station, such as along the I90 corridor or upgrading, if necessary, and utilizing existing pipelines. The sheer size of this project will unduly tax our infrastructure, and volunteer agencies. A magnitude of a catastrophe that this pipeline could bring to our backyards is unconscionable.

Currently, with the surrounding wooded areas intact, I can hear boats and jet skis on the Burden Lakes as well as the races at Lebanon Valley Speedway. With the construction of the compressor station and gas pipeline, there will be removal of natural sound barriers and buffers, the TREES and without them, the sound will be further magnified.

Should this proposal get the unfortunate nod to move forward, I respectfully request that FERC closely dictate and constantly monitor the construction and require lifetime metering and routine inspections for the entire life of the pipeline and operation of the compressor station to mitigate noise, air, water, and land pollution at all times.

Please listen to the LOUD voices of the Nassau, Schodack, Averill Park and Sand Lake residents. We live here, we raise our families here, we make our livings here, and we retire here. We are not expendable for the monetary gain of any company.

## **20150803-5246**

Susan M Baxter, Appleton, WI.

08/03/2015

The current narrative for the proposed NED (PF14-22) indicates that one of the "benefits" of the proposed project is that bees will have the opportunity to make use of the nectar and pollen resources from the ROW. RR3 Sect. 3.2.3.1

"However, following a relatively short period of regeneration within the TWS and permanently maintained ROWs, there will be more terrestrial grassland and shrubland habitats that provide important cover and a greater diversity and density of food sources for a different complex of wildlife species. ROW corridors have been demonstrated to provide a greater plant species richness that provides nectar and pollen resources, important for many species of moths and butterflies and an assortment of wild bees (Wagner et al. 2014a,b)."

Well, at least until the bees cause problems during ROW maintenance.

(See Application at #20030814-0027 "Abbreviated application requesting FERC to issue an order amending the certificates of public convenience and necessity under CP81-296 et al.")

Also from RR3 Sect. 3.2.3.1

“Long-term direct impacts to wildlife habitat due to construction and operation of the proposed Project will be limited to clearing of upland and wetland forests required for temporary workspace (“TWS”) and new permanent easement. Areas cleared for TWS will naturally revegetate within one to two growing seasons and provide additional open land habitat (i.e., shrubland and old field). These areas will not be maintained post-construction, and will eventually revert back to forested habitat over time.”

I have personally been on site visits with TGP employees who say that there is nothing they can do about the invasive species of plants which have left the ROW. Since we were looking at phragmites (obligate wetland indicators) it would seem that placing a loop in an already infested area, is a particularly unwise idea. Especially when it is acknowledged up front that TWS and ATWS not in the permanent ROW will not be maintained.

Who will be ultimately responsible for OFF-ROW maintenance activities in regard to invasive species control and/or eradication? Is TGP including permanent monetary reimbursement for any necessary maintenance to the landowners of the temporary easement areas? Staying out of wetlands completely is a potential solution, and frankly a less expensive one.

I request that since there is already twelve years of data available somewhere about ROW maintenance activities with respect to bees and invasive plants, it would be nice to see this information and perhaps an analysis of the effectiveness of the amendments made to the certificates referenced in Tennessee Gas Pipeline’s “Abbreviated application requesting FERC to issue an order amending the certificates of public convenience and necessity under CP81-296 et al.” (#20030814-0027 and maps #20030814-0029).

Sincerely, Susan Baxter

## 20150803-5253

Kimberly D. Bose, Secretary Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426

August 3, 2015

Dear Secretary Bose,

This letter is in reference to Docket No. PF1422000.

How can it be that our wetlands, trails, parks and protected areas including a reservoir, along with New Hampshire citizens’ private property can be bulldozed and blasted under the banner of “Eminent Domain” by a private corporation for potential profits from the sale of natural gas transported through NH via pipeline to customers mainly overseas. How can any private corporation be given clearance to site a compressor station in close proximity to an elementary school (TES) and town drinking water supply (Tobey Reservoir) just to name two sites located in my town of residence? How can a private corporation be allowed to emit toxins through compressor station blowdowns and compromise the health of residents and wildlife throughout the region? Residents of the affected towns have local ordinances that were carefully designed to protect our air, water, land, health and natural heritage that we must observe to protect the environment for the greater good of all who reside in and visit this region. Do these ordinances not to apply to Kinder Morgan and Tennessee Gas Pipeline? Who ensures compliance?

As a net exporter of energy, NH does not need the proposed Northeast Energy Direct pipeline. We will suffer irreparable harm to our protected natural resources caused by construction of the NED pipeline and the ongoing threat it and the proposed New Ipswich compressor station pose to south western and south central NH.

I urge the FERC commissioners to say no to shortsighted fossil fuel corporate interests, specifically KinderMorgan and Tennessee Gas Pipeline, and say yes to the continued health and wellbeing of current and future generations of NH residents, our guests and our unique natural heritage that we share with visitors

from all over the world. Please deny the NED project!

Thank you for your time and consideration.

Sincerely,

Carol Mamczak

Temple, NH

cc: NH Governor Maggie Hassan, US Senator Jeanne Shaheen, US Senator Kelly Ayotte, US Congresswoman Ann Kuster

**20150803-5255**

Stu Moncrieff, Merrimack, NH.

RE: Northeast Energy Direct, Docket No. PF14-22-000

I was in attendance at the FERC scoping meeting held on July 29, 2015 in Nashua, New Hampshire. Based on things discussed, I offer the following comments for the Record:

1. At this meeting, Eric Tomase, the FERC project manager for the Northeast Energy Direct project, encouraged affected landowners to grant access for Kinder Morgan to perform surveys. No government agency should advise its citizens to give up their right to protect their property from trespass.
2. It is widely reported that there is no “need” for this project at all. It is also widely reported that the fracked gas will be sent through Maine to Canada, for export to the European market. Does foreign demand constitute a “need”? Should thousands of domestic landowners (U.S. citizens!) suffer economic losses and risk of harm to satisfy a foreign “need”?
3. Speaking of “need”, Page 2 of the FERC handout from the above referenced meeting (About the Agency, How it Makes Decisions, and How Natural Gas Companies Whose Projects Are Found to Have Public Benefits Can Acquire a Pipeline Right-of-Way), under a section titled “How Do the Commissioners Determine Public Benefit and Need” states the following: “First, any new project must be financially supportable without relying on subsidization ...”. However, an electric tariff on New England electric customers has been proposed, to subsidize the construction of this pipe, with the financial benefit (profit) going to a corporation. This project’s approach appears contradictory to FERC’s stated message regarding subsidization.
4. Like many other New Hampshire landowners affected by this proposal, I obtain my drinking water from a drilled well and am EXTREMELY concerned about long-term effect on the quality of my water. We have all heard of the environmental and health damage caused by chemicals required for fracking (lead, benzene, mercury, and ethylene glycol, to name a few), and now this pipe will bring these chemicals to New York, Massachusetts and New Hampshire. These chemicals will ooze from the inevitable leaks in the pipe, and spread the environmental disaster of fracking well beyond the drill sites. The effect of these chemicals will ultimately travel well beyond the 1000’ blast radius of the pipe.
5. Further destroying our water quality is the proposed use of herbicides to stunt vegetation growth along the 400+ miles of this pipeline. Should this pipe be approved, vegetation management should be allowed ONLY by periodic mowing.

I reserve my right to provide additional comments at a later date.

Thank you.

Stu Moncrieff

2 Fields Farm Rd. (Incineration Zone)

Merrimack, NH 03054

**20150804-0022**

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FERC Scoping Hearing 7-15-2015,

Re: North East Direct pipeline proposal, FERC Docket #PF 14-22-000

Moderator Eric Tomasi;

Tonight I will speak about nitrogen dioxide (NO<sub>2</sub>) emissions originating from the burning of fracked gas at compressor stations especially the one proposed for Clark's Chapel Road in the Town of Nassau, State of New York. The federal Environmental Protection Agency lists nitrogen dioxide as one of six pollutants/toxins that EPA is trying to reduce levels of to be safe for humans.

Nitrogen Dioxide will combust, sometimes explosively. It combines readily with many compounds, such as human tissue and other hydrocarbons. Its primary way to reach human tissue is through inhalation. In small amounts it can cause dizziness, aggravate weak heart muscles, aggravate asthma, and other pulmonary conditions. In larger amounts or over accumulated time it can destroy human organ tissue.

In a Nitrogen Dioxide study in Pennsylvania at the Barto Compressor Station in Penn Township, Lycoming County, it was found the station exceeded EPA emission standards (See attached AERMOD Modeling report prepared for Mr. Jay Duffy of the Clean Air Council). Assuming the one-hour test results at Barto were an average in a twenty four hour day, and using the data in the study, I figured the total capacity of the Barto plant is 19,350 horsepower and this station could possibly emit 93 tons of NO<sub>x</sub>, per year. Extrapolating this (and not taking into account the pipeline pressure differences) with the proposed NED 90,000 horsepower proposed Clark's Chapel Road station, the 90,000 HP station could possibly emit 434 tons per year, every year.

The Barto test also illustrates that wind direction and terrain features determine where and how much NO<sub>2</sub> is deposited in the environment. At the Clark's Chapel Road compressor station the winds are predominantly from the south. There are approximately 350 single family homes within a two mile radius of the compressor station site. About 150 of those are on or very near the southern and western shores of Burden Lake within the two mile radius. The south end of the lake is about 3/8ths of a mile directly north of the compressor station site. Having the compressor station NO<sub>2</sub> emissions (and other oxides of nitrogen) blow north onto the lake year after year, may in my opinion, make the lake unsafe for swimming, fishing and the tainted water would seep into the ground ruining the well water of the homes. It also shows the percentage of emissions in excess of NAAQS standards. Tier-1 278% in excess, Tier-2 209% in excess, and Tier-3 88% in excess of standards. It also shows Tier-I samplings extended, because of the predominant west winds, up to 3,500 meters (close to 2 1/2 miles) to the east. Because of the lack of terrain features on Burden Lake the toxins and pollutants are going to blow northward up the full length of the 2 1/2, mile long lake.

Sincerely,

Clark J. Shaughnessy  
474 Burden Lake Road  
Nassau, New York  
518-441-1685  
Clarkjs10@verizon.net

-----  
AERMOD Modeling of N<sub>2</sub>O Impacts of the  
Barto Compressor Station

Final Report  
January 24, 2013

Prepared for  
Mr. Jay Duffy  
CLEAN AIR COUNCIL  
Philadelphia, Pennsylvania

Prepared by  
Mr. Khanh T. Tran

Principal  
AMI Environmental  
206 Black Eagle Ave  
Henderson, NV 89002  
Tel. (714)679-7363

*{13 page report not reproduced here}*

**20150804-0026**

Hand written card, Evelyn Taylor 213 Old Wilton Rd, New Ipswich, NH 03071, opposing

**20150804-0027**

Hand written card, Evelyn Taylor 213 Old Wilton Rd, New Ipswich, NH 03071, opposing

**20150804-0028**

Hand written card, Evelyn Taylor 213 Old Wilton Rd, New Ipswich, NH 03071, opposing

**20150804-0029**

Hand written card, Evelyn Taylor 213 Old Wilton Rd, New Ipswich, NH 03071, opposing

**20150804-0030**

Hand written card, Paul Stevens, 156 Timbertop Rd, New Ipswich, NH 03071, opposing

**20150804-0031**

Allan Pickman  
86 Colburn Rd  
Temple, NH 03084

July 1,2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426

RE: FERC docket number PF14-22

Dear Secretary Bose:

In regard to the proposed Kinder Morgan/TGP natural gas pipeline, when is FERC going to hold its Scoping meetings in the towns of New Ipswich, Temple, Greenville, and Mason, NH?

All of these towns would be affected by the potential compressor station.

**20150804-0032**

Robin Downes  
86 Colburn Rd  
Temple, NH 03084

July 1,2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426

RE: FERC docket number PF14-22

Dear Secretary Bose:

In regard to the proposed Kinder Morgan/TGP natural gas pipeline, when is FERC going to hold its Scoping meetings in the towns of New Ipswich, Temple, Greenville, and Mason, NH?

All of these towns would be affected by the potential compressor station.

**20150804-0033**

Hand written FERC comment form, Laura Dain, 39 Washington Ave N, North White Plains, NY 10603, opposing

**20150804-0034**

Hand written FERC comment form, Sandra Gay Brammer, Averill Park, NY 12018, opposing

**20150804-0036**

189 Captain Beers Plain Road  
Northfield, Mass. 01360

July 30, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

Docket No.: PF14-22-000

ATTN: OEP-DG2E-G2s3, PJ11.3

Dear Ms. Bose,

Let me introduce myself. My husband and I are the present owners of land directly across the road from Gulf Road, Northfield, MA., Prospect Road, that leads to the top of Brush Mountain. The Tennessee Gas Pipeline Company is proposing to locate a new compressor station on Gulf Road ... directly across from Prospect Road.

The property was acquired from the Offingers in the late 19SIYs, 64+ acres. I aptly name it "Procupine Precipice". The Offingers used the property as their get-away. They had built a camp, blazed X-country skiing trails, maintained a ski slope, dug wells and enjoyed this property to the fullest.

My family has, and continues to enjoy this area for more than 4 generations. There is a variety of wildlife, especially deer and bears. Great hiking trails, stone walls, cellar holes (where our forefathers once lived), springs, swamps, caves and all kinds of recorded history.

Please note: In the 1875 History of Northfield oage 48, Brush Mountain is one of the places mentioned. The Indians called Brush Mountain "Mish-om-assek" as it housed colonies of rattlesnakes. It was held in veneration by the Indians. They believed an evil-spirit dwelled inside the mountain where the snakes denned. This spirit sent forth his hot breath and melted the snow and made anyone who dared inhale the poisonous air faint. Tradition has it that he once bellowed from his hiding place and shook the earth. The Indians shunned the Gulf and adjacent mountain sides fearing the rattlesnakes and the evil spirit. Could this bit of history actually be an omen?

My family and I feel that locating the pipeline and compressor in this area will create a disaster waiting to happen. Northfield could become a statistic and the dreams of current and future generations will be shattered. The pristine land could become a wasteland.

Please do all possible to insure that the Tennessee Gas Pipeline Company does not become a reality on this "sacred area of Northfield.

Sincerely,  
Rita Mefio Huber  
Native of Northfield Massachusetts and Concerned Citizen

**20150804-0037**

Hand written FERC comment form, Eileen Ca??, 100 Holsen? Rd, Averill Park, NY 12018, opposing

**20150804-0038**

Re: Opposition to the Proposed NED project by Kinder Morgan/Tennessee Gas

Dear: Whom it may concern

The proposal by Kinder Morgan and its subsidiary, Tennessee Gas, to build the facked gas pipeline called NED will be detrimental to the people, infrastructure, and environment of my county.

I am writing to you in the hope that you will listen to those of us who are aware of the dangers this project poses and will take whatever action you can to stop its construction.

My opposition to the NED stems fom the following facts:

1. Pipeline safety tandards in rural areas are much lower than in urban ones. People who live along the proposed mute are being treatde as if they are less worthy of protection than their fellow urban citizens because fewer of them may be harmed by the project.
2. The pipeline as proposed, will be 36 inches in diameter and will carry hydro-fracked gas at approximately 1400 psi through pristine woods and under various (currently) unpolluted rivers and streams. This land, which many of us have fought to protect, will be adversely affected by the costruction and on-going operation of the NED.
3. In addition to the possibility of rupture, pipelines like this inevitably develop leaks fom welding joints. The process of hydro-fracking gas has been banned in New York State in part bectauue of the known toxins the process produces. Yet this pipeline will transport these same toxins through leaky pipes across our state.
4. According to many reports, the federal and state agencies responsible for pipeline safety are very under-funded and under-manned.
5. Most of the residents along the pipeline route will receive no compensation for bearing the risks the NED poses. In fact, their burden is increased by potentially higher taxes and insurance rates, as well as lower property values. In addition, no New Yorker will get any of the gas or will benefit by lower gas prices, because it is most likely that Kinder Morgan's plan is to market the gas abroad.

I would appreciate your attention to this matter and thank you in advance for your help

Erica E. Magill  
149 Manrow Rd  
Averill Part, NY 12018  
7/25/15

**20150804-0039**

Dear Whomever:

Kinder Morgan and its subsidiary, Tennessee Gas, propose to build and operate a 36-inch pipeline to daily transport up to 2.2 billion cubic feet of hydro-fractured gas at a pressure of up to 1,460 pounds per square inch from Pennsylvania, through New York to Dracut, Massachusetts. The proposal is called the North-east Energy Direct pipeline project (NED) and hss been assigned Federal Energy Regulatory Commission (FERC) Docket # PF 14-22.

Please stop the NED in order to protect my family and community. I oppose this project for the following reasons:

- No New Yorkers will receive any of the gas and almost all of it will be exported to foreign markets.
- Pipeline safety standards in rural areas are much lower than in urban areas, effectively treating constituents who live in the rural communities along the proposed route as second class citizens.
- The governing federal and state regulations and the resources used to ensure pipeline safety during construction, operation and decommissioning phases are woefully inadequate.
- Only landowners whose lands abut the pipeline route may receive compensation. All other residents along the pipeline corridor, even those within the “incineration zone,” involuntarily assume the risk of death, personal injury and property damage in the event of a rupture, but receive no compensation for their risk and diminished quality of life, or the assault on the quiet enjoyment of their homes.
- Property values along the pipeline will decline and reduce assessed valuations. This in turn will increase the tax burden on properties further away from the pipeline.
- The federal process for approving and constructing gas pipelines violates the requirement of the National Environmental Policy Act (NEPA) to minimize cumulative negative impacts that federal agency decisions may have on public safety, health and the environment.
- No single federal entity oversees the NED project as a whole. For example, the Federal Energy Regulatory Commission decides whether and where the NED is built. The Department of State decides whether the gas may be exported. The Pipeline and Hazardous Material Safety Administration governs pipeline safety. Each agency pleads lack of jurisdiction to review or do anything that could be seen as falling within the jurisdiction of another agency. Oversight of the project is therefore segmented, hindering the public’s ability to effectively review and voice concerns about the NED.
- Investment in dirty 20th century gas infrastructure (thousands of pipeline miles; industrial-sized compressor stations) delays development of sustainable, safer energy sources and associated permanent jobs and gives competitive advantage to countries investing in the development of green technology and energy.

Thank you for your attention to this matter.

Dalton MacN?  
 149 Momrow Rd  
 Averill Park, NY 12018

**20150804-0043**

July 20, 2015

Dear Senator Shaheen,

We are writing to ask that you, as our Senator, oppose the Kinder Morgan Northeast Energy Direct (NED) pipeline. This project will bring no benefit to New Hampshire and little to no benefit to New England.

The pipeline construction process will pollute our air, contaminate our aquifers, wells and other water resources. Over 800 NH families will lose their homes and it will destroy conservation lands. It will harm the tourist industry and rural character of New Hampshire.

The proposed compressor station will be a high-pressure, 80,000-horsepower hub of toxic chemicals and deafening noise, prone to frequent “blow downs” where volatile organic compounds and carcinogenic gases are released into the air to reduce pressure on the pipeline. These gasses can travel anywhere from one to one hundred miles depending on how the wind blows and they can cause a host of health problems for people, ecosystems and water bodies on a day-to-day basis and will eventually cause ruin to all of New Hampshire.

In the event of a catastrophic disaster, any building within a half mile radius of the compressor station, including the Temple Elementary School will likely burm to the ground along with anyone nearby. Are the children of New Hampshire not important?

The property values near the pipeline and compressor station will plummet and our homes and land will be

worthless. What is even worse about this pipeline - no local community will reap any benefit! The only one benefiting is Kinder Morgan - making tons of money off of people who are struggling on a day-to-day basis to make ends meet and now will lose everything they have worked so hard for all their lives!

Senator Shaheen, please oppose this pipeline and work with us to stop this project.

Most Sincerely,

*signature not legible*

cc: FERC

**20150804-0044**

*{same text as 20150804-0043 but addressed to: }*

Dear Congressman Guinta,  
Nat & Holly Crooker

**20150804-0045**

*{same text as 20150804-0043 but addressed to: }*

Dear Congresswoman Kuster,  
Nat & Holly Crooker

**20150804-0046**

Hello,

As a proud and happy fifth generation family resident of New Hampshire I want to emphatically express my opposition to the Kinder Morgan Pipeline Project. Kinder Morgan will without a doubt devastate our towns if we allow them to “occupy” our state.

With the unlimited safety concerns as well as the negative environmental impacts this unnecessary project would be a monstrous disaster to our pristine state. We don’t want this in New Hampshire any more then Massachusetts residents wanted it in their state. Yet we are sadly lacking support from our representatives.

This decision will without a doubt reflect future elections, not favorably for present incumbents.

My home is located within the 1/2 mile incineration area, also named “so survivor zone”. I am told our homes equity is gone; we have lost a minimum of 50% value on our property. It is unsellable! We will be forced to leave it to the bank and walk away. The other option of remaining living with contaminated water, air, noise, and fear of explosions is not an option for anyone. And I am shocked that we in New Hampshire are being forced to endure this catastrophe. For what gain?

It’s time to support your voters and stop Kinder Morgan!

Regards,

Kathy Belanger  
168 Tobey Hwy.  
New Ipswich NH

**20150804-0047**

*{same text as 20150804-0043 but addressed to: }*

Dear Governor Hassan,  
Roger & Joan Crooker

**20150804-0048**

*{same text as 20150804-0043 but addressed to: }*

Roger & Joan Crooker

**20150804-0049**

*{same text as 20150804-0043 but addressed to: }*

Dear Senator Shaheen,

Roger & Joan Crooker

**20150804-0050**

*{same text as 20150804-0043 but addressed to: }*

Dear Governor Hassan,

*Signature not legible*

**0150804-0051**

*{same text as 20150804-0043 but addressed to: }*

Dear Senator Ayotte,

*Signature not legible*

**20150804-0052**

**TOWN OF SALEM, NEW HAMPSHIRE**  
33 GEREMONTY DRIVE, SALEM, NH 03079  
(603) 890-2120 FAX: (603) 890-2220

July 27, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426

Comments of the Town of Salem, NH

RE: Tennessee Gas Pipeline Company, L.L.C. (“TGP”)

Docket No. PF14-22-000: Proposed Northeast Energy Direct (“NED”)

Dear Ms. Bose:

The Town of Salem, NH was notified in 2014 by Kinder Morgan (KM) that KM was planning to construct a third natural gas line that would be located within the existing right-of-way where two existing gas lines are located where possible. KM indicated that there would be locations where installing the third gas line next to the existing two would not be feasible and would require the taking of additional property.

More recently in 2015, KM indicated they had changed their original route through the Commonwealth of Massachusetts to a new route that passes partially through Massachusetts and partially (-71 miles) through the State of New Hampshire, before returning to Massachusetts to terminate at the gas Hub in Dracut, Massachusetts. This new route includes approximately two (2) miles through the Town of Salem, NH as part of the Haverhill Lateral. KM also determined that they would replace the one existing lines and replace them with a new 20” gas line.

As the duly elected Board of Selectmen responsible for directing the municipal government of the Town of Salem in line with the wishes of its residents, we have strong reservations with the NED project as proposed. Specifically, it is the judgment of the Selectmen that the proposed route through Salem is poorly cho-

sen with numerous adverse effects on our community and must be changed if this pipeline is to pass through the Town at all. The reasons for this judgment are set out below.

### **I. Character of the Town**

The possibility of expanding the current right-of-way for the proposed natural gas pipeline through conservation property, over important natural resources, through existing residential neighborhoods, and far outside the borders of our Town's existing industrial/commercial-zoned areas, conflicts with our most recent Master Plan, and with the desires of a majority of its residents.

The current pipeline route as proposed by the Tennessee Gas Pipeline Company and Kinder Morgan would:

1. Disturb and permanently diminish the quality of life in existing residential neighborhoods because of significant construction through neighborhoods that, because of permanent clear-cutting and pipeline maintenance, and because of the potential of the seizure of privately owned residential land through eminent domain.
2. Unnecessarily risk to wetlands surrounding one of the Town's most precious surface waterway — Worlds End Pond, which is a pristine piece of the Town's conservation property.

It is worth noting that New Hampshire is the second most heavily forested state in the United States (behind Maine). The people of Salem, as in many other New Hampshire communities, live here in part because the heavily forested environment is integral to the character of the town. The extensive tree cutting required by pipeline construction is therefore particularly disruptive — especially in the residential areas — and degrades the NH flavor of semi-rural character we seek to preserve.

While the Town of Salem is not opposed to new commercial and industrial development in order to broaden the community's tax base, it should not be done at the expense of our natural resources, conservation properties and existing residential neighborhoods. Please see enclosed Exhibit A for an overview of the proposed line location.

### **II. Worlds End Pond:**

Worlds End Pond is a one hundred thirty (130) acre body of water which flows southwest and joins the Spicket River. Its bottom is covered with a very deep layer of decaying vegetable matter.

Around Worlds End Pond are three parcels that the Rockingham Planning Commission rated a high priority for the Town to purchase to preserve for conservation. That recommendation is based on the soils and wildlife on the property. The properties have been identified as prime wetlands. Please refer to Exhibit B4 C for maps of the area surrounding World End Pond.

### **III. Public Safety Concerns:**

The Town of Salem shares all of the concerns other impacted communities have regarding a high pressure gas transmission pipeline passing through the community. These concerns are made more acute by the proposed route's passage through residential neighborhoods. In particular, we are concerned with its proposed bisecting of neighborhoods including Bounty Court, Hunters Run, and Theresa Avenue. Residents of these neighborhoods are concerned with potential safety risks related both to pipeline construction and with the potential for a pipeline incident that could isolate and trap residents and/or restrict access to them by emergency vehicle and services.

It is difficult to see how the concerns of these residents could be addressed with the currently proposed pipeline route.

We will defer our more general concerns with public safety, e.g. training and equipment for first responders, communications between Salem first responders and KM concerning potential incidents, incident response, etc., to a later date.

### **IV. Conclusion:**

The Town of Salem, through its Board of Selectmen, strongly opposes the currently proposed route through the Town of Salem, NH for the NED pipeline. With the possibility of needing to impact property outside of

the existing natural gas ROW, the proposed route is disruptive to the character of the town and the quality of life for its residents, threatens unacceptable harm to ecologically sensitive areas, and represents apparently irresolvable safety concerns for at least some residents on or near the proposed route. Based on the lack of any specific information provided to the Town by KM during their planning process, it does not appear that KM has explored alternative routes that would be less disruptive and have a lesser impact on the environment.

The Salem Board of Selectmen is strongly in favor of increasing our energy supply in both availability and pricing to benefit more businesses in coming to the town and region, but believes that the Kinder Morgan project is too excessive for the Town of Salem and the region. When Kinder Morgan is ready to rethink its selection of a route through the Town of Salem, the Board of Selectmen would ask that Kinder Morgan engage the Town early in the planning process. The currently proposed, unsuitable route has generated much concern and uncertainty among the residents of Salem. It would be preferable to engage early with the representatives of the Town and present a much more detailed project, rather than put together another, unsuitable route and set off additional concerns and uncertainty among Salem residents.

Thank you for considering the concerns of Salem, New Hampshire.

Sincerely,

James S. Keller, Chair  
Patrick M. Hargreaves, Vice Chair  
Everett P. McBride, Jr., Secretary  
Stephen F. Campbell, Selectman  
Michael J. Lyons, Selectman

**20150804-0054**

**Town of CONWAY, Massachusetts**

PO Box 240 - Conway, MA - (413) 369-4235 fax: (413) 369-4237  
Town Office #32 Main Street, Town Hall @ 5 Academy Hill Road  
[www.townofconwav.com](http://www.townofconwav.com)

Federal Energy Regulatory Commission  
Attention: Kimberly D. Bose, Secretary  
888 First Street NE, Room IA  
Washington, DC 20426

July 30, 2015

Re: Tennessee Gas Pipeline Co.'s Northeast Energy Direct proposed gas pipeline project  
(Kinder Morgan Project)  
Project Docket number PF14-22-000

Mailed by United States Postal Service mail and sent electronically

To Whom It May Concern

This letter is being submitted by the Conservation Commission for the Town of Conway, Massachusetts. We are requesting you consider the following and the enclosed information as you review the pending Tennessee Gas Pipeline Co.'s Northeast Energy Direct (TGP/KM) project application. Our comments are made as the duly appointed Conservation Commission for the Town of Conway, Massachusetts.

Our statutory and regulatory jurisdiction is pursuant to the provisions of Massachusetts General Laws (MGL) Chapter 131 section 40 (The Massachusetts Wetlands Protection Act), Chapter 258 of the Acts of 1996 (The Massachusetts Rivers Act), The Code of Massachusetts Regulations (CMR) set forth in 310CMR 10.00et. seq., and the Massachusetts Stream Crossing Standards. Our Commission is commenting only on issues within these areas of jurisdiction.

The proposed pipeline project in its projected location will cross the entire Town of Conway from west to

east.

We have been advised, according to a notice issued by The Federal Energy Regulatory Commission (FERC) on June 30, 2015, that the Federal Energy Regulatory Commission, within its review of the TGP/KM project application, will analyze steps to “avoid, minimize or mitigate impacts” of the environment. This submission is intended to address these issues. We have attached to this letter a report we have commissioned on these issues. As you can see from the report there are multiple and significant environmental issues effecting critical habitat, the environment, wetland areas, and river areas. There are at least three substantial stream and river crossings. In the submitted report we have highlighted four (4) critical areas as examples. This report is not intended to be a conclusive as to all critical or impacted areas, but rather is to support that it will be crucial, given the highly sensitive nature of the ecosystems that may be impacted, to, before any work is commenced, carefully study and then condition any work to avoid impacts, minimize impacts, and mitigate impacts both to the aquatic system and supporting terrestrial ecosystems.

It is our Commissions conclusion, supported by the report, that these issues must be fully evaluated and addressed in a Notice of Intent (the regulatory process for permitting proposed projects) to be filed by the applicant (we have been advised that the applicant intends to comply with the regulatory authority set forth in 310CMR 10.00et. seq.). These issues should be analyzed in detail and scientifically approached, and must be fully completed and submitted to FERC prior to any FERC approval of the project in order to allow FERC to analyze steps to “avoid, minimize or mitigate impacts” of the environment as FERC has indicated needs to be done (see above).

The report, submitted by the Commission as an attachment to this letter, is not intended to be a substitute for a full evaluation of the entire proposed project location; but rather the report submitted by the Commission is intended to support our determination that a complete analysis will be needed with evaluations along the entire proposed project location.

It cannot be stressed enough that the proposed project, whatever the merits are, is planned to go through highly sensitive ecosystems and thus the proposed work must be carefully conditioned to avoid impacts, minimize impacts, and or mitigate impacts to both the aquatic systems and the supporting terrestrial ecosystems.

We thank you for your consideration.

Very truly yours,

Conway Conservations Commission

PC: Selectboard Town of Conway

Pipeline Committee Town of Conway

Franklin Regional Counsel of Governments Pipeline Advisory Board

Enc: (1)

-----  
**Stockman Associates**

July 28, 2015

Mr. John Gates, Chair

Conway Conservation Commission

PO Box 240

Conway. MA 01341

Re: Preliminary Wetland Resource Area Review

Tennessee Gas Pipeline Company, LLC.

Northeast Energy Direct Project

Proposed Pipeline Route

Conway. MA

Dear Mr. Gates and Commissioners:

Per your request, Stockman Associates LLC performed a preliminary review of the wetland resource areas located within the proposed Tennessee Gas Pipeline Company, L.L.C. (TGP) Northeast Energy Direct Project pipeline route within the town of Conway. The proposed pipeline location was provided by the Conway Conservation Commission; the majority of the footprint is within and along the existing high-tension line easement. During the review process, a potential modification of the easterly extent of the proposed footprint, veering to the north of the existing easement was indicated by the Commission. The goal of the review was to assist the Conway Conservation Commission with an initial review and inventory of protected inland wetland resource areas.

Based on a desktop review of current MassGIS and USD NRCS Soil Survey mapping as well as a field inspection of portions of the route, the proposed pipeline route crosses a number of sensitive wetland resource areas subject to protection under the Massachusetts Wetlands Protection Act (MA WPA) and its regulations, which the Conway Conservation Commission is charged with upholding. Inland wetland resources, which will be impacted by the proposed route include, Bank (310CMR 10.54), Bordering Vegetated Wetlands (310CMR 10.55), Land under Water Bodies and Waterways (310CMR 10.56), Land Subject to Flooding (310CMR 10.57), Riverfront Area (310CMR 10.58) and potential vernal pool habitat. In addition, the proposed route will impact Priority Habitat of Rare Species, Estimated I-habitat of Rare Wildlife, Core Bio Habitat and Coldwater Fish Resources designated by the Massachusetts Natural Heritage Endangered Species Program (MA NHESP) and the Massachusetts Division of Fisheries and Wildlife. The pipeline route may also contain isolated wetlands subject to federal and state protection under Section 401 and 404 of the Clean Water Act.

As stated in 310 CMR 10.00, any proposed work within protected wetland resource areas is subject to the associated performance standards set forth in the regulations for each specific inland resource areas. While certain projects may be permitted as limited projects under 310 CMR 10.53 (i.e. utilities), these limited projects must demonstrate that the proposed activity meets the regulatory definition of a limited project and meets the required performance standards to the maximum extent feasible. Avoiding, minimizing and mitigating for impacts is an essential component of the protection of wetland resource areas at the eight interests of MA WPA, which they serve.

The attached information summarizes the findings of four (4) specific areas visited along the proposed pipeline route. This information serves to provide an example of some of the unique ecosystems located along the proposed route and should not be considered as a complete inventory. On the contrary, the entire route throughout Conway contains numerous protected ecosystems, both mapped and unmapped, all of which require diligent study, delineation, and review to ensure necessary protection.

Sincerely,

Emily Stockman, M.S., P.W.S  
Senior Scientist/Owner  
Stockman Associates LLC

*{maps not reproduced here}*

**20150804-0055**

**The Commonwealth of Massachusetts**  
William Francis Galvin, Secretary of the Commonwealth  
**Massachusetts Historical Commission**

July 20, 2015  
Stuart Fiedel  
Principal Investigator  
Louis Berger Group

20 Corporate Woods Blvd  
Albany NY 12211-2370

RE: Tennessee Gas Pipeline Company, L.L.C., a Kinder Morgan Company, Northeast Energy Direct Project.  
MHC 1RC.56771.FERC Docket # PF14-22-000.

Dear Mr. Fiedel:

Staff of the Massachusetts Historical Commission (MHC), office of the State Historic Preservation Officer and State Archaeologist, have reviewed the revised State Archaeologist's permit application submitted for reconnaissance historical and archaeological survey for the project referenced above.

The revised application is responsive to the MHC's comments on the draft research design and methodology.

Regarding the submittal of the draft reports of the investigation (pages 38 and 69), please also provide the reports to the involved federal agencies for their review and consultations.

Enclosed please find the State Archaeologist's field investigation permit issued for the reconnaissance survey.

Enclosed also is the Town of Deerfield's "Archaeological Accountability Policy" that the Deerfield Historical Commission requested be provided to permittees conducting research in the town.

These comments are included to assist in compliance with Section 106 of the National Historic Preservation Act of 1966 as amended (36 CFR 800), the Secretary of the Interior's Standard Guidelines for Archeology and Historic Preservation (48 Fed. Reg. 190 (1983)), and MGL c.9, ss. 26-27C (950CMR 70). If you have any questions, please contact Edward L. Bell, Deputy State Historic Preservation Officer at the MHC.

Brona Simon  
State Historic Preservation Officer  
Executive Director  
State Archaeologist  
Massachusetts Historical Commission  
Enclosures (SA Permit; Deerfield policy)

cc w/o encl:

Secretary Kimberly D. Bose, FERC  
Eric Tomasi, FERC

## 20150804-0056

Dear FERC:

Kinder Morgan and its subsidiary, Tennessee Gas, propose to build and operate a 36-inch pipeline to daily transport up to 2.2 billion cubic feet of hydro-fractured gas at a pressure of up to 1,460 pounds per square inch from Pennsylvania, through New York to Dracut, Massachusetts. The proposal is called the Northeast Energy Direct pipeline project (NED).

Please stop the NED in order to protect my family and community. I oppose this project for the following reasons:

- No New Yorkers will receive any of the gas and almost all of it will be exported to foreign markets.
- Pipeline safety standards in rural areas are much lower than in urban areas, effectively treating constituents who live in the rural communities along the proposed route as second class citizens.
- The governing federal and state regulations and the resources used to ensure pipeline safety during construction, operation and decommissioning phases are woefully inadequate.
- Only landowners whose lands abut the pipeline route may receive compensation. All other residents along the pipeline corridor, even those within the "incineration zone," involuntarily assume the risk of death,

personal injury and property damage in the event of a rupture, but receive no compensation for their risk and diminished quality of life.

—Property values along the pipeline will decline and reduce assessed valuations. This in turn will increase the tax burden on properties further away from the pipeline.

—The federal process for approving and constructing gas pipelines violates the requirement of the National Environmental Policy Act (NEPA) to minimize cumulative negative impacts that federal agency decisions may have on public safety, health and the environment.

—No single federal entity oversees the NED project as a whole. For example, the Federal Energy Regulatory Commission decides whether and where the NED is built. The Department of State decides whether the gas may be exported. The Pipeline and Hazardous Material Safety Administration governs pipeline safety. Each agency pleads lack of jurisdiction to review or do anything that could be seen as falling within the jurisdiction of another agency. Oversight of the project is therefore segmented, hindering the public's ability to effectively review and voice concerns about the NED.

Thank you for your attention to this matter.

Stephanie Vilorio  
55 N. Schodack Rd  
E. Greenbush, NY 12061

**20150804-0057**

**Congress of the United States**  
**House of Representatives**  
Washington, DC 20515-2102

JAMES P. McGOVERN  
2nd District, Massachusetts  
July 29, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
ggg First Street, NB  
Room A1  
Washington, D. C. 20426

Re: Tennessee Gss pipeline Company, L.L.C. Docket No. FF14-22-000 Northeast Energy Direct project

Dear Secretary Bose:

I want to thank the Federal Energy Regulatory Commission (FERC) for holding this scoping meeting to request comments on environmental issues regarding the Planned Northeast Energy Direct project (NBD). I regret that the House of Representatives is in session and I am prevented from attending this scoping meeting in person. However, I appreciate FERC's willingness to accept my comments in written form.

I have heard from countless constituents about their desire to extend the deadline for public scoping comments beyond August 31, 2015 in order to ensure that all available information is considered. In addition, the extension will allow for greater exploration of alternatives to this project, which will allow for the most comprehensive review possible. I applaud the efforts of Massachusetts State Attorney General Maura Healy who has recently undertaken a comprehensive study of the electric reliability needs in the New England region through 2030. Attorney General Healy's office has stated that the report is expected to be completed in October 2015. This report will provide important information that deserves consideration with regard to the entirety of the NED project.

As currently proposed, the NED project crosses miles of pristine land that has been protected by state and federal dollars. It is my strong belief that if land has been protected from development in perpetuity by pub-

lic dollars, it should be protected from the construction of a pipeline which would run directly through it. It is critically important to me that this federally regulated process is conducted in an open and transparent way. I will continue to advocate on behalf of my constituents of the 2 Congressional District in order to ensure that concerns are heard loud and clear. I will submit a more detailed scoping comment for the record prior to the August 31, 2015 deadline.

Sincerely,

James P. McGovern  
Member of Congress

**20150804-0058**

Dear FERC:

Kinder Morgan and its subsidiary, Tennessee Gas, propose to build and operate a 36-inch pipeline to daily transport up to 2.2 billion cubic feet of hydro-fractured gas at a pressure of up to 1,460 pounds per square inch from Pennsylvania, through New York to Dracut, Massachusetts. The proposal is called the Northeast Energy Direct pipeline project (NED).

Please stop the NED in order to protect my family and community. I oppose this project for the following reasons:

- No New Yorkers will receive any of the gas and almost all of it will be exported to foreign markets.
- Pipeline safety standards in rural areas are much lower than in urban areas, effectively treating constituents who live in the rural communities along the proposed route as second class citizens.
- The governing federal and state regulations and the resources used to ensure pipeline safety during construction, operation and decommissioning phases are woefully inadequate.
- Only landowners whose lands abut the pipeline route may receive compensation. All other residents along the pipeline corridor, even those within the “incineration zone,” involuntarily assume the risk of death, personal injury and property damage in the event of a rupture, but receive no compensation for their risk and diminished quality of life.
- Property values along the pipeline will decline and reduce assessed valuations. This in turn will increase the tax burden on properties further away from the pipeline.
- The federal process for approving and constructing gas pipelines violates the requirement of the National Environmental Policy Act (NEPA) to minimize cumulative negative impacts that federal agency decisions may have on public safety, health and the environment.
- No single federal entity oversees the NED project as a whole. For example, the Federal Energy Regulatory Commission decides whether and where the NED is built. The Department of State decides whether the gas may be exported. The Pipeline and Hazardous Material Safety Administration governs pipeline safety. Each agency pleads lack of jurisdiction to review or do anything that could be seen as falling within the jurisdiction of another agency. Oversight of the project is therefore segmented, hindering the public’s ability to effectively review and voice concerns about the NED.

Thank you for your attention to this matter.

Brandon Vioria  
55 N. Schodack Rd  
E. Greenbush, NY 12061

**20150804-0059**

Dear Gas Branch 3:

*{same text as 20150804-0058, but signed: }*

Peter Turner  
175 Pond Hollow  
Averill Park, NY 12018

**20150804-0060**

Dear Gas Branch 3:

*{same text as 20150804-0058, but signed: }*

Antony DeFrancesco  
67 Old Route 66  
Averill Park, NY 12018

**20150804-0061**

**NEW HAMPSHIRE DIVISION OF HISTORICAL RESOURCES**

July 9, 2015

Hope Luhman  
Louis Berger  
20 Corporate Woods Blvd  
Albany, NY 1221

Re: project Review: Northeast Energy Direct project phase IA Archaeological Sensitivity Assessment, Cheshire, Hillsborough, and Rockingham Counties, NH. Submitted by Louis Berger  
(DHR 16111)

Dear Ms. Luhman:

Thank you for providing the Division of Historical Resources (Division) an opportunity to comment on the Phase IA archaeological assessment cited above. The Division agrees with the recommendations provided for continued Phase 1B testing. We understand that many areas were not accessible and that refining the sensitivity assessment will be accomplished during the Phase 1B work as areas are opened for access.

Although you somewhat addressed our concerns with using a predictive model, once again we will remind the consultants that many of the upland areas have not been tested and we would expect that during future walkover assessments this be taken into consideration. We would disagree with your statement on page 95 since very little survey has been done in upland regions of New Hampshire, especially in the southern regions. Since little survey has been conducted it would be ill advised to dismiss the potential importance of small upland sites and the information that they might yield.

Also, we agree with the recommendations to catalogue stone walls and suggest that a protocol for recordation or assessment be developed for this project.

Once again, thank you and we look forward to continued consultation on this project.

Edna Feighner, Archaeologist  
Review and Compliance Coordinator

cc: Michael Letson, Tennessee Gas Pipeline Company LLC  
Eric Tomasi, FERC

**20150804-0062**

Dear Federal Energy Reg Commission:

*{same text as 20150804-0058, but signed: }*

Allan Friedel  
67 Old Route 66  
Averill Park, NY 12018

**20150804-0063**

Dear Gas Branch 3:

*{same text as 20150804-0058, but signed: }*

Bernardette Wagar  
251 Maryland Ave  
Rensselaer, NY 12144

**20150804-0064**

**The Metropolitan District**

water supply • environmental services • geographic information

June 26, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room IA  
Washington, DC 20426

Re: Proposed Northeast Energy Direct Project, Tennessee Gas Pipeline L.L.C/  
Kinder Morgan (FERC Docket No. PF14-22-000)

Dear Secretary Bose:

The Metropolitan District (MDC) is a public, non-profit municipal corporation that provides clean, safe drinking water to over 400,000 people in the greater Hartford, Connecticut area.

We have been following the NED Tennessee Gas/Kinder Morgan pipeline proposal with great interest, and, on behalf of the MDC, I write in order to express some concern that the proposed pipeline could potentially impact MDC's public drinking water supplies in West Hartford and Bloomfield, Connecticut. The pipeline is proposed to be constructed on critical public water supply watershed land near drinking water reservoirs at our West Hartford and Reservoir #6 facilities.

Based on the "Exhibit A" map of the "Proposed Tennessee Gas License Area," we estimate that the project could potentially disturb a large area (250 acres or more) on MDC property, and encompass a distance of approximately 5 miles running north-south, carving through the watersheds of MDC Reservoirs 12,13,15 and 16. This land is classified as Class I and Class II water company land in Connecticut and, accordingly, its use is highly regulated by the Connecticut Department of Public Health. By law, Class I and Class II water company land is protected and preserved to safeguard the state's water resources.

We have been monitoring the Federal Energy Regulatory Commission (FERC) website, and we are aware that the first drafts of the Environmental Reports (ER's) on this proposal have been submitted to FERC, including the proposal for expansion of the pipeline in Hartford County. We note that the Environmental Reports are lacking in critical resource information — including reference to and consideration of the existence of our public water supply reservoirs and watershed lands in the area of proposed expansion. In fact, Environmental Resource Report 12-Water Use and Quality, Section 2.2.6.1.5 Public Watershed Areas, incorrectly states that the project area is not located within any public drinking water or aquifer protection areas.

Therefore, it appears to the MDC that the initial environmental review process is deficient, that potential impacts to these vital water resources are not being addressed in any manner, and that more public input is essential. This is of great concern because the second draft of the Environmental Report to FERC has been reported to be targeted for submittal in July 2015, and a true public forum has not yet been held in Connecticut.

We are formally requesting that FERC compel Tennessee Gas/Kinder Morgan to conduct a well advertised public meeting be held in the West Hartford area (i.e., at Town Hall) in order to present and discuss with the public the proposed project, answer questions and address public concerns. Adequate and advance notice

of this meeting should be mandated. In addition to the issues associated with the public water supply, there are many residents from the MDC's eight member towns, as well as from throughout the state, who recreate extensively at our West Hartford and Bloomfield facilities, and the MDC is concerned that these stakeholders are not aware of this project.

Protecting the health and integrity of our public water supply reservoirs and watershed lands is the MDC's highest priority. We appreciate your cooperation and look forward to having a public meeting scheduled and advertised in the near future.

Thank you for consideration of this important request, and if you have any questions, do not hesitate to contact me at (860)278-7850 x3200.

Sincerely,

THE METROPOLITAN DISTRICT

Scott W. Jellison, P.E.

Chief Executive Officer

Cc: Mr. J. Curtis Moffat

Deputy General Counsel and Vice President

Gas Group Legal

Tennessee Gas Pipeline Company, LLC

1001 Louisiana Street, Suite 1000

Houston, TX 77009

Mr. Eric Tomasi

Environmental Project Manager

Office of Energy Projects

FEDERAL ENERGY REGULATORY COMMISSION

WASHINGTON, D.C. 20426

Lori Ferry

Project Manager

AECOM

10 Orms St., Suite 405

Providence RI 02904

Ms. Lori Mathieu

Section Chief, D~Water Section

State of Connecticut-Department of Public Health

410 Capitol Avenue, MS tt-'51 WAT PO Box 340308

Hartford, CT 06134-0308

**20150804-0065**

Hand written FERC comment form, 3 pages, Charles & Denise Mayrer, PO Box 101, 397 Burden Lane Road, East Schodack, NY 12063, noting presence of nearby SuperFund site, opposing.

**20150804-0066**

Dear Gas Branch 3:

*{same text as 20150804-0058, but signed: }*

Mollie Turner

175 Pond Hollow Road

Averill Park, NY 12018

**20150804-0067**

Hand written card, S.A. Matthews, 40 Settlement Hill, New Ipswich, NH 03071, "It is shameful that the Scoping Meetings should remain as planned, only days after the new issue of the environmental reports"

**20150804-0068**

Hand written card, S.A. Matthews, 40 Settlement Hill, New Ipswich, NH 03071, full investigation of health effects on residents down wind of compressor must be done by unbiased experts.

**20150804-0069**

Hand written card, S.A. Matthews, 40 Settlement Hill, New Ipswich, NH 03071, emissions must be monitored by independent experts.

**20150804-0070**

Hand written card, Victor & Barbara Carlson, 26 Peacock Brook Lane, Amherst NH 03031, opposing

**20150804-0071**

Hand written card, Evelyn Taylor, 213 Old Wilton Rd, New Ipswich, NH 03071, opposing

**20150804-0072**

Hand written card, Evelyn Taylor, 213 Old Wilton Rd, New Ipswich, NH 03071, opposing

**20150804-0073**

Hand written card, Charles W. Stickway, 137 Hollis Rd, Amherst NH 03031, opposing

**20150804-0074**

Hand written card, Evelyn Taylor, 213 Old Wilton Rd, New Ipswich, NH 03071, opposing

**20150804-0075**

Hand written card, Evelyn Taylor, 213 Old Wilton Rd, New Ipswich, NH 03071, opposing

**20150804-0076**

Hand written card, Evelyn Taylor, 213 Old Wilton Rd, New Ipswich, NH 03071, opposing

**20150804-0077**

Hand written card, Evelyn Taylor, 213 Old Wilton Rd, New Ipswich, NH 03071, opposing

**20150804-0078**

Hand written card, Evelyn Taylor, 213 Old Wilton Rd, New Ipswich, NH 03071, opposing

**20150804-0079**

Hand written card, Evelyn Taylor, 213 Old Wilton Rd, New Ipswich, NH 03071, opposing

**20150804-0080**

Hand written card, Evelyn Taylor, 213 Old Wilton Rd, New Ipswich, NH 03071, opposing

**20150804-0081**

Hand written card, Evelyn Taylor, 213 Old Wilton Rd, New Ipswich, NH 03071, opposing

**20150804-0082**

Hand written card, Charles Bradler, New Ipswich, NH 03071, opposing

**20150804-0083**

Hand written card, Mark A. Godin, 5 Wellesley Dr, Pelham, NH 03076, opposing

**20150804-0084**

Hand written card, Evelyn Taylor, 213 Old Wilton Rd, New Ipswich, NH 03071, opposing

**20150804-0085**

Hand written card, Evelyn Taylor, 213 Old Wilton Rd, New Ipswich, NH 03071, opposing

**20150804-0086**

Hand written card, Evelyn Taylor, 213 Old Wilton Rd, New Ipswich, NH 03071, opposing

**20150804-0088**

Hand written card, William F. & Lillia Daignau, 832 High Street Hill, Windsor, MA 01270, opposing

**20150804-0089**

Hand written card, Thomas Hereceg, 14 Summerfiled Way, Amherst NH 03031, opposing

**20150804-0090**

Re: Please oppose the NED project

Dear Whom it May Concern:

The high pressure gas pipeline proposed by the Kinder Morgan and Tennessee Gas Companies called The Norlhesst Energy Direct Project (NED) would carry hydro-fracked gas from Pennsylvania through New York, Massachusetts, and New Hampshire. As a resident of New York, I object to the fact that people in my area, though burdened by the risks associated with the project, will receive no reward. Jobs will be few and temporary, the gas transported by the project will not be available to us or lower our utility bills.

I am also concerned about the detriment to our health and the risk to our safety that the project poses. In addition to the very real possibilities of: 1) insurance rates rising due to increased risk; 2) property values decreasing because of the degraded environment the project will create; 3) additional taxes imposed to support the upgraded training and equipment our fire department will need; and 4) the general nuisance and inconvenience during construction, the pipeline represents a real and present danger to all of us.

Increasingly, we hear about accidents along pipelines. Every week it seems, there are reports of leaks, ruptures, even explosions. Fracked gas contains carcinogens, neurotoxins, and endocrine disrupters that are proven promoters of disease and disability. Experts in metallurgy point out that even reasonably sound pipes develop small holes over time. The cumulative effect of even tiny leaks of these toxins on a regular basis can be devastating. The proposed location of this particular pipeline is adjacent to National Grid's massive power lines — an accident waiting to happen.

If you believe we risk the health and well-being of everyone in our community by allowing the installation of this pipeline, then I hope you will publicly say so and actively work against the NED.

Christopher Consuello

149 Momrow Rd  
Averill Park, NY 12018  
7/28/15

**20150804-0091**

July 16, 2015

Kimberly D Bose Secretary  
Federal Energy Regulatory Commission  
888 First Street NE Room 1A  
Washington, DC 20426

re: Tennessee Gas Pipeline Coinpany, L.L.C., Docket No. PF1422-000

Dear Secretary Bose:

I am writing in response to a proposal from the Tennessee Gas Pipeline Company that will greatly impact a home recently purchased by my daughter and son-in-law in October of 2014. Their home is located in Temple, NH, on Mountainview Road, just .1 mile from where Kinder Morgan proposes to build a compression station to push natural gas at an astounding rate of 80,000 horsepower, through the miles and miles of pipeline they are building in the area. The purchase of their beautiful home did not come without sacrifice in order to enjoy a certain way of life they have always dreamed of. They chose to endure lengthy daily commutes to Burlington and Ayer Massachusetts, as well as being an hour's drive away from family and friends. They chose Temple for the simplicity and tranquility of the surroundings, the natural beauty, unspoiled natural boundaries and the breathtaking views of Pack Monadnock. Kinder-Morgan proposes to "overtake" this small town and other surrounding towns, by building a noisy, potentially dangerous, compression station. This station is proposed to go on land that is within 10ths of a mile from the Temple Elementary School, which also doubles as an emergency shelter for the residents of Temple. They have a volunteer fire department hardly equipped to handle a disaster. What is going to happen if there is a leak, a fire, or worse, an explosion affecting the integrity of the compression station? Anything man made can have potential risks, so reading about statistics and how safe natural gas is would prove irrelevant in this discussion. Nothing is safe when you are in a so-called "incineration zone". Would you want your grandchildren to grow up and go to school there? I wouldn't, and I don't.

I have read many articles that state that the compression stations will eventually be unmanned during the evening hours. I am extremely concerned about this. If this is true, then Kinder-Morgan is making sure their employees are out of danger, and not risking their lives, while my daughter is risking hers, merely by being home. They have the audacity to say one advantage is to be able to utilize natural gas fuel alternatives. Natural gas service is currently not available in most areas of New Hampshire, how will homeowners make the transition without it costing them a lot of money? Kinder-Morgan does not currently own or operate local distribution systems, and is not in their business model. It sounds like big business to me, at the expense of these young families who work a lifetime to get the peace and tranquility of these small New Hampshire towns. They aren't getting any rewards for passing this, it is going to Dracut Massachusetts and then on to be exported out of our country. It will not create new jobs in these towns, it will not lower taxes, or allow them to sell their homes if they wanted to, not to mention environmental concerns and issues with well water. If this affects even one person's life, it is one life too many.

Please consider these points and my concerns as a citizen of New Hampshire and it would be so appreciated if you could point me in the direction of others that may help provide more information about this proposal. Thank you for your time and your vigilant investigations into all points of view involving this matter.

Sincerely,

Donna Nordengren  
603-893-5460  
dnordengrenwindhamsd.org

**20150804-0092**

Hand written card, Norman Baker, 105 Tirrell Hill Rd, Windsor, MA 01270, opposing

**20150804-0093**

Hand written card, Ian Kay, 1 Juniper Dr, Amherst NH 03031, opposing

**20150804-0094**

Hand written card, Ian Kay, 1 Juniper Dr, Amherst NH 03031, opposing

**20150804-0095**

Hand written card, John Lecutsacos, 74 Mountain View Dr, Temple, NH 03084, opposing.

**20150804-0096**

Hand written card, Ian Kay, 1 Juniper Dr, Amherst NH 03031, opposing

**20150804-0097**

Hand written card, John Lecutsacos, 74 Mountain View Dr, Temple, NH 03084, opposing

**20150804-0098**

Hand written card, Kay Guadagni, 76 Greenbriar Road, New Ipswich, NH 03071, opposing

**20150804-0099**

Hand written card, Jeremy Bradler, 183 Tobey Hwy, New Ipswich, NH 03071, opposing

**20150804-0100**

Hand written card, J? Varhegyi, PO Box 49, New Ipswich, NH 03071, opposing

**20150804-0101**

Hand written card, Evelyn Taylor, 213 Old Wilton Rd, New Ipswich, NH 03071, opposing

**20150804-0102**

Hand written card, Charles Page, Senator Toby Hwy, New Ipswich, NH 03071, opposing

**20150804-0103**

Hand written card, Kathleen Gauvin, 61 Beechwood Rd, New Ipswich, NH 03071, demanding Scoping Meeting in New Ipswich, NH

**20150804-0104**

Hand written card, John Lecutsacos, 74 Mountain View Dr, Temple, NH 03084, opposing.

**20150804-0105**

Hand written card, Alice Bury, 7 Patricia Ln, Amherst NH 03031, opposing

**20150804-0106**

Hand written postcard, Aimee Coombs, 135 Myron St, Dracut, MA 01826, opposing

**20150804-0107**

Hand written card, Karen Miller, 161 Ashburnham Rd, New Ipswich, NH 03071, opposing

**20150804-0108**

Hand written postcard, Sheila M. Burdin, 14 Mt. Pleasant Ave, Dracut, MA 01826, opposing

**20150804-0109**

Hand written postcard, Yvette Fortier, Tennis Plaza Road, Dracut, MA 01826, opposing

**20150804-0110**

Hand written card, Greg Hanselman, 71 Main Street, New Ipswich, NH 03071, opposing

**20150804-0111**

Hand written card, Lisa Derby Oden, 6 Upper Pratt Pond Rd, New Ipswich, NH 03071, need scoping meeting 60 day after release of update Resource Reports.

**20150804-0112**

Hand written card, Evelyn Taylor, 213 Old Wilton Rd, New Ipswich, NH 03071, opposing

**20150804-0113**

Hand written card, Evelyn Taylor, 213 Old Wilton Rd, New Ipswich, NH 03071, opposing

**20150804-0114**

Hand written card, Evelyn Taylor, 213 Old Wilton Rd, New Ipswich, NH 03071, opposing

**20150804-0115**

Hand written card, Evelyn Taylor, 213 Old Wilton Rd, New Ipswich, NH 03071, opposing

**20150804-0116**

Hand written card, Alice Bury, 7 Patricia Ln, Amherst NH 03031, opposing

**20150804-0121**

Hand written card, Jane Moor, 23 Sherwood, Jaffrey, NH 03452, opposing

**20150804-0122**

Hand written card, Carol A. Daley, 5 Sally Sweet Way, Apt 248, Salem, NH 03079, opposing

**20150804-0123**

Hand written card, S.A. Matthews, 40 Settlement Hill, New Ipswich, NH 03071, scoping sessions need to be repeated 2-3 months from now to allow citizens to review the new reports

**20150804-0124**

Hand written card, Evelyn Taylor, 213 Old Wilton Rd, New Ipswich, NH 03071, opposing

**20150804-0125**

Hand written card, Les Stern, 2 Peacock Brook Lane, Amherst NH 03031, opposing

**20150804-0126**

Hand written card, S.A. Matthews, 40 Settlement Hill, New Ipswich, NH 03071, late release of reports makes farce of FERC's scoping sessions. Need later sessions for Winchester & New Ipswich

**20150804-0128**

**Town of Nassau, N.Y.**

June 16, 2015

Eric Tomasi  
FERC - PJ11.3  
888 First Street NE  
Washington, DC 20426

RE: Docket number PF14-22

Dear Mr. Tomasi:

Attached herewith please find a resolution from the Town of Nassau relative to our opposition to the above-referenced project. Please note the proposal's violations of local laws and planning as well as other substantive concerns.

Additionally, attached please find a report of our Natural Resources Committee that provides detailed analysis of impacts of this project on our community. These items should be of serious concern and should be considered by FERC.

Please contact me should you have any questions relative to this material.

Thank you.

Very truly yours,

David F. Fleming, Jr.  
Town Supervisor

29 Church Street, Post Office Box 587, Nassau, New York 12123  
518.766.3559 + supervisor@townofnassau.org

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**Resolution of the Town Board of the Town of Nassau**

**STATING OPPOSITION TO THE KINDER MORGAN NATURAL GAS  
PIPELINE PROPOSED TO BE ROUTED THROUGH THE TOWN OF NASSAU**

Resolution No. 11

WHEREAS, a large natural gas pipeline called the Northeast Energy Direct (NED) pipeline project, has been proposed by Kinder Morgan and its subsidiary Tennessee Gas Pipeline, LLC, to be routed through Rensselaer County, including the entire width of the northern portion of the Town of Nassau; and

WHEREAS, the proposed NED pipeline would be much larger, up to 36 inches in diameter, and operate at much higher pressures, than currently operating natural gas pipelines in Rensselaer County; and

WHEREAS, the proposed NED pipeline would transport natural gas from other parts of the country for intended export out of New York State and possibly overseas, with no natural gas benefits to the residents of the Town of Nassau or Rensselaer County; and

WHEREAS, this project, as currently planned, would not follow a route through the community already impacted by a pipeline in the southern end of the Town of Nassau; and

WHEREAS, the Town Board of the Town of Nassau has endeavored to be fully informed of this project and its impacts and has requested that the Town's Natural Resources Committee review and provide a report of the natural resources impacts of this project;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Nassau does hereby make the following findings:

WHEREAS, the Nassau Natural Resources Committee has completed this report and the document provides an outline of real and detrimental impacts to the biodiversity and natural areas of concern across the width of the Town of Nassau from the current route proposed for this industrial project; and

- I. as proposed, this pipeline will run across private property, directly adjacent to homes and through waterways; and
2. as proposed, this project will impact residential wells, natural groundwater recharge areas and aquifers; and
3. this proposal is expected to blast through the Rensselaer Plateau which is one of New York's largest intact forested areas that has brought economic opportunity through tourism and responsible business to many areas of Rensselaer County - including Nassau; and
4. this proposal would impact designated areas of archeological sensitivity across the community; and
5. the Town Board of the Town of Nassau has received numerous public comments during Town meetings as well as numerous calls and messages of concern from residents impacted by this project which have stated opposition to this project; and
6. the Town Board of the Town of Nassau has received letters of opposition and messages from business owners and community groups in the town expressing specific and economically damaging concerns about the impacts on business operations and programs from construction and operation of this pipeline; and
7. the loss of business activity even during this proposed project construction period could mean the closure of small operations in this fragile economy; and
8. members of the Town Board of the Town of Nassau have attended the only Rensselaer County informational meeting hosted by Kinder Morgan and Board Members have also attended community forums across Rensselaer County on this project which were sponsored by community members to collect and share information on this proposal; and
9. as currently proposed, this pipeline has a significant potential impact in the areas of public safety, home values, businesses, sensitive habitat fragmentation and further stalling of economic opportunity; and
10. the project applicant, Kinder Morgan, is seeking federal eminent domain status to allow for property to be secured for the routing of the pipeline, including properties in the Town of Nassau; and
- II. the granting of and threat of federal eminent domain status to Kinder Morgan for this project which will not benefit our residents will give the company and its affiliates an unfair advantage over property owners in this community; and .
12. as proposed, this pipeline project will result in significant amounts of private property being incorporated into this project which will lead to a decline in property values, ability to conduct business and a decrease in taxable values for the community as a whole; and
13. the proposed NED pipeline route through the Town of Nassau would closely follow the high voltage right-of-way presently owned and operated by National Grid, raising reasonable concern for the detrimental interaction between the pipeline and the electromagnetic fields established by the high voltage wires; and
14. the thickness/strength of the proposed NED pipeline, the depth at which it would be buried in the ground and the inspection methods for the necessary welds are proposed to be significantly less for our rural area than those required for urban areas; and
15. the proposed NED pipeline could cause disruption and undue burdens for emergency services and would significantly increase the potential for catastrophic damage to lives, property, roadways, streams, wells, aquifers and wetlands in our small, rural community; and
16. the Town Board of the Town of Nassau believes the level of compensation and mitigation that may potentially be offered by the developers of the proposed NED pipeline would not outweigh the long term fis-

cal, health, safety, business, environmental and quality of life impacts to our community; and

17. the proposed pipeline project is contrary to the rural residential character of the community and will fail to follow the already existing pipeline corridor; and

18. the proposed use of lands of the town of Nassau for an industrial compressor station necessary to operate this pipeline, in any portion of the community, would have dramatic and long term, environmental, social and economic impacts on the rural residential character of the community; and

19. the construction and operation of such a gas compressor station is contrary to Town laws as well as the Town of Nassau Comprehensive Plan as developed and approved by the community in July 2011;

and, be it further RESOLVED, that based on the above findings, the Town Board hereby declares its strong opposition to the construction of the proposed NED pipeline through the Town of Nassau; and, be it further RESOLVED, that the Town Board of the Town of Nassau requests that, because of the abundant unanswered questions, impacts, and concerns brought forward by our residents, the Federal Energy Regulatory Commission (FERC) deny a certificate of public convenience and necessity to Kinder Morgan and the Tennessee Gas Pipeline Company for the construction of the proposed NED pipeline; and, be it further RESOLVED, that the Town Board of the Town of Nassau does hereby oppose the granting of eminent domain status for the Kinder Morgan natural gas pipeline proposed to cut through the community; and, be it further

RESOLVED, that the Town Board of the Town of Nassau does hereby oppose the use of lands of the Town of Nassau for an industrial compressor station in any portion of the community as such usage would be in violation with local planning documents and local laws; and, be it further

RESOLVED, that the Town Clerk of the Town of Nassau is hereby directed to transmit copies of this resolution to United States Senator Charles. Schumer, United States Senator Kirsten Gillibrand, Congressman Chris Gibson, Congressman Paul Tonko, Governor Andrew Cuomo, New York State Senator Kathy Marchione, State Assemblyman Steve McLaughlin and Rensselaer County Executive Kathy Jimino.

Upon motion made by Supervisor David Fleming, and seconded by Ms. Richards, the foregoing resolution was duly adopted by a majority of the members of the Town Board of the Town of Nassau at its Regular Meeting held on May 14, 2015, by roll call vote as follows:

Ronald Sears, Councilmember	No	Yes_X	Absent	Abstain
Lani Richards, Councilmember	No	Yes_X	Absent	Abstain
Jonathan Goebel, Councilmember	No	Yes_X	Absent	Abstain
Robert Rings, Councilmember	No	Yes_X	Absent	Abstain
David Fleming, Supervisor	No	Yes_X	Absent	Abstain

Said Resolution was duly adopted: May 14, 2015. IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Nassau, Rensselaer County, New York.

Sandra L. Rings, Town Clerk Dated: May 22, 2015

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REPORT ON THE POTENTIAL IMPACTS TO THE NATURAL RESOURCES FROM A  
PROPOSED NATURAL GAS PIPELINE IN THE TOWN OF NASSAU

RECEIVED  
MAY 12 2015  
TOWN OF NASSAU  
TOWN CLERK

Page 1                      Executive Summary  
Page 2-2                    Body of Report  
Page 2-4                    Background and Location

Page 4-5	Construction Phase
Page 5	Operation and Maintenance Phase
Page 6	Abandonment Phase
Page 6-7	Potential Impacts on Our Natural Resources
Page 8-10	Comparison of Natural Resource Impacts
Page 11-19	Potential Impacts from Compressor Station
Page 20-22	Recommendations
Attachment #1	Maps of Proposed Northern Route
Attachment #2	Maps of Proposed Southern Route
Attachment #3	Dr. David Hunt's Report entitled "Important Biodiversity Sites Along the Proposed Kinder Morgan Pipeline"
Attachment #4	Excerpts from Town of Nassau Comprehensive Plan
Attachment #5	Notes of Interviews at Kinder Morgan Open House, April, 13, 2015
<i>{remainder of report (67 more pages) not reproduced here (very poor OCR)}</i>	

**20150804-0129**

**NEW HAMPSHIRE DIVISION OF HISTORICAL RESOURCES**  
State of New Hampshire, Department of Cultural Resources

July 6, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room IA  
Washington, DC 20426

Re: Request for Comment on NOI to Prepare EIS for the Planned Northeast Energy Direct Project,  
Docket No. PF14-22-000, Tennessee Gas Pipeline Company, LLC. (DHR 161 I I)

Dear Secretary Bose:

The Division of Historical Resources (Division) has received the Notice of Intent to prepare an Environmental Impact Statement for the planned Northeast Energy Direct project as cited above. To the Division understanding this project will include approximately 71 miles of pipeline, plus approximately 7 miles of laterals, one compressor station and one meter station located within a number of towns in Cheshire, Hillsborough and Rockingham Counties. The Division understands that this notice is being used to initiate Section 106 of the National Historic Preservation Act with the applicable State Historic Preservation Offices (SHPOs). To date the Division has not participated in the development of the Area of Potential Effect (APE) for either direct or indirect effects.

With this letter the Division is requesting Section 106 consultation on project-specific APEs as the project develops. At a minimum the Division agrees with an APE that encompasses all areas subject to ground disturbances, including the width of proposed mainline and lateral corridors.

Once again, we look forward to consultation on this project.

Sincerely,

Edna Feighner, Archaeologist  
Review and Compliance Coordinator

Cc: Michael Letson, Tennessee Gas Pipeline Company LLC  
Eric Tomasi, FERC

UNITED STATES OF AMERICA  
**FEDERAL ENERGY REGULATORY COMMISSION**  
INTERAGENCY PRE-FILING CONFERENCE CALL

Tennessee Gas Pipeline Company, LLC

Docket No: PF14-22-000

NORTHEAST ENERGY DIRECT PROJECT

June 11, 2015

**Agencies in Attendance (list of attendees is attached):**

- Federal Energy Regulatory Commission (FERC)
  - Cardno (FERC 3rd Party Contractor)
- U.S. Environmental Protection Agency (USEPA)
- U.S. Fish and Wildlife Service (USFWS)
- PA Department of Environmental Protection (PA DEP)
- NY State Department of Environmental Conservation (NYSDEC)
- NY State Parks and Recreation
- NY Department of Transportation
- NY State Department of Public Health
- MA Attorney General's Office
- Southwest Region Planning Commission
- Berkshire Regional Planning Commission
- Nashua Regional Planning Commission
- Delaware River Basin Commission
- Franklin Regional Council of Governments
- Tennessee Gas Pipeline (Tennessee Gas)
- AECOM (Contractor for Tennessee Gas)
- Hatch Mott (Contractor for Tennessee Gas)
- Louis Berger (Contractor for Tennessee Gas)

**Meeting Summary**

The conference call was conducted to provide an overview of the FERC's role for the Northeast Energy Direct (NED) Project as well as to review the general status of the schedule, field surveys, landowner coordination, and the National Environmental Policy Act (NEPA) process. Topics discussed included:

- Resource Report Review and NOI Status
  - o Environmental Comments on the draft resource reports issued on Friday, May 15th. Tennessee Gas is required to incorporate responses into its next set of draft resource reports.
  - o Cumulative impacts request sent to agencies on May 15th.
  - o Tennessee Gas filed compressor station information on June 1st. One June 2nd Tennessee Gas filed information describing deletion of Worcester Loop and Stamford Loop from the project. This information was sent to agencies by FERC on June 11th.
  - o Tennessee Gas planning to file second set of Resource Reports the week of July 20th.
  - o Notice of Intent (NOI) currently being drafted by FERC and will likely be issued next week. Issuance of the NOI will open the comment period. The comment period will likely be 60 days or longer due to the number of scoping meetings.
  - o FERC determining venues for approximately 14 scoping meetings. The meetings are generally planned for the following locations:
    - Towanda, PA
    - Great Bend, PA

- Oneonta, NY
- Schoharie, NY
- Rensselaer County, NY area – meetings will be held two successive nights at this location
- Pittsfield, MA
- Greenfield, MA
- Dracut, MA
- Lunenburg, MA
- Cheshire County, NH
- Milford, NH
- Nashua, NH
- Bloomfield, CT

o FERC will accept both written and verbal comments at the scoping meetings.

o The meetings in PA and NY are planned for the week of July 13th. Meetings are planned in CT, MA, and NH for the week of July 27th. Two meetings are planned the week of August 10th in MA. FERC will give specific dates and times for the meetings once venues are scheduled. FERC anticipates most meetings will be well-attended due to the size of the project. These dates/locations are subject to change as we get more information regarding the venues.

o FERC plans to schedule agency meetings during the scoping period.

#### • **Tennessee Gas Status update**

o Surveys

- Wetlands and Threatened and Endangered (T & E) species surveys are continuing in NY and PA. Crews have begun surveys in MA and NH.
- Cultural resource surveys are being conducted in PA and NY. Tennessee Gas is waiting for approval from MA and NH agencies before conducting cultural resource surveys in those states.
- Approximately 721 segments along the ROW have been identified for acoustic surveys. Surveys have been conducted on 65 of these segments. Indiana Bat and Northern Long-Eared bat hibernacula was found in four locations within the 65 surveyed segments. These four locations were all in NY. Upcoming acoustic surveys to be conducted in CT and NH.
- Tennessee Gas has conducted a horizontal directional drill (HDD) geotechnical analysis and borings for the Hudson River crossing. It will take approximately one month to complete the analysis.
- Tennessee Gas continued to work on contracting with the Tribes for their participation in cultural resource surveys.
- Survey access continues to remain at approximately 30 – 40%. Tennessee Gas is continuing with centerline and staking surveys where access has been granted.

o Meetings

- Tennessee Gas met with the MA Natural Resources and MA Environmental Policy Act (MEPA) regulatory agency staff.
- Tennessee Gas is coordinating with NH on the NH siting process
- Additional meetings are planned with state Natural Heritage agencies and State Historic Preservation Offices (SHPOs).
- Tennessee Gas plans schedule Tribal meetings during the scoping period.

#### **Discussion**

- FERC sent out cumulative impact question to all of the agencies to get feedback on appropriate Region of Influences for each resource. FERC will be sending guidance to Tennessee Gas.

#### **Next Call**

- Agency call will be held every 2 weeks

- Next call tentatively scheduled for June 25th, 2015.

**List of Attendees**

<u>Organization</u>	<u>Name</u>
FERC	Eric Tomasi
Cardno	Wayne Kicklighter
Cardno	Jackie Layton
Cardno	Jennifer Harris
Cardno	Lorraine Woodman
USEPA	Tim Timmerman
USFWS	Tim Sullivan
USFWS	Maria Tur
PA DEP	Jim Miller
NYSDEC	Stephen Tomasik
NYSDEC	Mark Wythall
NYS Parks and Recreation	Diana Perth
NYS Dept. Public Health	Jane Thapa
NYS Dept. Public Health	Lloyd Wilson
MA Attorney General's Office	Matt Ireland
MA Attorney General's Office	Melissa Hoffer
Berkshire Regional Planning Commission	Tom Matuszko
Southwest Region Planning Commission	Henry Underwood
Nashua Regional Planning Commission	Sara Siskavich
Delaware River Basin Commission	David Kovach
Franklin Regional Council of Governments	Peggy Sloane
Tennessee Gas	Michael Letson
Tennessee Gas	Howdy McCracken
Tennessee Gas	Mark Hamarich
Tennessee Gas	Jacquelyne Rocan
Tennessee Gas	Deborah McCartney
Hatch Mott	John M. Quinlisk
Hatch Mott	Douglas Gibbons
Hatch Mott	Theresa Albanese
Louis Berger	Hope Luhman
AECOM	Eileen Banach

**20150804-4006**

UNITED STATES OF AMERICA  
**FEDERAL ENERGY REGULATORY COMMISSION**  
 INTERAGENCY PRE-FILING CONFERENCE CALL

Tennessee Gas Pipeline Company, LLC

Docket No: PF14-22-000

NORTHEAST ENERGY DIRECT PROJECT

June 25, 2015

**Agencies in Attendance (list of attendees is attached):**

- Federal Energy Regulatory Commission (FERC)
- Cardno (FERC 3rd Party Contractor)
- U.S. Army Corp of Engineers (USACE)
- U.S. Environmental Protection Agency (USEPA)
- U.S. Fish and Wildlife Service (USFWS)

- PA Department of Environmental Protection (PA DEP)
- PA State Historic Preservation Office (PA SHPO)
- NY Department of Agriculture
- NY State Department of Environmental Conservation (NYSDEC)
- NY Department of Transportation
- NY State Parks and Recreation
- NY State Department of Public Health
- MA Department of Environmental Protection (MA DEP)
- MA Department of Conservation (MA DCR)
- NH Fish and Game Department (NH FGD)
- NH Division of Historical Resources (NH SHPO)
- CT Department of Energy and Environmental Protection (CT DEEP)
- RI Department of Environmental Management (RI DEM)
- Southwest Region Planning Commission
- Berkshire Regional Planning Commission
- Nashua Regional Planning Commission
- Delaware River Basin Commission
- Franklin Regional Council of Governments
- Tennessee Gas Pipeline (Tennessee Gas)
- AECOM (Contractor for Tennessee Gas)
- Hatch Mott (Contractor for Tennessee Gas)

## Meeting Summary

The conference call was conducted to provide an overview of the Northeast Energy Direct (NED) Project as well as to review the general status of the schedule, field surveys, landowner coordination, and the National Environmental Policy Act (NEPA) process. Topics discussed included:

- NOI Status and Meetings
  - o Still confirming venues and will be issuing NOI as soon as they are set.
  - o 14 scoping meetings. Dates may still move due to venue scheduling
    - NY/PA scoping meetings will be in about 3 weeks
      - State of NY meeting tentatively for July 15.
    - CT scoping meeting tentatively at the end of July
      - CT agency meeting tentatively anticipated on July 30th
    - NH scoping meetings in about a month
      - NH agency meetings July 29th or 30th.
    - MA meetings around August 12
      - MA agency meeting pending NOI finalization
    - Tribal meeting July 16 in Oneonta, NY
- Tennessee Gas Status update
  - o Surveys
    - Wetlands and Threatened and Endangered (T & E) species surveys are continuing in NY and PA.
      - Bog turtle survey has begun in Rensselaer County, NY.
      - Cultural resource surveys are being conducted in PA and NY. Starting CT this week or next week.
      - Plant surveys have begun in NY, PA, CT. Surveys in NH to be initiated next week.
      - Bat surveys are continuing on in MA, NY, and PA. About 8% of the areas have been surveyed.
      - Mussel survey plan in development
      - Landowner survey access

- Market Path
  - o 20-30% access in NH and MA
  - o Unknown from Wright, NY to NY/MA state line
- Supply Path
  - o 46% access in PA/NY

**Discussion**

- Letter being sent from Tennessee Gas to the agencies regarding the compressor stations field surveys.
- Interstate 88 and Interstate 90 Alternatives being further evaluated by Tennessee Gas, and the updated assessment will be included in the next round of draft Resource Reports.

**Next Call**

- Agency call will be held every 2 weeks
- Next call scheduled for July 9, 2015.

**List of Attendees**

Organization	Name
FERC	Eric Tomasi
FERC	Elaine Baum
FERC	Xiah (Shelia) Kragie
Cardno	Wayne Kicklighter
Cardno	Jackie Layton
USACE	Mike Dombrowski
USACE	Brad Sherwood
USEPA	Thomas Uybarreta
USEPA	Lingard Knutson
USFWS	Tim Sullivan
USFWS	Maria Tur
PA DEP	Jim Miller
PA DEP	Jim Kuncelman
PA SHPO	Steven McDougal
NY Dept. of Ag	Matthew Brower
NYSDEC	Stephen Tomasik
NYSDEC	Mark Wythall
NYSDEC	Patty Denoyer
NYDOT	Cathy Nusca
NYDOT	Donna Hintz
MA DEP	Lealdon Langley
MA DCR	Jennifer Howard
NH FGD	Carol Henderson
NH SHPO	Edna Feighner
CT DEEP	Fred Riese
RI DEM	Ron Gagnon
Berkshire Regional Planning Commission	Tom Matuszko
Southwest Region Planning Commission	Henry Underwood
Nashua Regional Planning Commission	Sara Siskavich
Delaware River Basin Commission	Eric Engle
Franklin Regional Council of Governments	Peggy Sloane
Tennessee Gas	Michael Letson
Tennessee Gas	Howdy McCracken
Tennessee Gas	Kasia Ingram

Tennessee Gas  
Hatch Mott  
Hatch Mott  
AECOM

Deborah McCartney  
John M. Quinlisk  
Theresa Albanese  
Eileen Banach

**20150804-5002**

Stephen Hussey, Greenfield, MA.

Dear Sirs:

Kinder Morgan's Draft Environmental Report for the NED project, due on June 28th, was made public on July 24th, only days before the first of the public scoping meetings. In the shamefully shortened time people in the Greenfield area had to study this filing before our July 29th scoping meeting, we found that the pages regarding horizontal drilling under Interstate-91, under commercial rail lines, under a tainted aquifer, under both the Connecticut and the Deerfield rivers were, all of them, blank, labeled "To Be Determined."

In terms of environmental impact, nothing is more problematic than horizontal drilling. Nevertheless Kinder Morgan presented blank pages. Is this incompetence? If Kinder Morgan cannot develop and finalize plans for one of the most critical components of this project, despite taking an extra month, how can they possibly be trusted with the actual implementation?

The other possibility is that the blank pages represent contempt, Kinder Morgans' arrogant assumption that, finally, they can get away with playing fast and loose, that finally there is someone with enough leverage to protect them and get their project through the process regardless of how they flaunt rules and requirements.

Contempt of the public is a given within the America's corporate world. American citizens have abided, largely in silence, the absurdity of corporations being declared equal to humans in terms of rights. We have allowed our tax dollars to be used to bail out corporations that demonstrated, under the great silent hand of the marketplace, that they were monstrously incompetent. What are we to say though of Kinder Morgan's contempt for FERC and the civil process? The purpose of FERC's report/scoping process is to provide all parties in our society the opportunity to examine the full spectrum of information so that, as a greater community, we can work out a consensus regarding the concerns and disagreements that a project of this scope will necessarily produce. Kinder Morgan's demonstrated unwillingness to respect this process, to respect your role in helping us remain a civil society, is indefensible and should not be tolerated.

FERC has established expectations for the licensing process and Kinder Morgan needs to be held to them without exception. If I were to file my taxes a month late, I would, without question, be penalized. Kinder Morgan, as a US "citizen" needs to either meet all filing requirements, in a timely manner, with full disclosure, or they have their right to proceed withdrawn. You stand as fellow citizens, our best protection against such corporate incompetence and arrogance.

With best regards

Stephen Hussey

**20150804-5005**

Stephen Tirrell, Litchfield, NH.

I recently attended the scoping meeting in Nashua and intended to speak, but was unable to stay long enough to do so. I wanted to discuss this issue, that came to light after my written comments had been submitted. Eversource has been maintaining the vegetation level on the existing power line installation in Litchfield using mechanical means that would not be suitable for use in a pipeline installation. The spark hazard from a tracked vehicle that can pick up and shred rocks and boulders will just not be safe to employ. In fact, power line clearing has been a controversial subject in New Hampshire for a long time. Kinder Morgan uses a method dependent on the use of defoliant applied by a variety of contractors. In the eastern seaboard it seems to be the standard orange truck outfit that gets all of the contracts. In New Hampshire that is just not going to happen, especially since NED is running within feet of a lot of dwellings. Like I said, in the meet-

ings I have been to and the social media I have been exposed to this discussion has not come up, but when it does it will be a storm. People are starting to connect the dots on this one so you can expect this soon. Since Kinder Morgan is trying to build something here that they will never be able to maintain even to their lax standards I do not think we should allow them to go forward with this. I am sure that they will claim to be willing and able to solve this, but with the water and population issues there is no solution that will work. I doubt that I will be attending the next scoping meeting in the western end of the state, I expect the attendance to be substantial, so I wanted to submit this now.

Thanks for your consideration.

Steve Tirrell

**20150804-5036**

**Warwick Conservation Commission**

Town Hall

12 Athol Rd.

Warwick, MA 01378

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, D.C. 20426

Re: Tennessee Gas Pipeline Company, L.L.C.

Proposed Northeast Energy Direct Project, FERC Docket No. PF14-22-000

Dear Secretary Bose,

The Town of Warwick, MA Conservation Commission (ConCom) hereby notifies FERC of its great concern on Compressor Station (CS) in Franklin County, the erection of which is proposed by Tennessee Gas Pipeline Company, LLC (TGP).

The Warwick ConCom is responsible for the protection of the Town's natural resources as well as administering the Massachusetts Wetland Protection Act. Some of the Conservation Commission's jurisdiction overlaps interests that are subject to review under several federal laws including the Clean Water Act, Clean Air Act, and the Endangered Species Act. The Warwick ConCom also reviews projects which require review by the Massachusetts Natural Heritage and Endangered Species Program under provisions of the Massachusetts Endangered Species Act.

TGP has proposed to locate the CS in Northfield, MA, our neighboring town. Proposed location is adjoining Warwick State Forest (see the document "Compressor station Locations – Aerial Maps", 06/ 01/2015). Said CS will be powered by several extremely large gas turbine engines 120,000 HP in total (see pages 1-23 and 1-25 of Draft Environmental report/Resource report 1, 11/2014). There are very few, if any, compressor stations of such a scale in the country. More than 97% of the stations, currently working in the USA are less than 60,000 HP.

Negative influences from natural gas CS, including noise, air and water contamination to natural resources, are well documented. Since these structures are a major source of broadband noise pollution and methane emission across the US landscape, their environmental impacts have been specially studied by many scientists. There is stark and well proven evidence that CS functioning removes wildlife habitat, alters connectivity, causes mortality, and introduces ecological pollutants. The format of this letter prevents us from wide citation of special studies performed around tens of CS sites. Just 3 examples:

- Insects, birds and mammal densities decline in close vicinity and significantly deteriorate within 5 km zones of compressor stations sites (C. Solomon. When Birds Squawk, Other Species Seem to Listen. New York Times, May 18, 2015);
- Bat species activity level decrease over 70%, even due to considerably low-intensive constant noise of

50-75 dB, produced by small scale compressor stations (J. P. Bunkley et al. Anthropogenic noise alters bat activity levels and echolocation calls, *Global Ecology and Conservation*, 3 (2015), p. 62–71);

- Floral resources are significantly suffer from methane emission, which rate had been measured as  $1.7 \pm 0.2$  SCFM from the lowest emitting site to  $880 \pm 120$  SCFM from the highest emitting site (R. Subramanian et al. Methane Emissions from Natural Gas Compressor Stations in the Transmission and Storage Sector: Measurements and Comparisons with the EPA Greenhouse Gas Reporting Program Protocol. *Environmental Science and technology*, 49, 2015, p. 3252–3261).

We would like to stress that such terrifying findings were made during the studies of CS, which are by far less powerful than the scale of 80,000 - 120,000 HP Franklin County compressor station, proposed by TGP. Over half the land area of the Town of Warwick is comprised of mostly contiguous lands under public and private ownership—including State Forests, Wildlife Management Areas, and land under conservation restrictions held by state agencies, town, and public land trusts — all of which are protected under Article 97 of the Massachusetts Constitution. The majority of this land was conserved in perpetuity using federal and state funds. This large landscape, which stretches into adjacent towns and beyond, provides unbroken habitat for wildlife and delivers a corridor for species migration and diffusion. Warwick State Forest has many wetland resource areas, streams, freshwater wetlands, and groundwater resources used by the public. There are tens of certified vernal pools in Warwick State Forest and, in particular, near proposed CS location. Many wetland resource areas in the Town of Warwick are still not mapped or catalogued in generally available map layers and databases. ConCom continuously finds new vernal pools in Warwick. The latest letter with three vernal pools certification had been received from Massachusetts Natural Heritage and Endangered Species Program just two weeks ago.

Based upon prior experience, ConCom believes that there are populations of species listed under the federal Endangered Species Act and the Massachusetts Endangered Species Act in the Town of Warwick.

The Warwick ConCom is deeply concerned that the establishment of a super powerful natural gas CS in close vicinity of the State Forest will result in unbearable damage to natural recourses of the Town of Warwick. In particular, we are alarmed about the environmental impacts from air/water pollution to water resources and wetlands, as well as from air pollution, noise and odor to vegetation and wildlife. The cumulative impact to the unique non-fragmented protected land can be huge and irreversible.

The Warwick ConCom believes that under any circumstances CS site should not be situated closer than four miles (5 km) to protected land per the studies.

It is generally known that there are tools available now for avoiding, minimizing and mitigating impacts of this kind. Among them are: extensive implementation of soundproof technologies and materials, use of electric motors instead of turbines, erection of small stations instead of a super large one, etc.

Warwick ConCom is very concerned about proposed pipeline wetland crossings within Warwick. We have several certified vernal pools in the vicinity of the proposed pipeline route. The excavation and other construction activity will very likely destroy these habitats, which are protected under Massachusetts and Federal laws, including the current Massachusetts General Permit of the Federal Clean Water Act (03/09/2015).

In light of the above The Town of Warwick, MA Conservation Commission request to be included in environmental mailing list for this project. Information request for EIS draft is enclosed to this letter. We intend to become an Intervenor to the project and ask to be kept informed about the application process.

Sincerely on the behalf of the Commission,

Gregory Brodski, Co-Chair  
Warwick, MA Conservation Commission

cc: Governor Charlie Baker  
Attorney General Maura Healey  
Senator Stanley Rosenberg  
Representative Susannah Lee

Maeve Bartlett, MA Executive Office of Energy & Environmental Affairs  
Ann Berwick, MA Dept. of Public Utilities  
David Cash, MA Dept. of Environmental Protection  
George Peterson, Jr., MA Dept. of Fish & Game  
Jack Murray, MA Dept. of Conservation & Recreation  
U.S. Senator Elizabeth Warren  
U.S. Senator Edward Markey  
U.S. Representative James McGovern  
Northfield (MA) Conservation Commission  
Erving (MA) Conservation Commission  
Winchester (NH) Conservation Commission  
Orange (MA) Conservation Commission  
Royalston (MA) Conservation Commission  
Athol (MA) Conservation Commission  
Winchester (NH) Conservation Commission  
Richmond (NH) Conservation Commission  
Eugene Benson, Executive Director of MACC  
Leigh Youngblood, Mount Grace Land Conservation Trust  
Millers River Watershed Council  
Stephen August, Presiding Officer, Energy Facilities Siting Board

**20150804-5037**

**Town of Amherst, New Hampshire**  
Office of Community Development  
Building· Code Enforcement· Planning· Zoning· Economic Development

August 4, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426

Re: Tennessee Gas Pipeline Company, L.L.C. (“TGP”)  
Docket No. PFI4-22-000: Proposed Northeast Energy Direct (“NED”)

Dear Ms. Bose:

The Town of Amherst is in receipt of the attached letter from the Amherst Christian Church, located at 134 Hollis Road, expressing concerns with the proposed route of the NED Pipeline.

On behalf of the Amherst Christian Church, I respectfully ask that the attached comments be included as part of the public record.

Thank you for your consideration of this information.

Sincerely,

Colleen P. Mailloux, AICP  
Community Development Director

cc: Pastor Ronald Tannariello  
file

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**Amherst Christian Church**  
134 Hollis Road. Amherst, NH03031  
Tel: 603-672-1541. Fax: 603-672-6242

7/30/15

Town of Amherst  
P.O. Box 960,  
Amherst, NH 03031  
Attention: Pipeline Task Force  
John D'Angelo, Vice Chairman

Reference: Kinder Morgan proposed pipeline.

Dear Mr. D'Angelo

It is my understanding that Kinder Morgan is planning to route the proposed pipeline through Patricia Lane, and our churches parking lot located at the address noted on our letterhead. It is also my understanding that to date, the final decision has not been made and you are still in an evaluation process. There are a couple of factors related to the operation of our church and the services we provide to the local communities that would be negatively impacted by the proposed pipeline routing.

Our church campus is approved and licensed by the state as for child care and has operated a pre-school and kindergarten at this facility for 23 years with an average attendance of 80 students. We suspended our pre-school operation a few years ago for a number of reasons. However, we are in the process of developing a new operational plan with the goal of reopening our school in September of 2016. Our school staff numbered 11 individual plus the church staff of 3 on site personal.

Attending one of the Kinder Morgan presentations I observed that the proposed routes avoided schools and can only assume there is a reason for Kinder Morgan routing the pipeline considerable distances from educational facilities. We would appreciate the same safety parameters for our school that have given to the other educational facilities.

Various special events including Thanksgiving, Christmas and graduations in the past have been attended by over three hundred (300) individuals. It is my understanding the proposed pipeline route as presently proposed by Kinder Morgan will be less than fifty yards from the front doors of our facility.

No matter how safe Kinder Morgan claims the pipeline will be the fact is that it presents a potential risk and danger to our students. In addition, the pipeline is being projected as a risk to all who have it passing through their back yards. In the event of leak, fire or explosion it would block the entrance and exits to our campus and a cause of physical injury to those present on our campus.

Our assembly area is approved for five hundred occupants making it the largest auditorium in the towns of Amherst, Millford, and Hollis.

At present our facility is used for our Sunday services, special events, i.e., concerts, seminars, interchurch events, small groups, including youth women's and including concerts, seminars, interchurch events, small groups, including youth women's and special interest groups and church events.

In addition to the above our campus houses New Hampshire Family Radio's broadcast studio and the Community Marriage Initiative. My concern is also for the inconveniences we would experience during construction and the safety issues associated with the pipeline and its impact on our school.

Thank you for your attention to above issue. Your careful consideration will be greatly appreciated.

Sincerely,

Ronald A Tannariello  
Lead Pastor

**20150804-5055**

August 4, 2015

Kimberly D. Bose, Secretary

Federal Energy Regulatory Commission  
Washington, DC 20426

Re: Regional Economic Consequences of the Northeast Energy Direct Pipeline (PF14-22-000)

Dear Secretary Bose,

I am writing to urge FERC to reject the Northeast Energy Direct (NED) proposal identified in PF14-22-000. Contrary to the assertions of the pipeline's sponsor, there is mounting evidence that the net result of NED could be to dramatically raise natural gas prices in the region, with a devastating impact on jobs and the region's economy.

To support that thesis, we need only to review FERC's June 2015 data, showing that the "landed" price of LNG in the United States was \$1.86 per mmBtu, compared to circa \$7 in Europe and \$8 in Asia. It appears irrefutable that the significantly lower cost in the U.S. is due to the heretofore restrictions in export distribution infrastructure. If approved, NED could change that metric significantly by "unlocking" U.S. gas and making the price rise to the fungible world market. While Kinder Morgan (KM) and fracking drillers may find that prospect desirable, it's doubtful that consumers and businesses would be similarly enthralled.

When you review the public relations data from companies such as Kinder Morgan (KM), we find public pronouncements such as "[i]f the NED Project natural gas pipeline is constructed, it will benefit the Northeast Region...from the standpoints of energy prices" and "[t]he NED Project will increase the capacity of natural gas..., thereby lowering energy costs for both businesses and consumers and alleviating the current market stress."

KM apparently will not discard the potential of exporting large volumes of gas with NED. Therefore, public officials, including governors and Congressional representatives – as well as FERC - have an obligation to acknowledge the potentially devastating 300-400% price increases that could result from export pricing fungibility. It would be a tragic deception for officials to publically support such a controversial project, with its significant negative impact on the environment and risks of harm or death to our families, while failing to prominently identify the very real possibility that it could also monumentally harm the economy.

FERC's policy of proportionality requires the consideration of "adverse impacts." The downside economic risks to the New England region from NED exports should be prominent on that list.

Jon L. Bryan  
Mason, NH 03048-4803

- 1 <http://oilprice.com/Energy/Natural-Gas/A-Reality-Check-For-US-Natural-Gas-Ambitions.html>
- 2 [http://www.kindermorgan.com/business/gas\\_pipelines/east/neenergydirect/capacity.aspx](http://www.kindermorgan.com/business/gas_pipelines/east/neenergydirect/capacity.aspx)
- 3 <http://www.ferc.gov/legal/maj-ord-reg/PL99-3-000.pdf>

C: NH Governor, NH Congressional Delegation

#### **20150804-5070**

Kathleen Graham, Dracut, MA.

The building of the compressor station in Dracut is very concerning to me. It will be placed near many farms and within a mile of an elementary school and would have negative impacts to soil quality. There is also the potential for explosions. I am concerned this plant will lower the value of my house. Im also very concerned with road closures during the pipe laying snd building process. I am very much against the pipe-line in Dracut.

#### **20150804-5081**

Richard Crane, Groton, MA.

Dear FERC,

I would like to restate my objection to the Northeast Energy Direct Project. My opinion is that Kinder Mor-

gan and TGP, LLC has not demonstrated the need for this pipeline.

They have worked to address concerns regarding the proposed route. In doing so, they have changed the primary route from a completely “greenfield” route through Massachusetts to one that goes along existing utilities through Massachusetts and New Hampshire. If this pipeline were to be built, the new route along existing utilities has the least amount of impact to the people of New England.

Regarding the originally proposed route, I have included my comments from November 2013 which highlights the impact to my family (see below). My family’s entire financial well being, health, and quality of life will be impacted. It will be devastating.

Regards,

Rich Crane  
Groton, MA

\*\*\* Comments To FERC from November 2013 \*\*\*

I am a landowner in Massachusetts directly affected by the Northeast Energy Direct Project proposed by Kinder Morgan and the Tennessee Gas Pipeline Company, LLC. As currently proposed the Northeast Energy Direct Project is a “greenfield” pipeline that will cross Massachusetts having a devastating affect on homeowners, conservation land and the environment. There is no natural gas pipeline that has this level of impact and devastation that I could ever support. Please help the people of Massachusetts by getting Kinder Morgan to change their route so that pipeline goes through existing rights of way designated for public use to minimize the impact to Massachusetts. Until this can be achieved we urge the Federal Energy Regulatory Commission to deny this project.

I come from a poor working class upbringing. At the age of 11 I took several jobs to help support my mother, a single parent who raised three boys on just a secretary’s salary. I have worked hard all my life to get an education and build a career to support my family. The culmination of my life’s effort was to find our dream home where my wife and I could raise our kids in a healthy and safe environment. It took us over 10 years from the time that we started looking to find our home. It is the perfect home in a neighborhood of homes surrounded by conservation land located in the Town of Groton Massachusetts, a quaint New England town. We risked everything financially to get our home. By some miracle we were able to purchase our home. It is our primary investment for our kids’ well being and our eventual retirement. This pipeline will significantly decrease our property value and devastate us financially. There are many other families throughout Massachusetts in the exact same situation. All of us are concerned about the devastating impact this pipeline will have on our families’ financial wellbeing and financial future.

On February 6, 2011 we held our first Super Bowl party at our new home. This day was a disaster for both the Pittsburgh Steelers and our air conditioning system. Ice dams destroyed our back deck and air conditioning system. Fortunately we had insurance that paid for the repairs. After seeing the massive repair costs we realized that this was a blessing in disguise and replaced our air-conditioning with geothermal. Geothermal is a clean renewable energy solution. This was easy to do in Massachusetts since our state leads the way in clean renewable energy solutions. This pipeline impacts many things on our property including our geothermal wells. It is unimaginable that a fossil fuel solution such as a natural gas pipeline can take precedence over a clean renewable energy solution such as geothermal. We need to continue to be leaders in clean renewable energy and reject this project.

Our kids enjoy the benefits of living in a neighborhood bordered by conservation land. Often they walk the conservation land behind our homes to get exercise and enjoy nature. During the summer months they venture over to Wattles Pond to go fishing where they have always caught a fish. Then there is the “Save the Bullfrog” campaign my kids embark upon every year. For about a month at the start of summer they fish bullfrogs out of our pool that migrate from the wetlands behind our house. As parents we enjoy sitting on the back deck looking out at the trees and watching the deer and turkeys traverse our property. Of course there is the occasional porcupine, fisher cat, or bear, but we like seeing them too. If this pipeline project were to continue as-is all of the wetlands and conservation land that surround our neighborhood will be gone

forever. The residents of Groton will have lost something precious that can never be replaced.

Conservation land is scarce in Massachusetts. Ours is just a piece of the conservation land that remains in our state. Massachusetts passed Article 97 in our state constitution to protect conservation land and open space from being developed. This pipeline is a “greenfield” project that affects conservation land throughout the state. It also impacts wetlands, priority habitats, core habitats, farmland, water supplies, protected water resources, scenic rivers, and wellhead protection areas all while going through peoples’ homes. It is imperative that Massachusetts be able to preserve what conservation land and open space they have left. Kinder Morgan knows that this project would never be approved as-is if it were brought directly to Massachusetts. That is why they are using federal eminent domain to push through a project that the public would never agree too.

**20150804-5086**

John Lewicke, mason, NH.

In January of this year (2015) I denied KM/TGP access to my property at 928 Starch Mill Road in Mason, NH. Their agent, Narramore, acknowledged receipt of and intent to comply with my denial. This message is to put my denial of access on FERC’s record.

John Lewicke

**20150804-5100**

*{16 pages} {skip to end of entry}*

**Department of  
Transportation**

ANDREW M. CUOMO  
Governor

MATTHEW J. DRISCOLL  
Commissioner

Cathy Calhoun  
Chief of Staff

August 4, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Room 1A  
Washington, DC 20426

BY ELECTRONIC FILING

Re: Tennessee Gas Pipeline Company, LLC  
Docket No. PF14-22-000  
Northeast Energy Direct Project

Dear Secretary Bose:

The New York State Department of Transportation (NYSDOT) has an agreement with, and an obligation to, the Federal Highway Administration (FHWA) on how utility facilities are accommodated on controlled access highways throughout New York State. This agreement is the “Accommodation Plan For Longitudinal Use of Freeway Right-of-Way By Utilities.” NYSDOT’s Accommodation Plan is based upon Title 23 Part 645 of the Code of Federal Regulations and applies to any designated freeway or other controlled access highway. Pursuant to the Accommodation Plan, communication utility facilities are the only utilities that can longitudinally occupy New York State freeway rights-of-way within the control of access. Any non-communication utility must request an exception to the Accommodation Plan for a longitudinal occupancy.

Any requests for a non-highway use of controlled access highways such as Interstate 88 require FHWA approval. NYSDOT has an established procedure for exception requests under which NYSDOT reviews any requests prior to submission to FHWA for consideration and approval or rejection. FHWA and NYSDOT

require a NEPA review (includes SEQRA and FHWA regulations) for each and every feasible alternative. All alternatives must be adequately analyzed before NYSDOT will forward an exception request to FHWA for consideration. Enclosed please find the requirements and the procedure for requesting an exception that Tennessee Gas Pipeline LLC would have to comply with in order to utilize any controlled access highways along with the Accommodation Plan,

As stewards of Federal Highway funds, NYSDOT must ensure compliance with federal laws, regulations and requirements. Failure to comply will result in a sanction issued by FHWA and could result in the entire affected highway facilities becoming ineligible for any federal-aid funding.

Please contact me at 518-457-2411 if you have any questions on the material provided. ‘

Sincerely,

DONNA K. HINTZ  
Associate Attorney  
Office of Legal Services

DKHII02

Enc.

cc: J. Curtis Moffatt (via email)

Deputy General Counsel and Vice President Gas Group Legal  
Tennessee Gas Pipeline Company LLC  
1615 Suffield Street  
Agawam, MA 01001  
curt.moffatt@kindermorgan.com

Eric Tomasi (via email)  
Project Manager  
Federal Energy Regulatory Commission  
Eric.Tomasi@ferc.gov

-----  
APPENDIX 138  
ACCOMMODATION PLAN FOR LONGITUDINAL USE  
OF FREEWAY RIGHT-OF-WAY BY UTILITIES  
October, 1995

A. This Accommodation Plan is submitted pursuant to 23 CFR §645.209 and is subject to 23 CFR §645.211 and 645.215. It is applicable only to the occupation of freeways by lines, facilities or systems used for communications to the extent provided by 23 CFR §645.207(m) (hereinafter referred to as communications facilities or facilities). The longitudinal use of freeways by utilities shall not be allowed except in accordance with 17 NYCRR Part 131 and in particular §131.6, which requires a case-by-case evaluation of individual requests, and with the above federal requirements as implemented below. In no case shall any installation be allowed within the median of the freeway. In all cases, occupation of the right-of-way is subject to a use and occupancy agreement issued by the Department of Transportation under 17 NYCRR 131.16(d), containing the conditions of occupancy.

B. In recognition of the fact that certain public authorities, public benefit corporations and municipalities have exclusive jurisdiction and control of certain designated freeways covered by the above-mentioned FHWA Regulations, this Accommodation Plan shall apply to those designated freeways only to the extent that such public authority or public benefit corporation has not received FHWA approval of its own Accommodation Plan. When consummated, an informational copy of any formal agreement between the Commissioner and any responsible local officials, public authorities and/or public benefit corporations concerning the applicability of this (or other) utility accommodation plan to federally-aided freeways not under the Department's jurisdiction and control shall be provided to the Federal Highway Administration.

Such agreement shall insure that the utility accommodation policies of the public authorities, public benefit corporations or municipalities shall provide at least the same measure of protection as provided by Part 131 NYCRR Title 17.

### 1. General Policy

The Department will make available the rights-of-way of freeways for the installation of communications facilities where they can be safely installed, operated, and maintained. For purposes of this plan install, operate and maintain shall include but not be limited to: construction, service, repair, replacement, inspection, etc.

Parties interested in using portions of the right-of-way of a freeway for longitudinal installations of communications facilities are encouraged to make their general interest known. Expressions of interest should be directed to the Director, Real Estate Division, Building 5, State Office Campus, New York State Department of Transportation, Albany, New York 12232.

### 2. Application Process

Where there is a reasonable expectation of interest in the installation of communications facilities within a portion of the right-of-way of a freeway, as evidenced by expressions of interest received by the Department and excess fiber optics capacity installed in the freeway right-of-way is not already available from another source, the Department will offer the right to install, operate, and maintain communications facilities within the right-of-way of specific portions of freeways through an open competitive process which involves advertisement, evaluation of proposals negotiation of an agreement with a selected proposer, and award of a contract.

#### a. Request for Proposals

The Department will advertise in the New York State Contract Reporter and in periodicals normally used for such purposes, a request for proposals for the installation, operation, and maintenance of communications facilities within the right-of-way of specified portions of freeways. Although requirements may vary between locations in some respects, each proposal will be required to include:

- (1) a plan and schedule for initial installation, including a traffic control plan in conformance with the Manual of Uniform Traffic Control Devices (MUTCD);
- (2) a plan for access to the communications facilities for operation and maintenance including traffic control plans in conformance with the MUTCD;
- (3) information regarding the general capacity of the facilities proposed to be provided and an analysis that shows how projected demand will be served by the proposed installed capacity; (Note: The Department is fully aware of the desire for confidentiality and will make every effort to proceed in that regard.)
- (4) a statement of the degree to which facilities, will be available, if at all, for the use of others and the terms and conditions of such use; and
- (5) the proposed payment to be made for occupancy of the freeway rights-of-way.

b. Review and evaluation of proposals will be by committee in accordance with criteria specified in the Request for Proposals. The committee will be composed of members designated by the Department. The committee may consult with the Public Service Commission and the Department of Economic Development in evaluating proposals. The criteria for evaluation will include:

- (1) The relative degree of disruption of the right-of-way during installation as shown in plans and schedules and the extent to which such disruption will affect traffic flow and safety, landscaping, and protected resources, as well as the freeway's appearance, its structural and controlled access integrity and its ability to be maintained, widened or otherwise modified. To minimize the disruption of the right-of-way during installation, all proposals must be in accordance with the following guidelines:

- (a) All elements of a facility are to be installed in a designated “utility strip” to be established by the Department. The utility strip shall be approximately 10 feet wide and shall generally be established along the edge of the right-of-way. The utility strip shall fall within the edge of the right-of-way and the “roadway”. Roadway is defined in the Department’s design manual as “that portion of the highway included between the outside edges of the graded width of shoulder.” The Department may authorize installation within the roadway in exceptional situations (e.g., to provide access to a bridge which is needed to carry the facilities over natural barriers). The location of the facilities shall be such as to minimize impact on highway use, safety, maintenance, aesthetics, and future highway improvements.
- (b) Except as provided elsewhere in this document, facilities shall generally be installed in underground ducts or conduits and no part of the facility shall be visible from the roadway.
- (c) The initial installation shall include all appurtenances necessary or incidental to the operation of the facility, and shall include manholes or other duct/conduit access points at appropriate spacings to permit the pulling of additional cables into the duct system without further excavation. Any electrical service necessary to operate repeater/booster stations or similar appurtenances shall be placed in underground ducts or conduits running from crossroads or frontage roads adjacent to the required point of access or from easements the utility owns. No longitudinal electrical line installation on the freeway right-of-way will be allowed. The utility shall furnish and pay for all materials, equipment, and labor required for the proposed installation.
- (d) Installations of any part of a facility crossing the freeway, an interchange ramp roadway or any roadway shall be by a trenchless technology and shall be installed in a manner so as virtually to preclude any necessity for disturbing the roadways and their clear zones for installation, operation or maintenance. To the extent feasible and practicable, such crossings should be on a line generally normal to the roadway alignment.
- (e) At bridge crossings or where unusual terrain, environmental, or other conditions warrant, the Department may authorize installation of a portion of the facility above ground, or under conditions which differ from those specified in this Plan, if it is found that there is no practicable alternative inside or outside the right-of-way and that the installation will not impair freeway safety or the aesthetic quality of the land traversed. However, no above ground facility that constitutes a fixed object will be allowed within the clear zone, nor will installation be allowed within the median.
- (f) Where a facility installation must cross a major valley or river, such installation may be carried on an existing freeway structure only where the Department finds that such use of the structure will not interfere with the use or maintenance of the freeway and that denial of such use would result in significant harm to the environment. Similarly, such installation shall not be allowed to occupy vehicular tunnels without such a finding by the Department.
- (g) In scenic areas, the Department may authorize installations only when they do not require extensive alterations of trees or terrain features visible to the highway user or impair the aesthetic quality of the land traversed. When installation of a facility is authorized, trees within nine feet of the center line of the designated facility area within the freeway right-of-way may be removed. This area may be kept clear of trees during the period of its use and occupancy by the facility.
- (h) All methods of installation, as well as methods of erosion control and other details of installation of the facility, shall be subject to the review and approval of the Department.
- (i) Upon completion of installation, all disturbed areas shall be returned to their original topography and all steps necessary to prevent future erosion shall be taken. Backfill shall be tamped and vegetation, other than trees, replaced. The Department may specify the type and location of replacement vegetation. The Department may require the completion by the selected proposer of an approved mitigation plan for replacement of tree loss created by the construction of the facility. The survival of all replacement trees and vegetation for a period of two (2) years following planting shall be guaran-

teed.

(j) Longitudinal occupancy of freeway rights-of-way shall be for transmission type facilities only. Service connections to adjacent properties will not be allowed from the freeway rights-of-way, including service connections at repeater/booster stations located on the freeway right-of-way.

(k) The proposal shall take into account planned or likely improvements or alterations in the nature or configuration of the highway and planned or likely improvements in the nature or configuration of facilities.

(1) The proposal shall also identify the direct and indirect environmental and economic effects of the loss of productive agricultural land or the productivity of any agricultural land which would result if the facility is not located within the freeway right-of-way. It shall also identify the potential impact upon freeway landscaping.

(m) Safety of the driving public and protection of the State rights-of-way for future use are of primary importance in allowing longitudinal occupancy by any facility. In no case will occupancy or access be permitted that will adversely affect safety.

(2) Measures to be taken to provide access to facilities from outside the right-of-way.

(a) To the greatest extent possible in light of the locations designated for the facility, access for installing, operating or maintaining a facility along or across a freeway should be limited to access via nearby frontage roads (where available), adjacent public roads and streets, or trails along or near but outside of the freeway right-of-way line, connecting only to an intersecting road, from any one or all of which entry may be made to the outer portion of the right-of-way.

(b) A locked gate along the freeway control-of-access fence may be utilized to meet periodic access needs. Where a gate is allowed, the use and occupancy permit shall include adequate provision against unauthorized use.

(c) The Department shall impose conditions for policing and other controls as are necessary to assure the safety of highway travelers and to avoid interference with freeway use. During installation, operation and maintenance, barriers and/or signs and/or other warning devices conforming to the MUTCD shall be installed as required and approved by the Department to alert and protect highway travelers to utility activities within the right-of-way. Where signs conforming to the MUTCD are placed in the vicinity of the through roadway or clear recovery area, they shall be collapsible upon impact from a vehicle. Additional maintenance and protection provisions shall be as stated in the "general conditions" clauses of the Highway Work Permit. The Department reserves the right to require more stringent measures when it deems it necessary, as provided by Sections 126, 128, and 129, of NYCRR Title 17.

(d) Lane closures on the mainline or ramps of the freeway will not generally be permitted during the installation, operation, or maintenance of facilities.

(e) Access to facilities for installation, operation and maintenance within a freeway right-of-way will only be allowed in accordance with the provisions of a traffic control plan which is specified in the negotiated contract.

(3) The total capacity being installed. Installation of facilities shall be of a character and capacity to preclude the programmed need for any additional disruption. Absent compelling circumstances, the Department will not permit installation of additional ducts or conduits for a minimum of 10 years from initial construction. The Department will, however, allow installation of additional cable and/or replacement of existing cable within a previously installed duct or conduit to the extent it can be accomplished without direct or indirect interference with freeway traffic.

(4) The degree to which facilities, will be available, if at all, for use by others and the proposed terms and conditions of such use.

There is a presumption that it is in the public interest for the competing utilities to provide service

within the available corridors. In order to protect and encourage such competition and ensure minimum future intrusion into the right-of-way and to avoid disturbance to traffic by installation of multiple facilities, the proposer is required to provide a description of the facilities, which will be available to others and how others will be provided access to the facilities proposed to be installed, if any. An outline of the terms and conditions under which the proposer would make such facilities available to other services shall be provided.

(5) Proposed payment or payments to be made for use and occupancy of the freeway right-of-way.

The Department may charge an assessment for the privilege of permitting installation of facilities and using the freeway right-of-way.

### 3. Contract Award

Award of a contract to a selected proposer in accordance with the general terms outlined in the proposal will usually be made within 90 days of the deadline for receipt of a complete proposal by the Department. Contract awards are subject to the negotiation of an acceptable contract and approval by Department Counsel, after consultation with the Division of the Budget, the Attorney General, and the Comptroller.

a. Contract Provisions - Contracts may vary but will generally include the following provisions:

(1) The Department reserves the right to restrict the use of freeway right-of-way. Such restrictions may include but not be limited to: number and types of facilities allowed; physical space occupied by the facilities or by equipment used for installation, operation and maintenance; time restrictions on installation, operation or maintenance; provisions of a traffic control plan for the maintenance and protection of traffic; system expansion, etc. The selected proposer may be required to make installations concurrent with others, so as to limit such work to one installation operation.

(2) Except where payment is required by Section 10, Subsection 24-b of the New York State Highway Law, any relocation of any fiber optics facility allowed to be on the freeway right-of-way, made necessary as a result of highway construction or maintenance operations, or changes in Department policy or design standards, shall be made promptly and at the expense of the selected proposer.

(3) The use of the freeway right-of-way shall be by a "Use and Occupancy Agreement" or other similar agreement obtained from the Department. Such Permit will require that a "Highway Work Permit" be obtained prior to actual installation. In addition an "Annual Maintenance Permit" must first be secured prior to the undertaking of any maintenance activity on the right-of-way. A Department approved traffic control plan for installation, operation and for future access is a prerequisite to issuance. Application and general conditions for such "Highway Work Permit" and "Annual Maintenance Permit" are explained in Title 17 Part 131 NYCRR.

(4) No permit to allow installation of a facility on freeway right-of-way will be issued nor will work commence until a contract is awarded to a selected proposer.

(5) Violation of the "Use and Occupancy Agreement", "Highway Work Permit", "Annual Maintenance Permit", or of any other law or rule at any time by the permit holder or its agent(s) in the installation, operation or maintenance of facilities within freeway rights-of-way shall be the basis for denial of use, imposition of fines, or physical removal of the offending party and/or the permit holder's facilities as designated in such permit, or as provided by law.

(6) The permit holder shall be responsible for obtaining all necessary permits, approvals, etc. required by any Federal agency or other State agency and shall furnish to the Department copies of such permits and approvals.

(7) Being permitted to use freeway rights-of-way does not automatically mean permission to use bridges. Any proposed use of bridges must be evaluated and approved by the Department as per Section 131.20 of 17 NYCRR. Any desire to install facilities on bridges or other structures must be stated in the initial application for any permit, together with whatever installation details the Department indicates are necessary to evaluate the proposal.

(8) The selected proposer shall be required under the Highway Work Permit to provide the Department with a log of each entrance onto the freeway rights-of-way with personnel and/or equipment to include date, time, duration, location of entrance onto and exit from the rights-of-way, and the reasons for such entrance and exit, the equipment and personnel involved, etc.

(9) The selected proposer shall install along with any buried facilities a system of continuous plastic ribbon or marking tape. Such marker shall be installed at a level no less than 12 inches below the surface of the ground. The marker shall include a metal thread or other system capable of reliably emitting a signal readable by located equipment operated on the surface. The selected proposer also shall install adequate permanent buried cable markers showing the approximate horizontal and vertical location of its underground facility. Such post markers shall not interfere with highway operations or maintenance and shall be offset from the actual location of the facility where necessary to avoid such interference. The selected proposer shall also maintain records that describe the facility, its location, depth, size, and other relevant data, which shall be available upon request to the Department and to other interested agencies. Within 120 days following the completion of the work authorized under a location permit, the selected proposer shall file with the Department one complete set of “as built” plans showing the locations of all parts of the facility. The selected proposer also shall file with the Department at that time one complete set of said plans on microfiche or other form of information storage system as determined by the Department.

(10) Except where this Plan or the use and occupancy permit calls for different procedures, the selected proposers shall comply with the construction standards, location standards, and special marking techniques established by the most recent publication of 23 CFR 645.

(11) The Department shall have authority to place inspectors on site to monitor and observe the selected proposer’s activities, and/or to request the presence of state or local police to assure the safety of freeway travelers, at such times and for such periods as the Department deems appropriate. All costs thereof shall be borne by the selected proposer.

(12) Upon issuance of a permit and from time to time during any installation, operation, or maintenance periods, the selected proposer shall pay to the Department those amounts representing all of the costs of processing the application and administering the permit, including without limitation any costs relating to the need to relocate the facility in connection with any other work performed by the Department.

(13) Acceptance of a permit by the selected proposer shall constitute an agreement by the selected proposer, notwithstanding any other provision of law, to assume all liability for any loss, cost, damage, or harm arising out of or relating to the installation, operation or maintenance, of its facility and to the presence of its facility in the freeway right-of-way. Further, acceptance of a use and occupancy agreement shall constitute an agreement by the selected proposer to indemnify and hold harmless the State of New York, its officers, agents, and employees from all loss, cost, damage, and harm, including attorney’s fees, arising out of or relating to the foregoing.

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*{source: <https://www.dot.ny.gov/divisions/engineering/design/dqab/dqab-repository/accommod.pdf>}*

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**Accommodation of Non-Communication Utilities on New  
York State Freeway or controlled Access Rights-of-Way**

**I. INTRODUCTION**

The New York State Department of Transportation (NYSDOT) has an agreement with the Federal Highway Administration (FHWA) on how utility facilities are accommodated on freeways in New York State. This agreement is “Accommodation Plan for Longitudinal Use of Freeway Right-of-Way By Utilities” which is

available at [www.nysdot.gov](http://www.nysdot.gov). Currently, the only utilities which are allowed to longitudinally occupy New York State freeway rights-of-way or controlled access rights-of-way are communication utility facilities. A highway with full control, of access is a highway on which entrances and exists are controlled or limited at designated interchanges; all other intersection or connections are prohibited. NYSDOT's Accommodation Plan is based upon title 23 part 645 of the Code of Federal Regulations (CFR) which permits states to establish their own policies, subject to FHWA approval, with regard to longitudinal accommodation of utilities on controlled access rights-of-ways. This policy applies to any designated freeway, regardless of ownership, i.e. freeways owned by NYS Office of Parks, Recreation and Historic Preservation are also included in this policy. -

Any interest in a longitudinal occupancy of a controlled access right-of-way by a noncommunications utility must be submitted as a request for an exception to the current approved Accommodation Plan. Pursuant to 23 CFR 1.23, when a State Highway Agency acquires property for a highway project, it must dedicate use of said property exclusively to highway purposes except under strictly controlled conditions. Any request to use said property for non-highway purposes is considered a request for an exception. Both NYSDOT and FHWA must approve these requests. Since FHWA is involved and therefore, federal action is required, the National Environmental Policy Act (NEPA) applies and requires an extensive and detailed evaluation of all possible alternatives pursuant to 23 CFR 771. NYSDOT procedures to fulfill NEPA requirements are available at [www.nysdot.gov](http://www.nysdot.gov). All exception requests must demonstrate that the accommodation will not adversely impact the design, construction, operation, maintenance, or stability of the highway and that it will not interfere with or impair future expansion of the highway. Any installation shall comply with 23 USC 111 and 23 CFR 645.209 as noted below. In addition exception requests must show that alternate locations will cause unacceptable adverse environmental impacts or cannot be implemented from a standpoint of providing efficient utility services in a manner conducive to safety, durability and economy of maintenance and operations.

Specifically under 23 CFR 645.209 (c)(2), any accommodation plan shall assure that installations satisfy the following criteria:

- (i) The effects utility installations will have on highway and traffic safety will be ascertained since in no case shall any use be permitted which would adversely affect safety.
- (ii) The direct and indirect environmental effects of any loss of productive agricultural land or any productivity of any agricultural land which would result from the disapproval of the use of such right-of-way for accommodation of such utility facility will be evaluated.
- (iii) These environmental and economic effects together with any interference with or impairment of the use of the highway in such right-of-way which would result from the use of such right-of-way for the accommodation of such utility facility will be considered.
- (iv) A utility strip will be established along the outer edge of the right-of-way by locating a utility access control line between the proposed utility installation and the through roadway and ramps. Existing fences should be retained and, except along sections of controlled access rights-of-way having frontage roads, planned fences should be located at the controlled access right-of-way line. The State or political subdivision is to retain control of the utility strip right-of-way including its use by utility facilities. Service connections to adjacent properties shall not be permitted from within the utility strip.

In addition to the federal law and regulations, any accommodation would have to satisfy NYS Finance Law and Highway Law Requirements for use of State property. There will be a fee charged for use and occupancy of the controlled access right-of-way. Each accommodation will be reviewed on a case by case basis.

It is imperative that NYSDOT be contacted and included early in the planning process due to the complicated legal and operational issues that need to be considered when seeking longitudinal accommodation on a controlled access right-of-way.

Freeways or controlled access rights-of-ways are the State's most important and highest volume roadways. The NYSDOT plans and maintains right-of-way along these roadways to accommodate future changes to

the highway and service demands. The flexibility to improve our freeways is critical. A sound transportation system is crucial to the State's economic viability.

## **II. 2006 LOBBYING LAW REQUIREMENTS AND COMPLIANCE**

Pursuant to NYS finance Law §§139-j and 139-k, a request to use NYSDOT freeways, controlled access highways or rights-of-ways imposes certain restrictions on communications between NYSDOT and the requesting party during the procurement process. The requesting party is restricted from making contacts during the procurement process through final award and approval of the procurement by NYSDOT and, if applicable, Office of the State Comptroller ("restricted period") to other than designated staff unless it is a contact that is included among certain statutory exceptions set forth in NYS Finance Law §§139-j(3)(a). The restricted period is defined as 'the period of time commencing with the earliest written notice or solicitation of a request for proposal or other method of soliciting a response from officers intending to result in a procurement contract with a governmental agency. The term "contract" is defined by a statute and refers to those oral, written or electronic communications that a reasonable person would infer are attempts to influence the governmental procurement. Designated staff shall be identified for each project. NYSDOT employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the requesting party pursuant to these two statutes. NYS Finance Law §139-k(4) obligates every governmental entity, such as NYSDOT, during the restricted period of a procurement contract to make a written record of any contacts made. Procurement contract is defined as any contract or agreement for an article of procurement involving an expenditure in excess of fifteen thousand dollars. In addition to obtaining the required identifying information, the governmental entity must inquire and record whether the person or organization that made the contact was the offerer or was retained, employed or designated on behalf of the offerer to appear before or contact the governmental entity. An offerer would be a utility company seeking to use NYSDOT freeways or controlled access highways for the siting of its facility. Certain findings of non-responsibility can result in rejection for the contract award in the event of two findings with a 4 year period, the requesting party is debarred from obtaining governmental procurement contracts. Further information about these requirements and the required forms may be found at [www.nysdot.gov](http://www.nysdot.gov).

The requesting party must file an Affirmation of Understanding and Agreement pursuant to NYS Finance Law §139-j(3) and §139-j(6)(b), disclosure of Prior Non-Responsibility Determinations and Certification of Compliance with NYS Finance Law §139-k(5). A termination clause requiring compliance will be added to any contract, use and occupancy agreement, or highway work permits. The forms and the termination clause may be found at [http://ags.nY\\_9av/](http://ags.nY_9av/).

## **III. TRANSPORTATION CORPORATION RIGHTS**

A transportation corporation is a company organized under NYS Transportation Corporations Law. Transportation corporations are typically gas, electric, telephone, water and sewage companies. Such companies have certain legislated rights to occupy the State's highway rights-of-way (ROW) without payment of a use and occupancy fee, but this does not apply to controlled access rights-of-way.

## **IV. APPLICATION OR PROPOSAL CONTENT**

Any request submitted to NYSDOT for longitudinal accommodation shall include, at a minimum, the following:

### **(a) Organizational Overview**

Identify the overall project organization for the proposed project or action, include the firm(s) which will be involved and their respective relationships, roles and responsibilities and whether they are considered Transportation Corporations or incorporated under other laws. Provide proof of Transportation Corporation status. Provide a description of the relevant corporate experience of all involved firms including examples of current/prior involvement in efforts of this type.

Identify the management team, including key personnel and their respective relationships, roles and responsibilities and specifically the individual(s) who will be responsible for communicating with NYSDOT on project matters. -

(b) Project Development and Public Need

Provide a description of the overall public need. Identify any research and/or analysis performed which supports the planned facility, including any projected trends in how the market(s) may develop over time. Describe any involved statewide planning process and include any resulting plans or reports. Provide a copy of any certificates issued by New York State Public Service Commission (NYSPSC) or Federal Energy Regulatory Commission (FERC)\_

Provide an overall schedule for the proposed installation which indicates the best estimate of the time frame(s) associated with all major project activities.

Identify potential problems to successfully implement the proposed facility and a discussion, as applicable, of your approach to resolving such potential problems.

(c) Alternatives

Provide detailed description and evaluation that is in full compliance with NEPA and SEQRA requirements for all alternatives, including impacts to the transportation system. The alternatives analysis should include environmental, social, physical impacts and a cost analysis. Provide specific engineering deficiencies for each alternate route.

(d) Capacity and Availability

Provide description of the proposed facility's general capacity .... Demonstrate how projected demand will be served by the project.

Provide description of the extent, if any, of the proposed facilities that will be made available for the use of others, including how such access will be provided. Outline the terms and conditions under which such facilities would be made available to others.

There is a presumption that it is in the public interest for the competing utilities to provide service within the available corridors. In order to protect and encourage such competition and ensure minimum future intrusion into the controlled access right-of-way and to avoid disturbance to traffic by installation of multiple facilities, the applicant is required to provide a description of the facilities, which will be available to others and how others will be provided access to the facilities proposed to be installed, if any. An outline of the terms and conditions under which the applicant would make such facilities available to other services shall be provided.

(e) Installation

Provide design and initial installation plans of the facility. Include a traffic control plan, in conformance with the NYSDOT Manual of Uniform Traffic Control Devices (MUTCD). Indicate the extent to which the installation will affect traffic flow and safety, landscaping and protected resources, as well as the freeway's/corridor's appearance, its structural and controlled access integrity and its ability to be maintained, widened or otherwise modified. These plans should clearly delineate the proposed construction limits.

Include discussion of any planned or likely improvements and/or upgrades to the utility facilities and time frames.

(f) Constructability

Provide a feasibility study of access routes required to mobilize and transport specialized equipment and materials. Identify potential work to be scheduled during time of reduced traffic volumes. Describe impacts on existing utilities in the project area.

(g) Access for Operations and Maintenance

Provide plan for access to the utility facilities for operation and maintenance, including traffic control plans in conformance with NYSDOT MUTCD, a description and frequency of routine maintenance work and

emergency call procedures.

(h) Financial

Provide a pro-forma revenue and expense statement for the proposed project which identifies all assumptions underlying the statement.

Provide an explanation to assess the financial capacity of the entity, seeking this accommodation, to fulfill its commitments and responsibilities.

(i) Fair Consideration Proposal

Provide a description of the consideration (monetary and/or service) being offered to the State, if any. Identify the total dollar amount(s) and terms of payment and a description of the type(s), level(s) and extent of any service(s) being offered. Include all assumptions.

## **V. CRITERIA FOR EVALUATION OF PROPOSAL**

In addition to compliance with NEPA and SEQRA requirements, the proposal shall meet the following evaluation criteria:

(1) Project supports a strategic need within the project area and is in accordance with local and state planning efforts.

(2) Review the relative degree of disruption of the controlled access right-of-way during installation as shown in plans and schedules and the extent to which such disruption will affect traffic flow and safety, landscaping, and protected resources, as well as the freeway's appearance, structural and controlled access integrity and ability to be maintained, widened or otherwise modified in the future. To minimize the disruption of the controlled access right-of-way during installation, all proposals must be in accordance with the following guidelines:

a) All elements of the facility are to be installed in a designated utility strip to be established by the NYSDOT. The utility strip shall be approximately 10 feet wide and be located along the edge of the right-of-way; the final location will be determined during the planning process pending FHWA approval. The NYSDOT and FHWA may authorize installation within the roadway in exceptional situations (e.g., to provide access to a bridge which is needed to carry the facilities over natural barriers). The location of the facilities shall be such as to minimize impact on highway use, safety, maintenance, aesthetics, and future highway improvements. .

Being permitted to use controlled access rights-of-way does not automatically include permission to use bridges or other structures. Any proposed use of bridges must be evaluated and approved by the NYSDOT and FHWA as per Section 131.20 of Title 17 NYCRR (New York Codes, Rules and Regulations). Any request to install facilities on bridges or other structures must be stated in the initial application for any permit including all installation details the NYSDOT and FHWA indicate are necessary to evaluate the proposal.

b) Except as provided elsewhere in this document, facilities shall generally be installed underground with no part of the facility visible from the roadway.

c) The initial installation shall include all appurtenances necessary or incidental to the operation of the facility, and shall include manholes or other access points at appropriate intervals to permit operation and maintenance without further excavation. Any electrical service necessary to operate stations or similar appurtenances shall be placed in underground ducts or conduits running from crossroads or frontage roads adjacent to the required point of access or from easements the utility owns. The utility shall furnish and pay for all materials, equipment, and labor required for the proposed installation and maintenance.

d) Installations of any part of a facility within the controlled access right-of-way including an interchange ramp roadway shall be by a trench less technology and shall be installed in a manner to preclude or minimize disturbing the roadways and their clear zones for installation, operation or maintenance. To the extent feasible and practicable, such crossing should be on a line generally perpendicular to the centerline of the

roadway alignment

e>, At bridge crossings or where unusual terrain, environmental, or other conditions warrant, the NYS-DOT and FHWA may authorize installation of a portion of the facility above ground, if it is found that there is no practical alternative inside or outside the right-of-way and that the installation will not impair controlled access right-of-way safety or the aesthetic quality of the land traversed. However, no above ground facility that constitutes a fixed object will be allowed within the clear zone.

f) Where a facility installation must cross a major valley or river, such installation may be carried on an existing controlled access right-of-way structure only where the NYSDOT and FHWA find that such use of the structure will not interfere with the use or maintenance of the controlled access right-of-way and that denial of such use would result in significant harm to the environment. Similarly, such installation shall not be allowed to occupy vehicular tunnels without such a finding by the NYSDOT and FHWA.

g) In designated scenic park preservation areas, the NYSDOT may authorize installations only when they do not require extensive alterations of trees or terrain features visible to the highway user or impair the aesthetic quality of the land traversed. .

h) All methods of installation, as well as methods of erosion control and other details of installation of the facility, shall be subject to the review and approval of the NYSDOT.

i) Upon completion of installation, all disturbed areas shall be returned to their original topography and all steps necessary to prevent future erosion shall be taken. Backfill shall be tamped and vegetation replaced. The NYSDOT may specify the type and location of replacement vegetation. The NYSDOT may require the completion of an approved mitigation plan for replacement of tree loss created by the construction of the facility. The survival of all replacement trees and vegetation shall be guaranteed by the utility for a period of two (2) years following planting.

j) Longitudinal occupancy of controlled access rights-of-way shall be for transmission type facilities only. Service connections to adjacent properties shall not be permitted from the controlled access rights-of-way.

k) The proposal shall take into account planned or likely improvements or alterations in the nature or configuration of the highway and the impact of planned or likely improvements in the nature of the utilities.

l) Any occupancy or access that adversely affect safety will not be permitted as the safety of the traveling public and protection of the State rights-of-way for future use are of primary importance in allowing longitudinal occupancy by any utility or facility.

(3) Review measures taken to provide access to facilities from outside the controlled access right-of-way.

a) Access to the facility for installation, operation or maintenance along or across a controlled access right-of-way should be limited to access via nearby frontage roads (where available), adjacent public roads and streets, or trails along or near but outside of the controlled access right-of-way line, connecting only to an intersecting road, from any one or all of which entry may be made to the outer portion of the controlled access right-of-way to the greatest extent possible.

b) A locked gate along the controlled access right-of-way line (control-of-access) fence may be utilized to meet periodic access needs. Where a gate is allowed, the use and occupancy agreement shall include adequate safeguards against unauthorized use. FHWA approves all breaks in access. A break in access means any activity which enters onto highway right-of-way which has been designated as controlled, includes but not limited to vehicular, pedestrian, or utility occupancies at, above or below ground. This also includes any airspace occupancy of controlled access highway rights-of-way.

c) The NYSDOT shall impose conditions for policing and other controls as are necessary to assure the safety of highway travelers and to avoid interference with controlled access use. During installation, operation and maintenance, barriers and/or signs and/or other warning devices conforming to the NYSDOT MUTCD shall be installed as required and approved by the NYSDOT to alert and protect highway travelers to utility activities within the controlled access right-of-way. Where signs conforming to the NYSDOT MUTCD are placed in the vicinity of the through roadway or clear recovery area, they shall be collaps-

ible upon impact from a vehicle. Additional maintenance and protection provisions shall be as stated in the “general conditions” clauses of the required Highway Work Permit as discussed in Section VIII. The NYSDOT reserves the right-of-way to require more stringent measures when it deems it necessary, as provided by Sections 126, 128, and 129 of NYCRR Title 17.

d) Lane closures on the mainline, service roads or ramps of the controlled access right-of-way will not generally be permitted during the installation, operation or maintenance of facilities unless the utility will be within 12 feet of the edge of the shoulder or travel way. In accordance with NYSDOT engineering instruction (EI) 96-027 and any applicable Regional” policies, NYSDOT may require the installation to be completed at night. All lane. closures must be proposed to NYSDOT in writing at least one month before the beginning of the work and must be approved in writing by the Region before the work can begin. . .

e) Access\_to facilities for installation, operation and maintenance within a controlled access right-of-way will only be allowed in accordance with the provisions of a traffic control plan specified in the highway work permit and use and occupancy agreement as discussed in Sections VIII and X.

(4) The initial installation of a facility shall be of a character and capacity to preclude the programmed need for any additional disruption .. Absent compelling circumstances, the NYSDOT and FHWA will not permit additional installations after initial construction. If future expansion will be needed, this should be noted in the initial request.

## **VI. TIME FRAME**

Actions classified as Class I projects under NEPA require an Environmental Impact Statement and typically take 2-4 years to reach an environmental determination for NYSDOT Projects. Actions classified as Class III projects under NEPA require an Environmental Assessment and typically take 1-3 years to reach an environmental . determination for NYSDOT Projects. Actions classified as Class II projects under NEPA require a Categorical Exclusion and typically take 6-18 months to reach an environmental determination for NYSDOT Projects.

## **VII. NYSDOT ACTIONS AND SUBMISSION TO FHWA**

The NYSDOT reviews, comments and determines if the exception request is adequate and appropriate for submission to FHWA. If NYSDOT determines that the application meets the minimum criteria and does not conflict with NYSDOT operations, NYSDOT makes the formal request for an exception and forwards the project documentation to FHWA. Please be advised. that compliance with all submittal requirements does not guarantee final approval from NYSDOT or FHWA.

The FHWA reviews and issues their recommendation. If the request is approved, all related Use and Occupancy agreements and breaks in access must also be approved by FHWA.

If FHWA denies the request, the utility must reevaluate its project on the basis of the --response

## **VIII. ACTIONS TO PROGRESS A UTILITY PROJECT AFTER AN EXCEPTION HAS BEEN GRANTED BY FHWA**

Any utility permitted to occupy NYSDOT controlled access right-of-way (ROW) must comply with 17 NYCRR Part 131, which is available at [www.nysdot.gov](http://www.nysdot.gov) .

Award of any agreements and use of NYSDOT property is subject to negotiations of acceptable terms and approval by NYSDOT counsel, after consultation with the NYS Attorney General, and the Office of the NY State Comptroller. Permits or agreements may vary, but will generally include the following provisions:

(1) The NYSDOT reserves the right to restrict the use of controlled access right-of-way. Such restrictions may include but not be limited to: number and types of facilities allowed; physical space occupied by the facilities or by equipment used for installation, operation and maintenance; time restrictions on installation, operation or maintenance; provisions of a traffic control plan for the maintenance and protection of traffic; system expansion, etc. The applicant may be required to make installations concurrent with others so as to limit such work to one installation operation. Applicants shall provide the NYSDOT with copies of all

inspection- reports.

(2) Except where payment is required by Section 10, Subsection 24-b of the NYS Highway Law, any relocation of any facility allowed to be on the controlled access right-of-way, made necessary as a result of highway construction or maintenance operations, or changes in NYSDOT policy or design standards, shall be made promptly and at the sole expense of the utility applicant.

(3) The use of the controlled access right-of-way shall be by a Use and Occupancy Agreement or other similar agreement obtained from the NYSDOT including a fee for the use of the property. Generally, this agreement must be executed prior to the issuance of a Highway Work Permit and will require that a Highway Work Permit be obtained prior to installation or construction. In addition, an Annual Maintenance Permit must be secured prior to the undertaking of any maintenance activity on the controlled access right-of-way. A NYSDOT approved traffic control plan for installation, operation and for future access for maintenance activities is a prerequisite to issuance of both permits. Application and general conditions for Highway Work Permits and Annual Maintenance Permits are explained in Title 17 Parts 122-129 NYCRR.

(4) Violation of the Use and Occupancy Agreement, Highway Work Permit, Annual Maintenance Permit, or of any other law or rule at any time by the permit holder or its agents(s) in the installation, operation or maintenance of facilities within controlled access rights-of-way shall be the basis for denial of use, imposition of fines, or physical removal of the offending party and/or the permit holder's facilities as designated in such permit, or as otherwise provided by law.

(5) The permit holder shall be responsible for obtaining all necessary permits, approvals, etc., required by any Federal, State or local agencies and shall furnish copies to the NYSDOT of such permits and approvals.

(6) The applicant shall be required under the Highway Work Permit to provide the NYSDOT with a log of each entrance onto the controlled access rights-of-way with personnel and/or equipment to include date, time, duration, location of entrance and exit from the controlled access rights-of-way, and the reasons for such entrance and exit, the equipment and personnel involved, etc.

(7) The applicant shall install along with any buried facilities a system of continuous plastic ribbon or marking tape. Such marker shall be installed at a level no less than 12 inches below the surface of the ground. The marker shall include a metal thread or other system capable of reliably emitting a signal readable by equipment operating on the surface. The applicant also shall install adequate permanent buried cable markers showing the approximate horizontal and vertical location of its underground facility. Such post markers shall not interfere with highway operations or maintenance and shall be offset from the actual position of the facility where necessary to avoid such interference. The applicant shall also maintain records that describe the facility, its location, depth, size and other relevant data which shall be available upon request to the NYSDOT and to other interested agencies. Within 120 days following the completion of the work authorized under a location permit, the applicant shall file with the NYSDOT one complete set of "as built" plans showing the locations of all parts of the facility stamped by a Professional Engineer. The applicant also shall file with the NYSDOT at that time one complete set of plans on microfiche or other form of information storage system as determined by the NYSDOT.

(8) Except where a use and occupancy permit calls for different procedures, the applicants shall comply with the construction standards, location standards, and special marking techniques established by the most recent publication of 23 CFR 645.

(9) The NYSDOT shall have the authority to place inspectors on site to monitor and observe the applicant's activities, and/or to request the presence of state or local police to assure the safety of controlled access right-of-way travelers, at such times and for such periods as the NYSDOT deems appropriate. All inspector costs thereof shall be borne by the applicant.

(10) Upon issuance of a permit and from time to time during any installation, operation, or maintenance periods, the applicant shall pay to the NYSDOT those amounts representing all of the costs of processing the application and administering the permit, including without limitation any costs relating to the need to relocate the facility in connection with any other work performed by the NYSDOT including design review.

(11) Acceptance of a permit by the applicant shall constitute an agreement by the applicant, notwithstanding any other provision of law, to assume all liability for any loss, cost, damage, or harm arising out of or relating to the installation, operation or maintenance of its facility and to the presence of its facility in the controlled access right-of-way. Further, acceptance of a use and occupancy agreement shall constitute an agreement by the applicant to indemnify and hold harmless the State of New York, its officers, agents, and employees from all loss, cost, damage, and harm, including attorney's fees, arising out of or relating to the foregoing. This permit shall not be effective unless accepted and approved in writing by the State.

## **IX. APPLICABLE FEDERAL AND STATE LAWS, REQUIREMENTS AND POLICIES**

NYSDOT Engineering Instruction (EI) 96-027

[www.nysdot.gov](http://www.nysdot.gov) .

This EI is based on Chapter 361 of the Laws of 1995 amending the NYS Transportation law by adding a new §20, "Nighttime work on major capital construction projects on highways, expressways and parkways".

23 CFR 645

23 CFR 771

Title 23, USC Chapter 1, Section 111

NYS Finance Law, Section 112

NYS Highway Law, Sections 10(24) and 10(24-b)

NYS Highway Law, Section 52

NYS Transportation Corporations Law

NYS Transportation Law, Sections 13 and 16

NYS General Obligations Law, Section 11-102

Title 17 Part 131 NYCRR

Title 17 Part 15 NYCRR

NYSDOT Manual of Uniform Traffic control Devices (MUTCD)

## **X. NYSDOT RIGHTS-Of-WAY REQUIREMENTS**

Pursuant to NYS Transportation Law, Sections 13 and 16, NYSDOT has established rules and criteria to approve the use of rights-of-way under their jurisdiction. The instrument typically used to allow the use of NYSDOT rights-of-way is a Use and Occupancy Agreement. If the value of this property is in excess of \$15,000, the use must be approved by NYSDOT Executive Management, the Office the NYS Comptroller - and the NYS Attorney General.

## **XI. HIGHWAY WORK PERMIT REQUIREMENTS**

Any work, including installation, maintenance and upgrades of utility facilities, within a state highway right-of-way requires the issuance of a highway work permit pursuant to Highway Law Section 52. The forms and requirements are described as follows.

There are various options available to a municipality or public service corporation/public authority to provide insurance through an Undertaking Agreement.

Undertakings are described in Title 17 Part 127.2;

"Any municipality may pay the insurance fee or may furnish one policy of protective liability insurance annually, and one policy or endorsement of completed operations liability insurance annually as may be required; and public service corporations may comply in like manner or they may furnish the usual form of undertaking that provides full indemnification for the State without specifying amount of coverage."

The following forms are typically required for the types of requests discussed in previous sections of this document. Pertinent information about each form is included.

PERM 17 (11/05) - CERTIFICATE OF INSURANCE FOR SPECIAL HAULING, DIVISIBLE LOAD OVERWEIGHT, AND HIGHWAY WORK PERMIT INSURANCE REQUIREMENTS

- This is to be prepared by an insurance agency or insurance company.
- This PERM needs to be filed and kept current with the Permittee's information and submitted to:  
NYS Department of Transportation  
Central Permit Office  
50 Wolf Road  
Albany, NYSDOT 12232

**PERM 32m (2/00) - HIGHWAY WORK PERMIT APPLICATION FOR UTILITY WORK AND ANNUAL MAINTENANCE PERMIT**

- This form is to be prepared by the permittee for work to be performed. Applications should be submitted to the Permit Engineer in the appropriate Region.
- Authorized subcontractors, acting as agents of prime contracts, under the permit to the Prime Contractor, are bound by the agreements of the prime contractor. If, however, both parties are named as co-permittees, they have equal responsibility and NYSDOT requires a PERM 17 from BOTH parties.
- After construction is complete, the PERM 32m should be completed under the Maintenance/Annual type of operation to perform any maintenance of existing towers/utility poles. New construction/installations cannot be performed under the annual permit; they require an individual permit for original installation.

**PERM 36 (2/06) - ATTACHMENT TO HIGHWAY WORK PERMIT FOR MAJOR PROJECTS .**

- The NYSDOT requires the permittee to provide a consultant to inspect the permit work when the duration, of the work, is three or more days. The inspector is intended to act as the NYSDOT's agent on the work site. When a consultant inspector is provided PERM 36 should be completed.
- PERM 36 is to be completed and signed by the Permittee and the consultant providing the inspector/so . .

**PERM 41-d (4/88) - METHOD OF PERFORMING WORK WITHIN THE STATE RIGHT-OF-WAY**

- Provides general conditions as well as design and construction method requirements for installation.

**PERM 44e (8/01) - SURETY BOND (PERFORMANCE) .**

- The NYSDOT requires the Permittee to provide a bond or letter of credit to ensure and guarantee the timely and workmanlike completion of work undertaken with a Highway Work Permit.

**PERM 51 (11/90) - PAYMENT AGREEMENT FOR HIGHWAY WORK PERMITS DESIGN REVIEW**

- The permittee will be billed on a periodic basis for the costs incurred by the NYSDOT to process a highway work permit.

**PERM 50e (9/93) - INSPECTION AND/OR SUPERVISION PAYMENT AGREEMENT FOR HIGHWAY WORK PERMITS**

- The permittee will reimburse the NYSDOT for inspection and/or supervision of any permit work by NYSDOT employees which exceeds one hour of work on a highway work permit. ‘

**PERM 52b (/93) - INSPECTION AND/OR SUPERVISION PAYMENT AGREEMENT FOR HIGHWAY WORK PERMITS FOR PUBLIC UTILITY COMPANIES**

- The permittee' will reimburse the NYSDOT for inspection and/or supervision of any permit work by NYSDOT employees which exceeds one hour of work on a highway work permit.

**,XII SPECIAL HAULING PERMIT REQUIREMENTS**

Many utility projects require equipment or materials to be delivered to project locations which require special hauling permits. For additional information, see the following website: [www.nypermits.org/](http://www.nypermits.org/). A Complete Plan Submission for a special Hauling Permit must include in detail the following:

- PERM 17 (11/05) - CERTIFICATE OF INSURANCE FOR SPECIAL HAULING, DIVISIBLE LOAD OVERWEIGHT, AND HIGHWAY WORK PERMIT INSURANCE REQUIREMENT

- Delivery Plan
- Cable Pulling Plan
- Pick Plan
- Maintenance and Protection of Traffic Plans (M&PT)
  - o Detours schemes for night delivery
  - o Shoulder closure and temporary concrete barrier schemes that will remain in place until reels are emptied and pulling and cradles are removed.
- Site details for temporary staging area for each ‘pit location (i.e., limits of vegetation removal, details for cut and fill areas for level working pads, placement of Recycled Concrete Aggregate (RCA) bedding, erosion controls etc.) necessary to safely support dispensing operation equipment in soft shoulder.

### **XIII. ATTACHMENTS**

- 2006 Lobbying Laws
  - o Offerer Disclosure of Prior Non-Responsibility Determinations
  - o Offerer’s Affirmation of Understanding ‘of and Agreement pursuant to NYS Finance Law § 139-j(3) and § 139-j(6)(b)
- Use and Occupancy Agreement (ROW 75n (10/06))
- Highway Work Permit Forms
  - o PERM 17 (11/05)
  - o PERM 32m (2/06)
  - o PERM 36 (2/06)
  - o PERM 41-1d (4/86)
  - o PERM 44e (8/01)
  - o PERM 50e (9/93)
  - o PERM 51 (11/90)
  - o PERM 52b (9/93)

6/20/07

11/15/12

5/8/15

*{end of 20150804-5100}*

### **20150804-5103**

Richard Crane, Groton, MA.

I am writing you regarding the Northeast Energy Direct Project.

In February 2013, Kinder Morgan (KM) and Tennessee Gas Pipeline, LLC (TGP) made several abutters aware of this project. I was not one of the abutters listed at that time even though my property was significantly impacted.

In May 2013, I informed KM and TGP that I was impacted. They told me that I was not impacted.

In October 2013, KM and TGP informed me that I was an abutter to the project. This is the first (and only) correspondence that I have ever gotten regarding the pipeline and its potential impact to me.

In December 2013, KM and TGP informed the public that they changed the primary route to be along existing utility lines through Massachusetts and New Hampshire. Their reasons were to minimize the impact to residents of New England. We agree that the current route along existing utility lines through Massachusetts and New Hampshire achieve this goal.

We have not heard anything from KM or TGP since October 2013. Our understanding is that Kinder Mor-

gan has abandoned the originally proposed route for a new route which minimizes the number of people affected. Their lack of communication with us regarding the impact to our property is a clear indication that they abandoned the original route.

What is known is that the original route goes through densely populated areas including neighborhoods, churches, schools, playgrounds, farms and much more. The new route minimizes the impact to populated areas greatly.

I am against the pipeline project because I do not believe it is of any interest to the people of New England and Massachusetts. However, if it is approved, I request that you keep the route that goes along existing utility lines in Massachusetts and New Hampshire to minimize the impact to populated areas.

Rich Crane  
Groton, MA

**20150804-5150**

Kristin McCullen, Averill Park, NY.

August 4, 2015

Federal Energy Regulatory Commission

Kimberly D. Bose

888 First Street NE, Room 1A

Washington, D.C. 20426

PF14-22

To whom it may concern:

As a concerned parent and a resident of the beautiful town of Nassau, I urge you to help us put a stop to Kinder Morgan's proposed pipeline project.

In December 2014, Governor Andrew Cuomo announced his decision to ban fracking in NYS based on health concerns. Studies have shown chemicals such as Methane, Radium and Formaldehyde can be emitted into the air and ground, potentially putting the public's health in jeopardy. Transporting fracked gas is just as dangerous as drilling but transporting the gas is still legal and needs to be stopped for the same reasons.

Recently, Kinder Morgan has proposed installing a pipeline and a 90,000 horsepower compressor station to transport fracked gas into Canada. The pipeline will travel through our quiet, serene, wholesome town of Nassau and into Massachusetts and New Hampshire ending in Canada, where the gas will then be exported. While I am uncertain of the locations in Massachusetts and New Hampshire, here in New York the compressor station, as well as the pipeline, will be in close proximity to homes, farms, lakes and, most importantly, children playing in their backyards – my children to be exact.

I am deeply concerned with the effects the compressor station and the pipeline will have on my children, as well as our community. Compressor stations are loud; the noise is constant and very disruptive. Members of communities where compressor stations already exist compare the noise to an idling truck, which occurs twenty four hours a day, seven days a week. Compressor stations also have blow downs - the industry term given to venting or flaring natural gas during maintenance periods or in the event of an emergency. The noise from a blow down is deafening. Many compare it to ten to twelve jets taking off, which can last hours. This can happen any time during the day or night. I fear it will keep my children up at night. Lack of sleep can effect a child's behavior, may lead to weight gain and negatively impact school grades. All children deserve a chance for a bright future and this may limit their chances. What studies have been done to prove compressor stations and pipelines do not have a negative impact on children's physical development, emotional development, and behavioral development, as well as education/ learning disabilities?

Another leading concern is air pollution. I am worried about the health effects from air emissions, air pol-

lution and the VOCs that will certainly impact our community. As you may or may not know, fracked gas carries hundreds of chemicals some of which are cancer causing carcinogens, while others are just plain awful for brain function and the human body. When the blow down occurs all of those chemicals are spewed into the air causing my family to inhale these deadly gases. Everyone, but especially children, deserves to breathe clean air. What studies have been done to prove that compressor stations and pipelines do not cause air pollution? What studies have been done to prove the emissions from the compressor station does not cause Lung cancer or any other cancers?

Children also deserve to drink clean water. All of the houses in the half mile buffer zone from the compressor station draw water from a drinking well. We do not have town treated water system. This is an utmost fear that the chemicals from the gas will be released into our drinking water. We will not only be inhaling these chemicals, we will be ingesting them as well. What studies have been done to prove that drinking wells adjacent to pipelines and compressor stations are clean and chemical free? How will we know if our water is safe to drink? Will Kinder Morgan or FERC pay for monthly water testing? One of the reasons we choose to live in a zoned rural residential area is to keep our children away from industrial fumes and pollution. In case you were unaware, Nassau is zoned rural residential.

Another sizable concern of mine is the value of our homes. How much will our homes devalue if the pipeline and compressor station is built in our community? I think I speak for the majority of our community when I say – WE HAVE WORKED HARD FOR OUR HOMES. WE HAVE SPENT COUNTLESS HOURS AND A LOT OF MONEY TO BUILD, MAINTAIN AND UPDATE OUR HOMES. WE HAVE SPENT COUNTLESS HOURS AND A LOT OF MONEY TO KEEP THESE HOMES SAFE HAVENS FOR OUR CHILDREN. If this compressor station is built here our homes and children are no longer safe.

My last concern is the safety of the pipeline/compressor station. I live within the half mile buffer zone, which means if the compressor station/pipeline explodes all of the houses and families within that zone explode with it. This is extremely frightening to me and my children. How is putting a pipeline right next to power lines safe? If for any reason there is a gas leak the power lines/spark will act as an igniter. I can't even tell you how many times throughout the year a tree falls on the power line causing the line to spark. We live in the northeast where in the summer there are nasty storms bringing down trees and in the winter the snow and ice bring down trees or the lines just cannot handle the weight from the snow and ice. If there is a gas leak when that spark happens...kaboom. Placing the pipeline underneath or anywhere near the power lines does not seem logical. What studies have been done to prove this is the safest place to put a pipeline? In addition, what plans have been created to make sure the fire can be extinguished so our houses can be saved? We all know water and gas don't mix well, how will the fire be extinguished or will the fire just burn?

The pipeline and the compressor station are putting unnecessary risk to me, my family and my community with absolutely nothing to gain. Will there be any benefits to us? What is Kinder Morgan's incident rate? Has anyone other than Kinder Morgan looked into how many incidents occur each day, month or year?

I ask you to please consider denying Kinder Morgan's proposed pipeline project. This pipeline/compressor station will ruin the quality of life in our small upstate community. Would you want your family to live in close proximity where fracked gas is being transported? Would you want to endanger your child knowing that the pipe could explode at any given time? Would you want to breathe air filled with Methane, Radium and Formaldehyde? Would you want to drink water filled with cancer causing carcinogens? Would you want your home to devalue? Please help the people of Nassau; please stop Kinder Morgan from ruining our beautiful community.

Thank you for your help with this matter.

Respectfully,

Kristin McCullen  
10 Millers Corners Road  
Averill Park, NY 12018

20150805-0009

Pony Sanctuary  
PO Box 371  
New Ipswich, NH 03071  
Sanctuary: 603-291-0424  
villioonifarm&me.com

“Preserving the future, one Newfoundland Pony at a time.”

Ms. Kimberly D. Bose,  
Secretary Federal Energy Regulatory Commission  
888 First Street NE  
Washington, DC 20426  
Docket No. PF14-22-000

Ladies and gentlemen,

My name is Emily Chetkowski. I represent Villi Poni Farm, a federally qualified charitable organization, a sanctuary for the critically endangered Newfoundland Pony. There are only 250 breeding ponies of this protected native species left in the world. We are a designated safe haven for a breeding herd of those ponies, ponies who are key to the recovery of this breed that was nearly exterminated at the hands of uninformed people. Our mission is to protect and repopulate the breed while educating the public.

This preserve is located less than 1 mile from the New Ipswich compressor. Our board of directors as well as the entire Newfoundland Pony breeders community and rare breed specialists world wide are against Kinder Morgan’s plans to locate the pipeline, especially the compressor, anywhere near the sanctuary. These are our reasons:

- In a compressor emergency/accident, evacuations occur in a one mile radius or more. Not only are the ponies at risk but we are unable to evacuate a entire herd in an emergency.
- One rare line breeding stallion, due to a disability, we have no way to evacuate.
- Emissions from the compressor are known to cany elements that are toxic to livestock within a 2 mile radius, causing neurologic, gastric, respiratory issues as well are infertility, sterilization, and death. Compressors have been found to cause more toxic damage than Frecked gas wells. They have been labeled as the worse pollutant in the entire Gas infrastructure. This puts our herd in even graver danger.
- Our breeding program includes bloodlines no longer found anywhere else in the world.
- We cannot take risks, we cannot take someone’s word that they will be safe. You cannot guarantee their safety. Money cannot replace any losses. Once the genetic material is gone, it is GONE, forever.
- We are one of two conservation breeders of the Newfoundland pony in this country and the only registered charity sanctuary in the world. Right nqw we are the only active conservation program, our efforts have a significant impact on the entire breed.
- However, with this new threat, we cannot knowingly risk our mares, therefore NO breeding will take place.
- Our Apprentice Steward program that cultivates local conservation homes for the foals we breed, is therefore also on hold.
- Our Equine Assisted Learning program that offers programs on Anti-bullying, Anti-drug, Leadership programs to name a few, has also been put on hold. Parents have told us they will not bring their children here, being so close to the compressor.
- The threat of this compressor has already impeded both our short and long term planning. We cannot grow our future and our sustainability has already been compromised.

- Basically, the Compressor and the Newfoundland Pony cannot coexist. We cannot stay here yet by what means can we leave? We are financially entrenched to this location.
- This is a HUGE environmental issue. Members of FERC, you have a responsibility to ensure mitigation of impact. The future of this preserve and its mission to save the pony is now in your hands.

Sincerely,

Emily Chetkewski

Villi Poni Farm, Newfoundland Pony Sanctuary

**20150805-0013**

Hand written card, Lisa Derby Oden, 6 Upper Pratt Pond Rd, New Ipswich, NH 03071, opposing

**20150805-0014**

Hand written card, Karl Pruter, 28 Jowders Cove Rd, Rindge, NH 03461, opposing

**20150805-0015**

Hand written postcard, Yvette Fortier, Tennis Plaza Road, Dracut, MA 01826, opposing

**20150805-0016**

Hand written card, Karen Miller, 1? Ashburnham Rd, New Ipswich, NH 03071, requesting seismic study of Southern NH, more time to review studies and Scoping Meeting in New Ipswich.

**20150805-0017**

Hand written card, Linda Sutherland, 32 Peacock Brook Lane, Amherst NH 03031, opposing

**20150805-0018**

Hand written card, Jutka Varhogyl, PO Box 49, New Ipswich, NH 03071, opposing

**20150805-0019**

Hand written card, Susan Duhamel, 83 Greenbriar Rd, New Ipswich, NH 03071, opposing

**20150805-0021**

Hand written card, Victoria Elson, 40 Fort Hill Terrace, Northampton, MA 01060, opposing

**20150805-0022**

Hand written card, Diana Ziegler, General Delivery, Lee, MA 01238, opposing

**20150805-0023**

Hand written card, Barbara A. Bell, 26 Luz Dr, Lowell, MA 01854, opposing

**20150805-0024**

Hand written postcard, Yvette Fortier, Tennis Plaza Road, Dracut, MA 01826, opposing

**20150805-0025**

Hand written card, Susan Wright, 61 South Mountain Road, Northfield, MA 01360, opposing

**20150805-0026**

Hand written letter, 4 pages, William R. Kilpatrick, 166 Gulf Rd, Northfield, MA 01360, opposing

**20150805-0034**

July 30, 2015

Kimberly D. Bose  
FERC  
888 First Street NE  
Room 1A  
Washington, DC 20046

Reference: Docket PF 14-22

Dear Ms. Bose,

We the undersigned our writing as a result of learning that the property where we live and call home is now threatened by the Kinder Morgan Northeast Energy Direct (NED) Project. Our home provides shelter to six individuals ranging in age from 4 to 90. All six of us are at risk of losing the land (and possibly home) we love as a result of NED.

We purchased our property due to its beauty-the flora and fauna. We definitely cannot be characterized as “tree huggers” ut we love the trees and the wildlife. We see so many different animals and just this week learned that the bear we call “the Timbertop bear” now has a cub. We could fill these pages with all that we love about our home and our land, but understand that FERC really is only interested in the environmental impact, based on the recent hearing on 7-16-2015 in Oneonta NY, where paul Friedman, the Federal Energy Regulatory Commission’s project manager for the Kinder Morgan, Tennessee Gas pipelines “Northeast Direct” project (NED) stated that he “didn’t hear any comments about the environment”. So we will attempt to keep our comments in this letter solely based on the environmental impact of NED on our home and land.

Our property was purchased with two easements. The first easement was in regards to the power lines. These lines run parallel to our property line, but are unseen from our home due to the beautiful hardwoods that surround our property. If the NED project is successful, this statement will no longer be true, as the tree line will be destroyed in order to provide for the pipeline. Our home would have no barrier between the building and the power lines.

The second easement is a conservation easement, which we gladly welcomed when purchasing the property. Even though this easement limits what we may and may not do with our land, we understood the importance to protect the fragility of our surroundings. We purchased this home because we loved the environment, an environment now threatened by the NED project.

We cannot understand nor comprehend how a publicly traded partnership (that due to tax loop holes pays no tax), can take land (land for which we have timely paid all property tax as required) —and take this land against our wishes.

Our naivety in thinking that our Government would protect us now appears laughable. The educational journey we have been on since learning of the NED project has shown us how our Government has allowed other private companies to take land for Corporate profit. We are convinced that the NED project will not benefit us or our neighbors. We are told that if this pipeline goes through, it is recommended that we annually perform a comprehensive test of our well —a test that is quite expense and for which we will need to pay. We have been told that our mortgage company can call our mortgage as our property is now being used for commercial purposes. We are told that our homeowners insurance may skyrocket or be cancelled.... But back to the environment.

We are convinced that Kinder Morgan will not uphold the conservation easement on our property, but that they will propose alternatives that may or may not effectively protect the fragile environment the conservation easement was put into place to protect. Past performance is indicative of future behavior. Based on

Kinder Morgan's past record, they will not protect the land that we love. We cannot find any guarantees that Kinder Morgan will protect the environment as their application is riddled with so many "to be determined"; we cannot assess the viability of how they propose to protect the environment as their application is essentially incomplete.

please use your influence to deny Kinder Morgan's Northeast Energy Direct project, as the environmental impact far outweighs the benefits this project will provide to the landowners and residents of New Hampshire.

Sincerely,

Thomas J. Thompson  
Neal A. Beauregard

Vivian A. Smith-Thompson  
Whitney A. Beauregard

Norma J. Thompson  
Brooke A. Beauregard

### **20150805-0035**

Karyn Burritt  
155 Moran Rd  
Temple, NH 03084

July 1, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426

RE: FERC docket number PF14-22

Dear Secretary Bose:

In regard to the proposed Kinder Morgan/TGP natural gas pipeline, when is FERC going to hold its Scoping meetings in the towns of New Ipswich, Temple, Greenville, and Mason, NH?

All of these towns would be affected by the potential compressor station.

### **20150805-0036**

July 23, 2015

Ms. Kimberly Bose  
FERC  
888 First Street  
NE Room 1A  
Washington, DC 20426

Dear Ms. Bose,

I am writing to let you know of my opposition to the Kinder Morgan Pipeline project, Docket PF 14-22.

As a resident of Pelham, I am most specifically worried about the potential of the pipeline to cause pollution to our underground well water. While the pipeline will not go through my property or neighborhood, I am "down river" of many of the areas proposed to host the pipeline. The underground water flow requires further study. Chemicals used to protect the pipeline could leach into my well water, and that of my neighbors and the entire town. The town is not prepared to provide water to individual homes, and my dependence on my well is paramount. I have 2 children and a dog - will they be harmed by drinking our tap water? Will my husband or I?

I am also concerned by the potential of an accident - will an accident also affect my well water? "Incineration Zone" sounds like it might have the potential to destroy my source water.

I require assurance that this project will not wreak havoc with my water sources. Water is becoming a commodity in today's world, almost as much as energy, and the cavalier potential threat to my water sources is

unacceptable.

There are other renewable energy sources that can be used to provide energy to our area, without the potential environmental damage of the Kinder Morgan project. please give the potential environmental damage your full attention. The threat to our health, to the health of our families and community is worrying, and avoidable.

Please say “No” to the Kinder Morgan proposal. Please use your influence and position to encourage planning and investment in renewable energy sources.

Thank you for your attention to this matter.

Sincerely,

Anne Bodenrader  
82 Wyndridge Circle  
Pelham, NH 03076

**20150805-0037**

July 30, 2015

To Whom it may concern:

I am writing to appeal the pipeline coming to Richmond, NH.

We are a rural community whose land rights, values, environmental impact and safety are of great concern.

We wish to express our shock and frustration over the planned pipeline installation and respectfully request that you to stop all efforts to install any pipelines here.

Thank you,

Katharine Bednar

**20150805-0039**

**Town of Warwick  
Planning Board**

12 Athol Road  
Warwick, MA 01378

August 31, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

Re: Tennessee Gas Pipeline Company, L.L.C., Docket No. PF14-22-000

Northeast Energy Direct Project (“NED Project” )

Hearing July 29, 2015 in Greenfield, MA

Dear Chairman Bose:

Your staff and the stenographer are commended for their good humor, endurance and poise at the July 29, 2015 FERC Hearing in Greenfield, MA for the NED project. It was one of the hottest days of the Summer, the 700 seat auditorium was at capacity and there was no air conditioning and no wind. The conditions were brutal. Your staff started with sign-ups at 5:30PM and the hearing started at 6:00 PM. I had intended to stay until the end, but the heat drove me out at 10:30PM. They were at speaker number 38. A friend was speaker number 67, and there were probably more.

Our town is strongly opposed to NED, and suspicious of FERC, and that probably will not change. However, you can be proud of the high standard of your staff at this hearing. I never expected to write a letter of

commendation to FERC, but in this case your staff deserves it.

Yours truly,

Edwin B. Cady, Jr  
Chair, Warwick Planning Board

**20150805-0041**

Tennessee Gas Pipeline Company, LLC  
1615 Suffield Street  
Agawam, MA 01001  
Via Certified Mail, Return Receipt Requested  
Date: July 20, 2015  
Re: Denying Property Access

Tennessee Gas Pipeline Company, L.L.C.

As the owner of the property located at:  
35 Firemen's Bend, Mason NH 03048

I am denying permission to the Tennessee Gas Pipeline Company, LLC (a Kinder Morgan Company), its representatives, contractors, sub-contractors, or associates to enter my land or to perform surveys, or for any purpose in furtherance of a pipeline infrastructure project. Any such physical entry onto my property from the date of this letter forward will be considered unauthorized, and treated as trespass.

Kathleen Edelblut

CC To:

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426

Re: Docket No. PF14-22-000

**20150805-0042**

Tennessee Gas Pipeline Company, LLC  
1615 Suffield Street  
Agawam, MA 01001  
Date: 7/15/2015  
Via Certified Mail, Return Receipt Requested  
Re: Denying Property Access

As the owner of the property located at:  
B-18 Mason, NH

I am denying permission to the Tennessee Gas Pipeline Company, LLC (a Kinder Morgan Company), its representatives, contractors, sub-contractors, or associates to enter my land or to perform surveys, or for any purpose in furtherance of a pipeline infrastructure project. Any such physical entry onto my property from the date of this letter forward will be considered unauthorized, and treated as trespass.

William H. Doonan  
Manager, Doonan Family LLC

HARVEY GREEN  
P.O. Box 244  
NEW IPSWICH, NH 03071

Kimberly D. Bose  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426

July 30, 2015

Dear Ms. Bose:

I am writing you concerning the Kinder Morgan proposal to construct a compressed natural gas pipeline through New Hampshire. LDocket PF 14-22) My purpose in this letter is to express my profound opposition to this project, not only because of the disruption it will cause to the lives of people living in the pipeline's path, but in the Monadnock region as a whole. It's a bad project and it's bad economic and bad energy policy.

Supporters claim that the Pipeline will be part of a regional energy policy, and that it would provide potential tax relief and more affordable energy for New Hampshire residents. But as we now know, this pipeline is primarily intended to transport compressed natural gas from Pennsylvania wells to Dracut, MA. And then to the Canadian Maritimes and to Europe, where there is demand for it (and where there is widespread existing infrastructure to support it). There is some infrastructure in New Hampshire, some dating to the time when coal gas was a light and power source. There are existing pipelines for natural gas in the State and two more that are in a much more advanced stage of planning and design than is the Kinder Morgan proposal. Bearing mind that New Hampshire exports about 50% of its natural gas production, mainly to Massachusetts, the major importer of natural gas, it is difficult to see how siting the pipeline in New Hampshire —and adding about 80 extra miles to the project—shows any benefit to New Hampshire, nor how this could justify taking lands and endangering the delicate hydrological resources of New Hampshire, nor in the end, how it makes any sense to site the pipeline as Kinder Morgan plans it. With two other pipelines in the works, there is neither need in New Hampshire, nor does this project serve the convenience of the citizenry now faced with this massive project.

Moreover, exporting the natural resources of the United States abroad is unsound economic and environmental policy, though it may show some limited advantage in US balance of payments. The latter is only a short-term gain, one that does little else to build a strong US energy policy As I understand it, there is a group of Senators formally questioning this sort of use of US natural resources. I applaud their efforts and hope that FERC will take this matter very seriously.

This project is especially troubling because it does not seem to account for the economic and cultural costs to the affected citizenry. This project has already had a negative impact on the lives of people in or near the path of the pipeline. People with houses on the market have seen interest in their homes disappear. I live in New Ipswich. The Town Office here reports that realtors and potential homebuyers have been calling with questions about the pipeline. Realtors report that potential buyers have cancelled their appointments to be shown a house here because of the pipeline. The long-term downward pressure on the housing market will also be felt in tourism, which will suffer if this mammoth project gets underway.

The arguments in favor of the pipeline are also disturbing because they assume that a coherent energy policy in the region would include burning natural gas to produce electricity as well as heat But burning natural gas to produce electricity is an impractical direction in which to turn because there is little infrastructure to do that in these parts. And it is especially unwise to turn in that direction when there are viable alternatives at hand, ones that are environmentally wiser and that are renewable and cleaner than natural gas. Specifically I mean hydropower from Canada, here called the "Northern Pass." There is some controversy here concerning the cutting of trees for the right of way, but the details of the transmission across the North Country

can be worked out. The disruption of the forests—trees cut and high-tension lines strung through forests—is a much less intrusive and environmentally destructive process than a huge underground pipeline trench and tunnel that Kinder Morgan proposes. And Northern Pass in no way threatens the water resources of the State, as Kinder Morgan’s project will. They promise mitigation for environmental damage, but there is no mitigation possible if an aquifer is contaminated or if the geological substrate is disrupted (by blasting or leakage). Drilled wells (the most common form here) disappear or are rendered permanently contaminated by such construction events. Anyone who knows anything about hydrogeology knows this—and so does Kinder Morgan, though one would never know it from the 6500+ study, released January 24.

I write this as a committed environmentalist with a long track record teaching environmental history, as an author of a major historical and environmental work (*Wood Craft, Culture, History*, 2006), thirteen years on the New Ipswich Conservation Commission, a long-time supporter of the Society for the Protection of New Hampshire Forests, and the Monadnock Conservancy. I was a consultant on the biography of John Muir for PBS series, *The American Experience*. I believe, as did Theodore Roosevelt, Gilford Pinchot, John Muir and other conservationists, that the forests and wilderness areas must be managed for the long-range health of the planet and its peoples. Opting for natural gas when hydropower is available just doesn’t make sense. And we haven’t even discussed solar and wind power.

My other major area of professional expertise for nearly forty years is in Cultural Resources Management, a term with which I am sure you are familiar. It’s what undergirds the work of the National Park Service, the Bureau of Land Management, and the Forest Service, among other Federal agencies. I have written, evaluated, and read many environmental impact statements and been a consultant for many projects that involved cultural resources, including historic and archeological sites, architectural history and historic preservation. I have so far examined in detail only these areas of the latest Kinder Morgan report.

The problem of Kinder Morgan’s proposal in even this limited examination is that it contains almost no information. Not only is the acronym “TBD” ubiquitous, what passes for information and analysis of cultural resources and the impacts of the project is either incomplete, reliant on very old and limited reports, or irrelevant. This work is sloppy and so obviously thrown together quickly that it makes the rest of the report suspect.

At last night’s meeting in Nashua, New Hampshire the audience was advised to allow Kinder Morgan surveyors on their land so that FERC can know what resources are on each parcel. Do these survey crews know anything about historical, archeological or any other cultural resources? Having taught at a university with a strong civil engineering program, I can tell you in no uncertain terms the answer to that is little or nothing. And who pays the surveyors? Kinder Morgan and/or Tennessee Gas. How can anyone know or even believe they can or will be objective? Town officials in Merrimack reported that Kinder Morgan refused to allow town officials to be present when surveyors did their work. Now why would they do that? Only someone born yesterday could not answer that question.

Furthermore, Kinder Morgan’s safety record is highly suspect. All of this is well documented in Federal agency oversight documents, and in media such as the *Wall Street Journal* and *New York Times*. I assume you have this information at your disposal.

Finally, there is this: Massachusetts, which stands to benefit more than any other state in New England from the pipeline, stopped it in their state. State officials from the governor down opposed it. The wealthier towns (Groton, Concord, etc.) in the path of the Massachusetts proposed path threatened legal action. You will note, I am sure, that Kinder Morgan has carefully avoided Vermont, and the wealthy towns in Southeastern New Hampshire. But it’s OK for the hayseeds and the poorer towns such as New Ipswich, Mason, and Rindge? Kinder Morgan’s proposal has the sulfurous odor of class snobbery and the notion that they can sell their wares to the clowns of New Hampshire, aka “Cow Hampshire” as the state is known in some quarters in Massachusetts. I know about that, having taught for 25 years at Northeastern University in Boston. This pipeline proposal is freighted with the danger of leakage and explosion, the blowing of the excess methane (polluted with benzene and toluene from the fracking process) and the absurdity of planning an underground

pipeline through a state full of granite ledge. They seem oblivious to dramatic effects their pipeline will have on the towns through which it proposes to pass, not least of which are the liabilities towns will face as the health and safety effects of the pipeline take their toll on residents. When asked directly they are unable to speak about the security issues and emergency preparedness issues that will face all the towns in the pipeline's path. I interpret this behavior not as a sign of ignorance or incompetence on Kinder Morgan's part, but as a sign of arrogance —that this is some sort of "done deal." This, I think, cannot be the case, since it would make a mockery of FERC's mission and the good work you do.

There is neither need nor convenience demonstrated in this proposal. Kinder Morgan's behavior—as opposed to their words—demonstrates that they are unfit to undertake this project in a manner that protects either environmental or cultural resources. Their actions reveal a cavalier attitude toward due process and equal treatment under the law. On those latter grounds alone this siting and proposal should be denied. The former grounds should leave no doubt. Should the FERC commissioners approve this project I have no doubt that a court battle will ensue.

I am grateful for this opportunity to comment on this proposal. I wish you all good luck in what I understand is both an important and difficult process.

Sincerely,

Harvey Green  
Emeritus Professor of History  
Northeastern University  
Boston, MA

**20150805-0044**

**NRPC**

**Nashua Regional Planning Commission**

July 30, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

RE: Project Docket Number: PF14-22~

REQUEST TO EXTEND COMMENT PERIOD through October 23, 2015

Dear Ms. Bose:

The proposed Northeast Energy Direct (NED) project will directly impact eight of the 13 member municipalities served by the Nashua Regional Planning Commission (NRPC) including Mason, Brookline, Milford, Amherst, Merrimack, Littlefield, Hudson and Pelham New Hampshire. For the NRPC region as a whole, the NED proposal represents a significant expansion of gas pipeline infrastructure through relatively rural and undisturbed landscape, including significant environmental resources and residential areas.

On July 24, 2015, Kinder Morgan/Tennessee Gas submitted updated draft Environmental Resource Reports to the FERC docket. It is critically important for NRPC and its member communities to review and understand these documents so that they may provide valuable input to the FERC pre-filing process. NRPC's Commissioners will convene on September 16, 2015 to revisit issues relative to the NED, and they need adequate time to synthesize all available information. For these reasons, I ask that the previously established comment period be extended through October 23, 2015 to allow more time for review of this information in order to more fully assess potential impacts associated with NED. Further, additional scoping meetings should be held to allow the public more opportunity to address the additional information.

An effective and transparent environmental process must allow all parties adequate time to review the

significant volume of information which has been filed, some of which was made available only days ago. NRPC echoes the collective position of the Southwest Region Planning Commission that a comment deadline of August 31, 2015 does not represent sufficient time for agencies like NRPC and the communities we serve to provide thoughtful and detailed comment. NRPC respectfully requests that the public comment be extended to close of business on Friday, October 23, 2015.

Thank you for the opportunity to provide input.

NASHUA REGIONAL PLANNING COMMISSION

Tim Roache  
Executive Director

cc: US Senator Jeanne Shaheen, US Senator Kelly Ayotte, US Congresswoman Ann McLane Kuster,  
US Congressman Frank Guinta, NH Governor Maggie Hassan, NRPC Commissioners

**20150805-0047**

**TOWN OF CONWAY, MASSACHUSETTS  
BOARD OF HEALTH**

5 Academy Hill Rd.  
P. O. Box 240  
Conway, Ma 01341

Phone: (413)369-4235 Ext. 8  
Fax: (413) 369-4237

Email: [boardofhealth@townofconway.com](mailto:boardofhealth@townofconway.com)

July 27, 2015

Norman Bay, Chairman  
Kimberly Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE  
Washington, DC 20426

RE: Docket 1PF1422

Dear Chairman Bay and Secretary Bose,

The Board of Health of the Town of Conway, Massachusetts hereby submits this letter as part of the proceedings under this docket.

The Town's Pipeline Task Force is in the process of preparing comments to submit as part of the scoping hearings and have noted, the lack of complete and clear information regarding details of Kinder Morgan's proposed Tennessee Gas NED pipeline that would bisect our Town.

Kinder Morgan released a revised Draft Environmental Report (Resource Reports 1 through 13) and Project Scope Update of Tennessee Gas Pipeline Company, L.L.C. under PF14-22 on Friday, July 24th. We understand that the revised reports contain new information that would significantly and substantially impact the town of Conway. The areas of concern to the BOH include air and water quality, noise, public safety and emergency response.

We are writing to support the requests of Senator Stan Rosenberg, the Massachusetts Association of Conservation Commissions, and The Northeast Municipal Gas Pipeline Coalition to extend the deadline for written and electronic comments.

Specifically, we request that the deadline for written and electronic comments be rescheduled to September 30, 2015 to allow for an appropriate and careful review of the proposed project.

Thank you,  
Sincerely,

Carl Nelke  
William McLoughlin  
Ann Gibson  
Marie Iken

cc: Governor Baker, Senator Rosenberg, Representative Kulik, Senator Downing, Attorney General Healy, Senator Warren, Congressman Neal

## 20150805-4002

From:  
Sent: Tuesday, August 04, 2015 5:12 PM  
To:  
Subject: Call

A gentleman called in today concerning PF14-22-000 Kinder Morgan Northeast Energy Direct Pipeline Project.

The public comment period is coming to a close on August 31st, I would ask that the commissioner consider extending that date in light of the fact that Kinder Morgan did a complete project re-write project 6,500 page document last week.

It changed the project significantly, there are tremendous amounts of information to be determined, and sections are being withheld.

Fred Nuffer

## 20150805-5001

Louise . Delehanty, Pelham, NH.  
Dear Secretary Bose,

I am writing in response to those who would call me a “NIMBY”. I am proud to be thought of as such. As a NIMBY I possess the following characteristics:

1. I do not want the NED Pipeline in my back yard (Not In My Back Yard) because my trees will be cut down and my land dug up.
2. I do not want the pipeline in my backyard (NIMBY) because the wildlife I love (birds, deer, fox, chipmunks, etc.) will die (be killed) after their habitats (homes) are destroyed.

Aside, for the FERC, please know that Kinder Morgan is aware (or doesn't want to recognize) that I have endangered and threatened species on my land in Pelham, New Hampshire. These include the NE Cottontail, Blanding's Turtle, Northern Black Racer, all of which were sighted, with photos and locations registered through the New Hampshire Reptile and Amphibian Reporting Program.

I am a “NIMBY”.

3. My well water will be poisoned by hazardous materials, such as asbestos, a by-product of machinery and materials used to devastate our lands due to digging a trench for the pipeline. Is asbestos still allowed in any phases of construction today?
4. My home will be devalued. Insurance non-existent. Who would want to buy a home abutting the pipeline? Maybe the non-NIMBY. That person thinks it's ok to have a pipeline on THEIR property and to happily accept the fact that you are in constant danger of explosions, pollutants, and accidents along the pipeline route. What about living in the incineration zone? That non-NIMBY must believe it's ok to have a company reap huge profits for gas that will not benefit New Hampshire.
5. Please FERC Commissioners, have Kinder Morgan build the pipeline where the proponents want it--on THEIR property!
6. Last, my husband and I worked a combined total of 73 years, retired to a home we love, hoping for a

tranquil way of life. We, and thousands of other “NIMBY”s are men, women, parents, children, and grandparents. We are citizens of America who face a horrendous project, Docket #14-22-000. We oppose this project and are called “NIMBY”s.

I hope the FERC Commissioners are “NIMBY”s at heart.

I am proud to be a “NIMBY”>

If you oppose this NED project, please let the FERC know that you, also, are a “NIMBY”.

Thank you.

Louise Anne Delehanty

## 20150805-5017

Lies, Damned Lies and Statistics

Periodically FERC hosts an “Interagency Pre-Filing Conference Call” that includes a rotating roster of FERC staff and contractors, Kinder Morgan staff and contractors and members of a variety of other NED-affected services, commissions, bureaus, etc. The purpose of these calls is to allow Kinder Morgan to report on the current NED pre-filing status. Reports of these conference calls are then filed with FERC, though the filings happen weeks after the calls themselves are completed. One statistic typically reported on these calls is the percentage of landowners who have given survey permission to Kinder Morgan.

Having had my own property directly threatened by the earlier NED route through Massachusetts, I’ve always paid close attention to this survey approval statistic. My own feeling is that denying survey permission is one of the few ways available to send a direct message to Kinder Morgan (and hopefully to FERC) for them to please withdraw from New England and to take their pipeline with them. I planned to fight them tooth and nail and they could stay the h-e-double-hockey-sticks off of my property.

In the report filed on May 20 regarding the April 30, 2015 conference call (<http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=13881265>), Kinder Morgan had this to say about survey permissions:

Approved landowner access is approximately:

- o Supply Path – ~51% of landowner approval
- o Market Path – ~38% approved including 23% in NH

And in the just-filed report regarding the June 25, 2015 conference call

(<http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=13947860>), Kinder Morgan reported these numbers:

Landowner survey access

- o Supply Path
  - 46% access in PA/NY”
- o Market Path
  - 20-30% access in NH and MA
  - Unknown from Wright, NY to NY/MA state line

I’ll give KM’s 20-30% estimate a value of 25%, halfway between 20% and 30%. Taken at face value, these figures indicate that the percentage of landowners who have given survey permission has decreased along the Supply Path by five percentage points (from 51% to 46%, one tenth) and decreased along the Market Path by thirteen percentage points (from 38% to 25%, fully one third).

These numbers are very significant, both statistically speaking and also for anyone following the “progress” of this pipeline proposal. Kinder Morgan’s percentages of survey approvals appear to have dropped very significantly in the months of May and June. At this rate, the approval percentages should be approaching zero when KM files their application this fall.

The possibilities that I see for explaining these changing numbers are as follows:

- KM is receiving survey denials from landowners who previously gave approvals.
- KM is conceding that they had earlier grossly under-counted affected landowners.
- KM inflated the earlier numbers, hoping to hit them before the June 25 call.
- KM is incompetent and can't be trusted to accurately make this calculation.

Note that KM is not required to make public its list of affected landowners, much less the KM collection of survey permission/denial forms – and so it is difficult to fact check their data. I have previously called upon FERC to require that KM share with FERC the verified data that supports these approval percentages. The latest (June 25) set of percentages make it appear that the earlier skepticism was justified.

At the recent FERC scoping meeting in Nashua, an elected official from Rindge, NH reported that KM counts 73 directly affected landowners in that town, but that town officials count over 150 (using the most detailed maps that KM has supplied). Such under-counting of the total number of affected landowners by KM would certainly boost their calculation of percentage of landowners approving surveys. This is a very good reason to mistrust the unverified KM percentages.

There are numerous reports of KM surveyors entering the property of landowners who have denied survey approval. This seems like a good reason to question whether KM is accurately tracking survey denials. There are also numerous reports of landowners who seem very directly affected on the most recent KM maps, but who have never been contacted by KM.

Kinder Morgan has always tried to convince the public of the inevitability of this pipeline, hoping to foster the belief that resistance is futile. But it surprised me when Eric Tomasi, the FERC project manager for NED, encouraged landowners to allow surveys during his opening remarks at the Nashua scoping meeting. The Boston eminent domain lawyer that I consulted when my property was directly threatened by NED strongly recommended that landowners not have any official dealings with Kinder Morgan or its contractors, and certainly not allow surveyors on their property. His explanation was that if you later meet Kinder Morgan in the courtroom as they are proceeding with an eminent domain taking of your land, they will use any and all information gleaned from the survey to strengthen their case.

FERC has indicated in the past that one factor that would weigh against approving a pipeline is the total of the eminent domain takings that would likely occur if a certificate of public necessity and convenience is awarded for that pipeline. I submit to FERC that the survey approval percentage is perhaps their best predictor of the extent to which takings by eminent domain will accompany an approval of the NED pipeline. And I therefore call upon FERC to force Kinder Morgan to prove that the data that this calculation is based upon is accurate.

Nick Miller Groton, MA

**20150805-5023**

**THE ANDOVER VILLAGE IMPROVEMENT SOCIETY**  
POST OFFICE BOX 5097 • ANDOVER • MASSACHUSETTS • 01810  
[www.avisandover.org](http://www.avisandover.org)

16 Apr 2015  
John T. Galvin  
NLS Contractor  
Land Agent for Tennessee Gas Pipeline Company, LLC  
1615 Suffield St  
Agawam, MA 01001

Dear Sir:

On 14 April 2015 the Board of Trustees of The Andover Village Improvement Society (AVIS) met for our

regular monthly meeting. During that meeting we discussed your request for survey permission on the following parcels:

Town of Andover, MA

LL# MA Lynnfield Lateral: 45 & 49

Map/Block/Lot: 227-39 & 227-1

In the end, the Board voted unanimously to continue to deny TGP permission to survey our land.

Sincerely,

Michael P. Timko

President

### **20150805-5090**

jason graham, Dracut, MA.

I live in Dracut, MA, where the pipeline would end and a compression station would be constructed. I would be directly impacted by this proposed pipeline and I do not want it in my town. There are no positives to this pipeline.

### **20150805-5141**

Marilyn Learner, Hollis, NH.

I am writing in response to Commissioner La Fleur's comment regarding President Obama's clean energy plan. Her comments may apply to regions that are heavily dependent on coal for electricity generation, but not New England, where the use of coal as a power source has diminished to less than 6%. The gas flow into New England may need some tweaks and enhancements, but the flood that is envisioned by the fossil fuel industry is counter productive and destructive.

Gas may be seen as a "bridging" fuel, but the challenge facing New England will not be solved by building gas "gangplanks" to the future. The challenge for New England is to move beyond gas to the next level; reducing or replacing the use of gas with hydro, wind, solar, and smarter management of our grid. Adding some gas/LNG to already existing pipelines can help accomplish the transition.

Approving construction of massive pipelines such as NED will move New England backwards, and will foster and perpetuate lopsided reliance on gas. It will significantly stall movement forward toward widespread use of renewables and smart grid technologies.

In addition, building massive pipelines implies endorsement of the destruction and pollution caused by fracking and the transmission of fracked gas. The process of fracking and the resultant waste and by-product pollutants at well-heads and in pipeline and appurtenant emissions are indisputably harmful to public health and the environment and can not longer be ignored in the calculus of national cost.

NED, in particular, offers the wrong path to New England's energy future; it will catapult New England into the abyss of more pollution and stalled innovation. It will lead toward a lopsided dependence on fracked gas for electricity and it runs contrary to the intent of President Obama's carbon reduction initiative.

New England doesn't need any more than a "footbridge" to a cleaner, sustainable energy future. That is the help New England needs, and the help that New Englanders expect!

### **20150806-0011**

July 27, 2015

Dear Congressman Guinta,

We are writing to ask that you, as our Congressman, oppose the Kinder Morgan Northeast Energy Direct (NED) pipeline. This project will bring no benefit to New Hampshire and little to no benefit to New England.

The pipeline construction process will pollute our air, contaminate our aquifers, wells and other water resources. Over 800 NH families will lose their homes and it will destroy conservation lands. It will harm the tourist industry and rural character of New Hampshire.

The proposed compressor station will be a high-pressure, 80,000-horsepower hub of toxic chemicals and deafening noise, prone to frequent “blow downs” where volatile organic compounds and carcinogenic gases are released into the air to reduce pressure on the pipeline. These gasses can travel anywhere from one to one hundred miles depending on how the wind blows and they can cause a host of health problems for people, ecosystems and water bodies on a day-to-day basis and will eventually cause ruin to all of New Hampshire.

In the event of a catastrophic disaster, any building within a half mile radius of the compressor station, including the Temple Elementary School will likely burn to the ground along with anyone nearby. Please don't let this happen!

The property values near the pipeline and compressor station will plummet and our homes and land will be worthless. What is even worse about this pipeline - no local community will reap any benefit. Help us save our homes and New Hampshire!

Congressman Guinta, please oppose this pipeline and work with us to stop this project.

Most Sincerely,

Nat & Holly Crooker

cc: FERC

**20150806-0012**

*{same text as 20150806-0011, but addressed to: }*

Dear Congresswoman Kuster,

*{same text as 20150806-0011, but addressed to: }*

Nat & Holly Crooker

**20150806-0013**

*{same text as 20150806-0011, but addressed to: }*

Dear Congresswoman Kuster,

*signature not legible*

**20150806-0014**

*{same text as 20150806-0011, but addressed to: }*

Dear Congressman Guinta,

*signature not legible*

**20150806-0015**

*{same text as 20150806-0011, but addressed to: }*

Dear Congresswoman Kuster,

We are writing to ask that you, as our Congresswoman, oppose the Kinder Morgan Northeast Energy Direct  
Roger & Joan Crooker

**20150806-0016**

*{same text as 20150806-0011, but addressed to: }*

Roger & Joan Crooker

**20150806-0017**

MARK H. BLUVER

Attorney at Law

July 28, 2015

Kimberly D. Bose, Secretary

Federal Energy Regulatory Commission

888 First Street NE, Room 1A,

Washington, DC 20216

Re: Docket No. PF14-22, TGP Northeast Energy Direct — Scoping; Alternatives dk Impacts

Dear Secretary Bose:

On June 30, 2015, the FERC posted Notice of its intent to prepare an Environmental Impact Statement (“EIS”) for the planned Northeast Energy Direct Project (“NED” or “Project”) proposed by the Tennessee Gas Pipeline Company, LLC (“TGP”). In its June 30, 2015 Notice, FERC indicated that it had scheduled “scoping hearings” and the scoping process had begun in an effort to determine if the Project is in the “public convenience and necessity.”

Having followed the public docket on this Project, I have noted the overwhelming public opposition to it from almost every Town that has considered the impact of the Project. Of course, the opposition expressed by virtually every Town or City that has considered the question is joined by a chorus of opposition from elected officials (state, local and federal), boards of health, conservation commissions, conservation groups, local farmers and citizens of all political persuasions.

Recently, as you must know, Senator Rosenberg and others have asked FERC to delay the scoping process to allow the citizens of Massachusetts, New Hampshire and New York sufficient time to analyze to most recent multi-volume filing by TGP on July 24, 2015. The Attorney General of the Commonwealth has convened an independent study group to report on the question of need. Nevertheless, FERC and TGP, seem determined to push forward even though the public has had insufficient time to review TGP’s recent filing. This decision certainly undermines FERC’s repeated assertion that its review will be “both accessible and transparent to the public.”

For the record, I am counsel to a number of landowners who are adversely impacted by the NED. Two of my clients are working farms in Western Massachusetts; one of which dates back to the French and Indian War in the 18 century and the second farm just celebrated its 100 anniversary as a working fruit farm. My other clients are homeowners who have already seen their ability to sell their houses stymied because of the proposed Project.

On behalf of my clients, I join the chorus of opposition to TGP’s Project and, specifically, request that the scoping process announced by the FERC be delayed. There is simply insufficient time to review and analyze the July 24, 2015 filing by TGP.

If FERC is to maintain its credibility, it must allow the public adequate time to review the most recent filing.

Very truly yours,

Mark H. Bluver

Law Office of Mark H. Bluver, L.L.C.  
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Fax: (413) 785-5666

**20150806-0019**

*{same text as 20150806-0011, but addressed to: }*

Dear Senator Ayotte,  
Nat & Holly Crooker

**20150806-0020**

*{same text as 20150806-0011, but addressed to: }*

Dear Governor Hassan,  
Nat & Holly Crooker

**20150806-0021**

*{same text as 20150806-0011, but addressed to: }*

Dear Senator Shaheen,  
Nat & Holly Crooker

**20150806-0022**

FERC comment form: Walter J. Pasko, 65 Bridge St, Lanesborough, MA 01237, with attached 4 page response presented at July 28, 2015, Scoping Meeting held in Pittsfield, MA

**Major Concerns About Kinder Morgan Gas Pipeline**

Walter J Pasko, 65 Bridge St, Lanesborough, Ma, 01237

Work Experience:

Worked 35 years for General Electric power transformer and Naval Ordnance Departments

Graduate of General Electric Toolmaking Apprentice Program

Early years, hands on, fabricating machine tools and equipment for GE manufacturing facility.

Graduate of UMASS Amherst, PhD - Mechanical engineering

Mid years worked in the, Advance Development Engineering section of Power Transformer manufacturing specializing in magnetic circuit design and transformer noise control.

Late years worked in the Advance Development Engineering section of Naval Ordnance department developing a prototype liquid fuel howitzer cannon in conjunction with Army Ballistic Research Lab. Activities include: hardware design and analysis, internal ballistics simulation, gun firing data analysis, and hardware failure analysis.

**Pipeline Safety Issue: Proximity to Dwellings**

The proposed Pipeline Path is located on the south side of the power line as it passes the base of constitution hill, thus placing several dwellings in close proximity to the pipeline while the north side is free of dwellings. After passing constitution hill eastward the pipeline then crosses over to the north side. A safer design would be to locate the crossover to the west of constitution hill.

The access road to the power line is also public access to private property. This unpaved road, composed of clay and gravel, is nearly impassible during the spring thaw, even under very limited traffic conditions.

**Pipeline Safety Issue: Pipe Mechanical Stress Failure from thermal expansion:**

The change in length of a piece of steel pipe a mile long exposed to a seasonal change in temperature of 70 degree is estimated to be approximately 34 inches, based on a coefficient of thermal expansion for steel of .0000078 inch per inch per degree F.

If the ends of the pipe are restrained and the pipe cannot freely contract in length with a 70 degree F sea-

sonal drop in temperature, an internal tensile stress will develop at every point along the length of the pipe. The maximum Internal tensile stress in the pipe wall under this condition is calculated to be approximately 19000 psi. This value was calculated assuming zero gas pressure in the pipe. This stress value is approximately 1/3 the failure strength of hot rolled steel. Adding the tensile stress from gas pressure will further increase the total tensile stress to possibly unsafe levels.

Because the pipeline is continuous over many miles with all section simultaneously expanding or contracting with changes in temperature, all sections of the pipeline are prevented from expanding or contracting by all the other adjacent pipeline sections making up the complete pipeline, thus in actual practice the pipeline will likely experience the 19000 psi stresses give in the above paragraph.

At Constitution Hill in Lanesborough the terrain in the pipeline path consists of two irregular ridges 1400 feet apart with a 135 foot deep valley in between. This configuration will require straight pipe sections welded to pipe elbows having relatively sharp turning angles at the two peaks and the valley in between. Each elbow configuration together with its welded joints acts as a stress multiplier, thus amplifying the already high stresses due to seasonal changes in temperature described above.

Additional stress intensification may arise in the joint area from surface cracks resulting from to hydrogen embrittlement, a normal byproduct of cathodic corrosion protection. Cyclic fluctuation in pipe temperature can lead to longer term fatigue failure from crack propagation at stress risers.

#### **Pipeline Safety Issue: Pipe Mechanical Stress Failure from Soil Frost Expansion:**

From my personal observations, annually, after most snow cover is melted in the spring the clay soil on my property is expanded vertically approximately 6 inches above the surrounding soil every year in the areas exposed to the winter air temperature, specifically along walkways and driveways cleared of snow cover throughout the winter.

The expansion of water in forming ice is virtually an unstoppable force able to break rock, lift buildings, and break buried pipes.

The proposed pipeline will pass through alternating clay soil and rock ledge, sometimes exposed to air temperatures and sometime covered with snow. Clay soil will expand upon freezing while the rock ledge will not. The effect of variable frost heaving along the length of the pipeline is of concern because of uneven frost heaving will apply a bending force upward in the areas where the clay soil expands upon freezing.

The 30 inch pipe has a 5 times greater surface area exposed to the heaving soil compared to the 6 inch the so the lifting forces will also be 5 times greater then in the 6 inch pipeline currently buried in berkshire county.

Stress in the 30 inch pipe will rise 5 times faster with increasing bending deflection because of the bigger diameter of the 30 inch pipe compared to the 6 inch pipe. Combining the unstoppable forces of expanding soil and the much higher rate of increase in stress brings into question the viability of a 30 inch high pressure underground pipeline in the northeast.

#### **Pipeline Safety Issue: Pipe external corrosion and failure:**

Pipe corrosion is accelerated by chemical reactions between pipe and soil, and also from externally generated current passing between soil and pipeline. The three known sources of current that can contribute to pipe corrosion are:

##### **#1. Electrochemical interaction between pipe and soil.**

The usual solution to prevent corrosion of buried pipe is passive cathodic protection which consists of zinc metal plates electrically connected to the pipe along its length. The combination of two different metals, pipe steel and zinc plate, submerged in wet soil constitutes the elements of a simple battery which generates a small direct current with a flow direction that inhibits corrosion. If the weak currents from this arrangement are overwhelmed by large external current sources described on the following paragraphs below, the intended corrosion protection will be ineffective or reversed, resulting accelerated corrosion .

## **#2. Geomagnetic currents in the earth**

Geomagnetic currents in the earth are generated by the interaction of the earth's rotating magnetic field with charged particles emitted by the sun. Geomagnetic current levels as high as several 1000 amps, have been measured in some locations on the earth at peak solar activity, while lower currents occur more frequently. These current can travel on both long distance power transmission lines and pipelines. In the past these earth currents, traveling over electric transmission lines, have created major electric power outages in various places on earth.

These high currents flowing into and out from a long pipelines can exacerbate pipeline corrosion by interfering with the normal current flow generated by cathodic corrosion protection installed along the pipeline.

Compensation for this phenomenon can be achieved through high levels of active cathodic protection. However, active protection would require electric power stations along the pipeline with the result that large amounts of electric power would be consumed. Also, active protection would produce more hydrogen gas at the pipe surface leading to higher levels of hydrogen embrittlement which can increase the possibility of surface cracking, which can then lead to crack propagation failure of the pipe.

The prediction of Geomagnetic currents in the pipeline by computer simulation appears to be impractical because of its 3-dimensional complexity, requiring as computer input, the distributed subsurface electrical and magnetic properties of the earth over the entire pipeline region, as well as the time varying voltage distribution across the earth.

## **#3. High voltage transmission line induced currents:**

An electrical transformer is created when two parallel conductors carrying current transfer electrical energy from one conductor to the other by means of the circular magnetic fields encompassing both conductors.

Fundamentally the pipeline, as one conductor, and the high voltage transmission lines as the other conductor, form a huge electric transformer extending over hundreds of miles.

The magnitude of electrical coupling between the pipeline and power line is inversely related to the spacing between the two but is directly proportional to the length of the two in parallel.

When alternating current flows in the power line an alternating voltage is induced in the pipeline by the changing magnetic field of the power line. This voltage can drive alternating electric currents in the pipeline.

Soil above the pipe being a poor conductor will not be an effective magnetic shield for the pipeline. Some of the current induced in the pipeline will circulate locally between the soil and pipe in small loops along the length of the pipeline and may accelerate pipe corrosion. Because these currents will be alternating current, passive cathodic corrosion protection may not protect the pipeline.

In conclusion, both geomagnetically induced currents and power line induced current should be investigated in detail to determine their impact on passive cathodic protection and hydrogen embrittlement at surface of the pipeline, both effects may dramatically shorten the life of the pipeline.

## **Safety Issue: Pipe internal corrosion and failure:**

Internal to the pipeline water vapor carried along with the gas can condense to liquid water and accumulate at a any low point in the pipeline. One such point is in Lanesborough at the valley floor along route 7, located under the town aquifer. A similar situation exists in the valley west of the ridge at Constitution Hill. It unclear how this accumulated water accumulation will be controlled to prevent internal corrosion of the pipeline.

## **Noise Pollution: Metering Station Noise and Compressor Station Noise**

### **Disruptive Metering Station Noise**

Placing a metering station within the community of Lanesborough could produce serious noise pollution issues due to the near proximity of houses to the pipeline and also because the frequency spectrum of the

noise may contain discrete tones which are more noticeable than broadband noise.

Noise can be characterized as narrowband noise (discrete Noise), or broadband noise (random noise), or a combination of both.

Narrowband Noise is produced by such equipment as rotating and reciprocating machinery, electric transformers, jack hammers, engines, pumps, etc. These noise sources generate a few dominant sound frequencies. Electrical equipment generally produces noise at two frequencies, 60 Hz and 120 Hz. Because these are very low frequencies, sound waves can travel long distances with out much sound attenuation and thus can be a serious annoyance problem.

Ambient background noise is generally broadband noise without a dominant frequency, examples are: turbulent water flow, ocean wave action, wind through a forest, cooling fans, tires-road noise, etc.

Since narrow band noise is much more annoying than broad band noise, proper sound analysis of the noise source requires the use spectrum analysis to determine that adequate noise control has been achieved

Simple measurements of Total Noise Level before and after installing noisy equipment does not properly assess the annoyance issue.

In the power transformer industry annoyance level from external noise is primarily determined by measuring and comparing the octave band sound spectrum of both noise source and ambient noise. For proper masking of annoying noise from power equipment the dominant frequency bands produced by the noise source should be lower than that of the lowest night time ambient noise level in the same frequency bands .

The above factors need to be properly address when locating new equipment in an otherwise quiet environment.

#### **Disruptive sound and vibration transmission over long distances from pipeline compressor stations:**

Transmission of low frequency sounds and subsonic vibrations are efficiently propagated over long distances along metal conduits as well as in compacted soil and rock. High pressure pumps at the compressor station may generate low frequency pulses which can propagate efficiently along the pipeline for long distances and be detected as subsonic vibration by communities a long distance from the compressor station.

Studies of existing similar systems should be performed.

Note: all numerical values in this paper are estimated from first order calculations.

#### **20150806-0025**

<b>United States</b>	<b>Forest</b>	Eastern Region	626 East Wisconsin Avenue
<b>Department of</b>	<b>Service</b>	Regional Office	Suite 800
<b>Agriculture</b>			Milwaukee, WI 53202
			414-297-3600

File Code:2700

Date: AUG 4, 2015

Ms. Kimberly D. Bose  
Secretary, Federal Energy Regulatory Commission  
888 First Street NE, Room IA  
Washington, DC 20426

Dear Ms. Bose:

This responds to your June 30, 2015, Notice of Intent to Prepare an Environmental Impact Statement for the Planned Northeast Energy Direct Project involving construction and operation of facilities by Tennessee Gas Pipeline Company, L.L.C. (Tennessee Gas) in Pennsylvania, New York, Massachusetts, New Hampshire, and Connecticut.

To date, we have nor received a request from Tennessee Gas to construct facilities across National For-

est System lands in the Eastern Region. The pipeline routes identified in the maps included in the June 30, 2015, Notice of Intent do not indicate National Forest System lands in the Eastern Region would be crossed. For these reasons, we are not seeking cooperating agency status for this project at this time. However, should Tennessee Gas propose different routes crossing National Forest System lands, they will need to submit a Special Use Application and we would seek cooperating agency status for that project.

Thank you for the opportunity to review and comment on this project.

Sincerely,

signed: Mary Beth Borot for

Kathleen Atkinson

Regional Forester Eastern Region

Enclosure *{a copy of FERC's June 30, 2015, Notice of Intent (20150630-3044 above) was attached}*

cc: Judith Henry, Laura Hise, Dave Bosch, Craig Young, Sylvia Grisez

**20150806-4002**

UNITED STATES OF AMERICA  
**FEDERAL ENERGY REGULATORY COMMISSION**  
INTERAGENCY PRE-FILING CONFERENCE CALL

Tennessee Gas Pipeline Company, LLC

Docket No: PF14-22-000

NORTHEAST ENERGY DIRECT PROJECT

July 09, 2015

Agencies in Attendance (list of attendees is attached):

- Federal Energy Regulatory Commission (FERC)
- Cardno (FERC 3rd Party Contractor)
- U.S. Environmental Protection Agency (USEPA)
- National Oceanic and Atmospheric Administration (NOAA)
- PA Department of Environmental Protection (PA DEP)
- NY State Department of Environmental Conservation (NYSDEC)
- NY Department of Transportation (NYDOT)
- NY State Parks and Recreation
- NY State Department of Public Health
- MA Attorney General's Office
- MA Department of Environmental Protection (MA DEP)
- MA Department of Public Utilities (MA DPU)
- NH Fish and Game Department (NH FGD)
- NH Department of Transportation (NH DOT)
- NH Division of Historical Resources (NH SHPO)
- CT Metropolitan District - Hartford
- Nashua Regional Planning Commission
- Berkshire Regional Planning Commission
- Delaware River Basin Commission
- Southwest Region Planning Commission
- Franklin Regional Council of Governments
- Tennessee Gas Pipeline (Tennessee Gas)
- Hatch Mott (Contractor for Tennessee Gas)
- Louis Berger (Contractor for Tennessee Gas)

**Meeting Summary**

The conference call was conducted to provide an overview of the Northeast Energy Direct (NED) Project as well as to review the general status of the schedule, field surveys, landowner coordination, and the National Environmental Policy Act (NEPA) process. Topics discussed included:

- NOI Status, Meetings, and NEPA
  - o NOI issued June 30, 2015.
  - o First scoping meetings will be in NY and PA the week of July 13th.
    - PA meetings will be run by Paul Friedman – FERC Senior Archeologist. He will also run the Oneonta, NY meeting
    - NY meetings in Rensselaer County (2 meetings) and one in Schoharie County will be run by Eric Tomasi.
  - o All meeting locations are detailed in NOI. One more meeting will be added in southwestern NH in the next few weeks.
  - o Comment period has opened for the project – 60 day comment period based on NOI issuance on June 30th.
    - Tennessee Gas will have 14 days from the close of the comment period to reply to comments filed within the 60 day timeframe.
    - FERC will review agency comments submitted outside of the comment period and will reference agency letters as part of future comments/data requests. Tennessee Gas is not required to formally respond to these comments.
    - If FERC receives a comment from an agency outside of the 60-day comment period, FERC can request a response from Tennessee Gas, particularly for information FERC does not have internally or cannot acquire from its contractors.
  - o Cumulative impacts – FERC has received feedback from several agencies and is planning to file a data request the week of July 20th.
  - o NY agency meeting upcoming on July 15th in Albany, NY. About 20 participants anticipated to attend. Most information presented by FERC at this meeting will be similar to information presented on the first bi-weekly agency conference call.
  - o Tribal meeting scheduled in July 16th in Oneonta, NY. Paul Friedman will be leading the meeting.
  - o FERC planning agency meetings in NH, MA, and CT during upcoming scoping weeks.
    - CT and NH meetings last week of July.
    - MA meeting week of 10th of August.
  - o Tennessee Gas planning to file formal application in October.
    - Once formal application is filed the bi-weekly agency conference calls will cease. Calls with FERC will only include cooperating agencies.
    - FERC requests to be notified by agencies as soon as possible in an email, or in a letter on the docket to FERC, if they would like to participate as a cooperating agency.
  - o Cooperating agency process
    - Any agency can comment on the FERC documents.
    - NEPA allows any federal or state agency to become a cooperating agency
    - Cooperating agencies may have specific permitting responsibility or an expertise that is useful in development of the Environmental Impact Statement (EIS).
    - Cardno will prepare preliminary draft EIS to submit to FERC. FERC will review EIS and make edits and will send to cooperating agencies to review.
    - Cooperating agencies are able to work closely with FERC before the EIS is released to the public.

They participate in the draft and final EIS process and can edit/revise/make conditions/etc. to the document.

- Tennessee Gas Status update

- o Planning to file all 13 resource reports electronically in July.

- o Surveys

- Wetlands

- ≠ NED East from Wright to Dracut - about 57 miles surveyed.

- ≠ NED West - approximately 58 miles surveyed.

- Cultural Resources

- ≠ About 30 miles on NED East surveyed

- ≠ About 82 miles on NED West surveyed.

- ≠ Most surveys have been concentrated in PA, NY and CT.

- Continue to plan and have interaction with the tribes on fieldwork.

- Bat Surveys

- ≠ Continuing acoustic bat surveys, primarily focused in PA and NY, some in MA and NH. Approximately 22% of area slated for survey completed.

- Threatened and Endangered (T & E) surveys

- ≠ Ongoing T & E plant surveys in NY and CT. Gearing up for bog turtle surveys in Rensselaer County.

- o Survey Access

- 39% Survey access from Wright to Dracut – Approximately 10 % access roads granted survey access

- Approximately 20% survey access granted from Wright to Dracut for bat surveys, about 27% of this area has been surveyed. From PA to Wright about 54% permission of ROW, bat surveys about 67%, and access roads about 43%

- Most of the compressor stations have been sited. Working on land options for compressor stations

- Tennessee Gas estimates they will have about 40% access for bat surveys

- o Ongoing efforts in aerial photointerpretation. Tennessee Gas will use this data for various permits and FERC filing

- o The next submittal of draft resource reports will not include field data or aerial resolution data because of the timing of the submittal and ongoing surveys/data processing. The final application will include aerial photography and survey information up through August 1st.

Next Call

- Agency call will be held every 2 weeks

- Next call scheduled for July 23, 2015.

List of Attendees

<u>Organization</u>	<u>Name</u>
FERC	Eric Tomasi
FERC	Elaine Baum
Cardno	Wayne Kicklighter
Cardno	Jackie Layton
Cardno	Jennifer Harris

Cardno	Lorraine Woodman
USEPA	Thomas Uybarreta
USEPA	Lingard Knutson
USEPA	Tim Timmerman
USEPA	Ted Lavery
NOAA	Alison Verkade
PA DEP	Jim Miller
NYSDEC	Stephen Tomasik
NYSDEC	Patty Denoyer
NYS Parks and Rec	Diana Carter
NY DOT	Cathy Nusca
NY Dept of Public Health	Jane Thapa
MA Attorney General	Matt Ireland
MA DEP	Lealdon Langley
MA DEP	Michael Stroman
MA DPU	Stephen August
CT - Metropolitan District Hartford	Jim Chandler
NH FGD	Carol Henderson
NH SHPO	Edna Feighner
NH DOT	Melodie Esterberg
Berkshire Regional Planning Commission	Tom Matuszko
Southwest Region Planning Commission	Henry Underwood
Nashua Regional Planning Commission	Sara Siskavich
Delaware River Basin Commission	Bob Damiani
Franklin Regional Council of Governments	Peggy Sloane
Tennessee Gas	Michael Letson
Tennessee Gas	Mark Hamarich
Hatch Mott	John M. Quinlisk
Hatch Mott	Theresa Albanese
Hatch Mott	Doug Gibbons
Louis Berger	Hope Luhman

**20150806-4003**

NE Energy Direct Pipeline

We are gathered here, again, to hear views about the upcoming plans to deal with natural gas. Tonight it is about allowing natural gas to be piped through NY state to New England.

Our neighboring state, Pennsylvania, has been smart enough to allow drilling and fracking. In Bradford county, among others, where the farms were once as sad as ours, there are now new fences, rooves, buildings, vehicles and affordable taxes.

We, on the other hand, continue to loose jobs, see our taxes increase and watch our neighbors move away. Now we are to consider a pipeline. So what will that be?

A long ditch will be dug, a sturdy well-made pipe line will be placed in it and the ditch backfilled. The animals who moved away from the ditch digging will move back. Plants will regrow as anyone who mows understands. There will be minimal long term impact on the areas. I do suppose building construction will be restricted from the pipeline right of way. But Bambi and his mother won't care. They will graze over the finished pipeline. The birds will still hunt worms, overfly and nest in the trees. And new bridle paths will be available for horse and human walking.

Why go through all the trouble to make the pipeline?

Civilization requires energy of some type to function. At bare minimum we require heat, lights and transportation no matter where we live. For those who believe that the world as we know it will end if we continue to produce carbon dioxide.- leaving aside the fact that humans can not prevent CO2 production by Mother Nature ..Natural gas should be the desired fuel. It is the cleanest fuel available. It is available in abundant quantities right under our feet. It works regardless of time of day, condition of the atmosphere, amount of sun or wind present. It requires no bird- roasting or bird -killing hardware to be gathered. It can be relied on at all times. If wells are dug and fracked carefully, there is no damage to land or water.

But the product, natural gas, must be made available to it's users. And a pipeline is the surest way to move that gas.

Pipelines have been in this area for over 60 years. There are countless miles throughout the country, over 2,500 trouble-free miles in the state. The royalties and ad-valorem taxes enrich the areas where the wells are productive.

Lois Chernin  
439 Co Hwy6  
Otego, NY 13825  
(607) 988-7470

#### **20150806-4004**

To: FERC

From: Mary Ellen Collier  
927 Henry Edwards Road  
Franklin NY 13775

I am here tonight because you invited me to address this hearing. Nearly half of my 21 acre home in Franklin is within the 'buffer zone' of the siting of the NED compressor station. I am here to express my anger. This compressor station endangers the value of my property, my only significant asset, and it endangers my health and the tranquility of my chosen home. I am a citizen of the United States, and I look to this commission, to respect my concerns and protect my well being.

According to your website, one of your functions is to “ ..oversee(s) environmental matters related to natural gas... “ projects. A fact sheet assembled by the group, Compressor Free Franklin, states that “Pipeline construction will put at risk the Village of Franklin's (water) supply, as well as private wells and springs along the Ouleout aquifer.” My water is provided by our spring, which lies close to the buffer zone. We have had that spring dry up in the late fall frequently in the years we have lived here. All my neighbors will attest that the waterfall at the head of Henry Edwards Road reduces to a dripping trickle most years. Some years we have been without water for over a month before sufficient rain fell. I don't believe that an industrial site like a compressor station won't have a negative impact on the reduction of the water table at my elevation in dry seasons. This station should be sited in an area of less residential densltv, or at a lower elevation nearer the river.

Other environmental concerns I have include noise and light pollution, and toxic emissions. The Compressor Free Franklin fact sheet also states that” Recent monitoring of compressor stations throughout the country has documented, in addition to methane, emissions of carbon dioxide, carbon monoxide, volatile organic compounds, benzene, toluene, and formaldehyde, a known carcinogen.” Further, “ Compressor stations' turbine power plant and compressor produce continuous noise and low frequency vibration while in operation. “ ..equipment breakdowns, routine maintenance and testing require rapid venting of up 15,000 cubic feet of methane from a segment of the pipe, causing a sound equivalent of a rocket blasting off.” I have followed news stories about gas pipeline infrastructure for more than five years, since our area was first targeted for these pipelines, and I know that news comes out daily that corroborate these claims, and report station fires and accidents, often with photo and video documentation. Who will want to buy my property, with these conditions evident within a fraction of a mile? No one! I don't even want to live that close to a compressor

station! It's evident that the value of my property will fall, and I will have difficulty selling it when the time comes. The recent report of a 500/0 devaluation of homes near the Hancock compressor stations supports my concerns as well. If my property devalues to that extent I will be upside down on my mortgage.

Your website also states that FERC " ...regulates transmission and sale of natural gas for resale in interstate commerce." I am angry that you are approving new infrastructure in this time of instability in the commerce of fossil fuels. I believe that Kinder Morgan does not have contracts for all of the gas it proposes to transmit, and may likely export a large percent of it. It does not seem like 'meeting the public good', to enrich KM-stockholders and executives at the direct expense of hundreds of landowners- individual citizens who bear the financial and health risks. A recent Carbon Tracker report suggests that many of the proposed pipeline projects may not be feasible if " ...emissions are cut to keep global temperatures rise below the internationally agreed target ..." They state that " ..many LNG projects being considered will not be needed.", including up to \$71 Billion dollars worth of projects in the U.S. This report concludes that increasing action to cut carbon emissions, combined with falling renewable energy prices, will put some fossil fuel investments at risk. Last Tuesday's report from the Brookings Institute draws the same conclusion. This conclusion highlights that new infrastructure and investment should be directed to renewables.

I am here because I am angry. My assets and my quality of life are being threatened by a hazardous project that mayor may not enrich a corporation. My time and energy have been co-opted by combating this project and the previous pipeline for years now. As the world moves away from fossil fuel towards investments in renewable energy, my town is being torn apart by conflict brought by a dirty industry, hoping for a last stand profit from a changing energy industry. Stand up for me! Stand up for an ordinary citizen, trying to live a quiet life! Say NO to this project and YES to the environment.

#### **20150806-4005**

Laura Malloy, PhD, Professor of Biology, 2258 St Hwy 205, Mt. Vision, NH 13810, opposing.

*{note: printed submission, but hand written notes blocked OCR conversion}*

#### **20150806-4006**

Hand written FERC comment form, Thomas V. Coleman, 1103 Pin Valley Road, Towonda, PA 18848, supporting.

#### **20150806-4007**

More than half the homes in the US are heated with gas. That's over 100 million homes. Some of them are in new England. 54% of New England buildings are heated with gas.

Electric plants are switching from coal to gas. In fact, gas surpassed coal earlier this year. Gas generation was 21% in 2008. It's 31% today ... and growing. In New England, 52% of electricity comes from gas. Expect that to increase as nuclear plants age out. Because of the switch from coal to gas, CO2 has been reduced in the US to the lowest levels in 20 years. We're down to 1994 levels. All this with a growing population and a growing GDP.

CNG cars and truck fleets are on the rise. This option cuts automotive mileage in half and emits 30% less CO2 than gasoline. Manufacturing is moving back to the USA. Costs of production and costs of feedstock are lower here.

24 LNG terminals are in the planning or construction phase. Once built, gas from the United States will offset Putin's chokehold on Europe. Gas will reduce the use of coal in the Far East.

The New England pays a premium for natural gas Last year -- over \$5 a MCF. Currently, New England gas comes from Canada and the Gulf Coast. Marcellus gas sells at less than half that price and comes from a field only a few hundred miles away.

The cost and the convenience of natural gas creates the demand. Meeting that demand depends on a delivery

system. Kinder Morgan's Northeast Energy Direct pipeline is part of that delivery system.

Let's build it -- the sooner the better. Better for our homes, businesses, factories, and quality of life. Better for our local, state, and national governments. And better for the world.

Let's get this pipeline built -- NOW!

Thank you.

Dick Downey  
Unatego Area Landowners Association  
(607) 988-9116

#### **20150806-4008**

Eugene Marner, 1245 Oak Hill Road, Franklin, NY 13775

Comments to FERC scoping hearing, Oneonta, NY July 16, 2015

My name is Eugene Marner and I live in Franklin, New York

You, FERC, are required by law - under the National Environmental Policy Act-to consider cumulative impacts of projects reviewed by you. During the scoping hearings for the misnamed Constitution pipeline and during the hearings on the Draft Environmental Impact Statement for that same pipeline, you were repeatedly called upon to consider such cumulative impacts. Many commenters observed that the construction of an open-access pipeline through the Marcellus and Utica Shales region of New York could lead to hydro-fracking in New York State. That threat has been temporarily blocked by the Cuomo administration. But a future administration could easily alter that decision. Your final EIS did not examine the potential impact of the fracking build-out that could accompany the Constitution Pipeline.

Furthermore, you were warned that permitting one massive industrial project like the Constitution Pipeline would change the rural, agricultural region traversed by the pipeline from a "greenfields" area to an already industrialized one. No sooner have you approved the first pipeline than Tennessee Gas Pipeline has come along to propose another to run parallel to the first. Tennessee Gas Pipeline has also proposed a 30,000 horsepower compressor station for the Town of Franklin, a compressor station that will spew carcinogenic pollutants into the air breathed by citizens of Franklin, Otego, Oneonta and wherever else the winds carry them.

#### **20150806-5001**

Tyrone Perrault, Windsor, MA.

August 5, 2015

Hello,

My name is Tyrone Perrault and I live at 915 High St Hill Rd in Windsor, MA 01270. My wife and I purchased this lovely and serene property this past March and have since unfortunately learned that the NED pipeline, proposed by Kinder Morgan under Docket 14-22-000, not only plans to have a large gas pipeline passing right by our house, but worse yet plans to include a huge compressor station less than 2 miles away from our quiet home in this pastoral town.

My wife Kellie Perrault and I stand with all of Western Massachusetts and beyond in our extreme opposition to this proposed unnecessary project. The reasons why this is a very bad idea are so plentiful that it actually amazes me that it could even be considered.

First and foremost, fracked gas and fossil fuel in general is an outdated fuel source, proven to be detrimental to the environment and known by all to worsen the global warming situation. We should be looking at renewable energy, like solar and wind, for our energy needs. The state of Massachusetts is a leader in the alternate energy field, and for the sake of our children and our future generations we need to get away from fossil fuels, not expand our use of them.

Secondly, this project would represent a blatant violation of Article 97 of the Commonwealth of Massachusetts Constitution, which grants all residents of our great state the right to clean air and water, and freedom from excessive noise. Residents in rural towns like Windsor, while less plentiful per square mile, are covered by this Article just as much as the people living in the large cities.

Kinder Morgan has not proven a definitive need for this large project. They do not have enough customer demand for it. Also, their 6,500 page report was delivered at the 11th hour and is incomplete. Their maintenance and safety record is abysmal. They are not to be trusted.

Many residents have concerns over the pipeline construction itself, concerning both the inferior materials being used in our area, as well as the depths and location that the pipe will be laid.

Contamination of well water and precious aquifers, the disruption to birds and animals, air and noise pollution from the compressor station, the potential for a disaster that no one is equipped to handle, the lowering of property values that we all have worked a lifetime to accumulate, watershed contamination upon snow melts, damage to forests and our unique ecology, the list of detrimental impacts of the proposed NED project goes on seemingly forever.

Please consider all of the great points that everyone has been making against this project. Please hear the voices of the people and deny this damaging project. There is virtually no one in favor of it, except Tennessee Gas and its investors. And this is about so much more than making money for an energy giant.

Thanks for your time on this matter,

Tyrone C. Perrault

#### **20150806-5008**

William elwell, Shelburne falls, MA.

I am very much apposed to the gas line going through anywhere in the state of Massachusetts.

FERC has no,baseline for monitoring water quality, springs,,wells, streams,,rivers and lakes.

FERC is obviously catering to the gas companies and NOT protecting the citizens of this country.

SHAME ON FERC!!!!!!!L

#### **20150806-5022**

reenfield, Scoping meeting July 29, 2015

Comment had been made at the meeting

Protected land of the town of Warwick represents one of the few unbroken wildlife habitats in Massachusetts.

Many natural resources on our land are still unknown. Just one example: each year Warwick Conservation Commission finds and certifies several new vernal pools on Warwick territory.

Did TGP studied natural resources before proposing the pipeline route? Obviously not. There are wetlands in half mile zone from pipeline route as shown on latest map provided by TGP.

The example with Compressor Station in Northfield even more stark. Super powerful station proposed to be located just next to protected land of our neighboring town of Northfield and approximately 1 mile apart Warwick State Forest.

There are scientific proves of pipeline construction's devastating impact to wetlands as well as critical compressor station impact to birds, insects and other wildlife in 5 miles radius.

Warwick Conservation Commission strongly believes that on DEISR stage all natural resources in 5 miles surrounding from proposed pipeline construction activity should be carefully and objectively studied and documented. Without this no objective EISR is possible.

I also request that contractors employed for said studies of 5 mile zone have to file NOI with local Conser-

vation Commissions. This will ensure use of local knowledge and objectivity of studies outcome.

I would like to give just one example of non-objective reporting, which makes me very concerned on the quality of data submitted to FERC by TGP.

In acoustic report filed with FERC last week, vol. 9, p. 9-45 one can read: “Area sound sources included vehicular traffic, wildlife (birds and insects), and distant aircraft.” Using these sources contractor managed to measure existing noise level in town of Northfield as 57.4 db. This is 8 times higher than normal level for rural communities. I assume that with this kind of science contractor tries to show that his activity will make no significant impacts since town of Northfield is already noisy. But this is not true. Town of Northfield is very quiet.

I believe FERC decisions should be based on real facts, not on ‘distant aircraft’ measurements. I would like to stress that FERC decision is not about the pipeline of economic benefits which the region may get or not get.

You decide on our life standards. You decide on the existence of one of the very few unbroken wildlife habitats in Massachusetts.

Sincerely on the behalf of the Commission,

Gregory Brodski, Co-Chair

Warwick, MA Conservation Commission

### **20150806-5053**

Dennis Gauvin, New Ipswich, NH.

Copy of document read at Nashua NH scoping session 7/29/15

Docket #PF14-22 NED

Hi, my name is Dennis Gauvin and I live in New Ipswich, NH

Given the incomplete nature of Kinder Morgan’s Resource reports and recent changes to the scope of the project, these scoping meetings are being conducted prematurely and, therefore, failing to provide information that would benefit the National Environmental Policy Act process.

- New Ipswich has no public drinking water supply
- We are all on private wells
- The pipeline will segment three Stratified Drift Aquifers and an UNKNOWN number of Bedrock Aquifers
- The NH Department of Environmental Services report of 2010 titled “Rock Blasting and Water Quality Measures That Can Be Taken To Protect Water Supply and Mitigate Impacts” states “Ensuring safe and adequate drinking water supplies requires maintaining the quality and availability of present and future water supply sources, because in the long run it is less expensive and more protective of public health to prevent contamination than it is to treat water to meet health standards and it is less expensive to use existing sources than it is to develop new ones.” “Municipalities and water suppliers have crucial roles in managing activities that affect source water quality and availability. Effective protection relies on the combined efforts of the state, water suppliers, municipalities, business institutions and individuals whose activities have the potential to affect source water quality and availability”
- Blasting of crystalline bedrock can contaminate water resources. There are 2 primary methods by which the quality of groundwater could be changed due to blasting.
  1. Contamination resulting from a release of regulated or unregulated substances to the groundwater
  2. Agitation of the subsurface may cause turbidity in groundwater to increase
- Blasting should be avoided until this can be studied properly
- Consideration should be addressed to alternatives such as drilling or cutting
- The proposed pipeline will pass a short distance behind a piece of land where a good many years ago

a pig farm existed. This farm was found to be polluting a great many wells in town. Our house is about a mile from that site. The farm was ordered cleaned up by officials and subsequently went out of business. Once the area was cleaned up we had to drain our wells, pour in bleach, run the bleached water through all our pipes and drain the well again. Our drinking water did return to normal. We expect blasting in this same area during construction will cause us additional issues with our drinking water.

- Did I mention that we live in the center of New Ipswich! The population in the aforementioned area has grown considerably since that time
- Should this project move forward we will be forced to test our wells on a regular basis, at our own expense to monitor for contaminants. Then what is the process to determine the cause? This needs to be studied
- When our daughter's family lived next door in Temple several years ago they had to install a reverse osmosis filter system to remove the arsenic that naturally occurs in that area. What impact will this construction have on arsenic levels in the area? Again, this needs to be studied
- Kinder Morgan says they will replace any contaminated wells. Well I for one do not want the replacement to be a multi-hundred gallon plastic tank sitting next to my house with a tanker periodically filling it up! This will be horrendous for property values and how do you keep it from freezing in winter? What other alternatives would there be?

Asking us to identify what needs to be "avoided, mitigated, minimized or compensated" without the adequate resources or time to do so can only assure that the Town of New Ipswich will suffer irreparable harm from this project.

What FERC does: (amongst a great many other things)

- Oversees environmental matters related to natural gas and hydroelectricity projects and other matters
- Promote Safe, Reliable, Secure, and Efficient Infrastructure

I would expect that these concerns for further study would be recognized and acted upon by FERC

Thank you,

Dennis Gauvin

## 20150806-5095

Kathleen Gauvin, New Ipswich, NH.

Information for Nashua, NH Scoping Meeting, July 29, 2015

Private Wells-Dug Wells

Hi. My name is Kathleen Gauvin and I live in New Ipswich, NH

Given the incomplete nature of Kinder Morgan's Resource Reports and recent changes to the scope of the project, these scoping meetings are being conducted prematurely and, therefore, failing to provide information that would benefit the NEPA, the National Environmental Policy Act process.

New Ipswich has no public drinking water supply.

We all have private wells. Many of our wells are dug wells. What effect will blasting and drilling have on our dug wells?

How can pipeline blasting contaminants in well water be detected? How close do private wells need to be in order to be impacted? This is a concern that needs to be studied before it can be addressed.

We urge FERC to study Best Practices for the alteration of terrain in order to avoid change in water flow. We urge FERC to follow RSA 485-A: Water Management and Protection including Water Pollution and Waste Disposal as it relates to protecting our water quality and water monitoring processes. We urge FERC to investigate the best practices dictated by NH Dept. of Environmental Services: because it is less expensive and more protective of public health to prevent contamination than it is to treat water to meet health

standards. We also want our wells tested quarterly for contaminants.

There are numerous dug wells that are in close proximity to the planned compressor station and its emissions. What will the effect be on these wells when toxins are released in the air, fall to the ground and seep into the wells? This is a concern that needs to be addressed prior to initiating the project. Who will monitor Kinder Morgan/Tennessee Das to make sure that “best management practices” are used to protect the water quality of our town’s private wells? This is our concern. This needs to be addressed.

We request and urge that no herbicides be used along the pipeline route. We know that herbicides can potentially harm the environment and our own health. Herbicides can reach water-bearing aquifers below ground. What are the effects of these herbicides in our drinking water? This needs to be studied. This needs to be addressed.

We are demanding that independent studies be conducted by FERC not by Kinder Morgan.

Asking us to identify what needs to be “avoided, mitigated, minimized or compensated” without the adequate resources or time to do so can only assure that the Town of New Ipswich will suffer irreparable harm from this project.

### **20150807-5002**

Richard P Murray, Nassau, NY.

Tennessee Gas Pipeline Company recently submitted documents totaling 6,500 pages +/- . The time period for comments in the scoping process is August 31, 2015. Three weeks is not enough time to adequately review and comment on these documents.

I request that FERC extend the comment period for at least 60 days and preferably 90 days.

### **20150807-5005**

Lucie W Murray, Nassau, NY.

Please extend the August 31st deadline to submit comments to FERC on the Kinder Morgan Proposed compressor station and pipeline proposal for Nassau NY and the recently added 6,500 page documents. My neighbors and I need more time to review and study these documents. It is unfair to give us such a short time period to review these documents which took Kinder Morgan years to prepare. I received my letter of notification from Kinder Morgan on June 5th of this year when they informed me they had re-zoned my property into a “Buffer Zone”. I have been away for the past several weeks due to the birth of my grandson so I have not had any time to review Kinder Morgans proposals and documents and how this Compressor Station and Pipeline would affect me and my property so how can I intelligently comment on their proposal. I had never even heard of Kinder Morgan prior to receiving their letter on June 5th. So please do the right thing and extend FERC’s comment deadline period for at least another 3 months.

### **20150807-5007**

glynn graham, wilton, NH.

Dear FERC members,

I am grateful that you are soliciting comments from NH residents at the 3 meetings you have arranged.

I am NH resident, I am a mother of NH born and bred children and grandchildren, I am a teacher and my family runs a farm that supports 100 other local families.

I have the following questions:

“Why on earth would we agree to spoiling our beautiful State and endangering our residents by agreeing to an accident prone pipeline that does not even benefit us?”

“Why on earth would we agree to creating noise pollution and risking our fresh water?”

“Why on earth would we agree to making Southern New Hampshire a place to avoid?”

“ Why on earth would we want to become allies and partners with Kinder Morgan?”

“Why on earth would we risk all this when there are no real gains even in terms of cheaper energy? Have we not learnt from history that cheap now may be expensive later?”

This pipe line proposal has been rejected by other states for good reason. It is wrong to now try to dump it on NH.

\*The sales pitch for the pipe line claims that it will bring cheaper energy to NH but that is not part of the deal or plan

\* the sales pitch claims that it will create jobs: the bulk of these are quite temporary and related to the work of installation

\* The sales pitch claims that they will remediate the environmental mess they make: too late and not possible in many cases

\*The sales pitch tries to hide the environmental damage by claiming they will use existing power line strips: their swath is much bigger than what exists and is only in a few places anyway.

AND IT IS ALL CLEARLY A SALES PITCH..... no mention is made of accidents and leaks which have been proven to happen again and again.

The damage caused by this to the land and peoples' lives is being proposed by a corporation wanting to make money. Would any of you on the commission making this decision want this in your back yard?

We trust that if you would not want your family to live beside a noisy compressor or be subject to the risk of a pipeline leak and poisoned water and if you did not want to have your land stolen by eminent domain and given to a for-profit company that you would not decide that it is OK for anyone else.

Respectfully,

GG

Wilton, NH

## **20150807-5008**

Holly B Koski, Rindge, NH.

I would like to know why it took FERC such a long time to put this document on its website? \*\* <https://elibrary.ferc.gov/IDMWS/common/OpenNat.asp?fileID=13950622>\*\*\*

This conference call took place on July 9, 2015 and according to your Elibrary you posted it on August 6, 2015.

Issuance

20150806-4002

07/09/2015

08/06/2015 PF14-22-000

I hope that you listened well at the two Scoping Meetings that took place in New Hampshire. NO NEED FOR NED

Do you already have the date, location and time scheduled for the next Cheshire County Scoping meeting? Are you planning on telling the public that information on the Friday before the meeting like Kinder Morgan/ Tennessee Gas did with the Resource Reports ( that appear to be pretty useless with all the TBD's listed) I thought that FERC had / has Procedures to follow. I don't understand how this "so-called application" has made it this far - Applications are a filled out document - not a bunch of blanks - TBD after approval.....

**20150807-5009**

Richard P Murray, Nassau, NY.

Please consider the noise levels which will be heard at our house from the proposed compressor station on Clarks Chapel Road in Nassau, NY. The State of New York, Department of Environmental Conservation (DEC) limits an increase in noise levels over the background levels to 6 db. I request that your noise person or persons who will prepare the EIS noise section take background noise levels at our house, which is within the "1/2 mile FERC Identification Boundary" for this compressor station and compare that background level to that anticipated from the compressor station. Those background levels should be taken at all hours of the day and night.

**20150807-5013**

**Stockbridge-Munsee Tribal Historic Preservation**

Main Office  
W13447 Camp 14 Rd  
Bowler, WI 54416

New York Office  
P.O. Box 718  
Troy, NY 12181

Kimberly Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, District of Columbia 20426

Via e-file only

August 6, 2015

RE: Northeast Energy Direct Project  
Tennessee Gas Pipeline Company LLC  
FERC Docket No. PF14-22-000

Comment by Stockbridge Munsee Mohican Tribe on Draft Environmental Report

Dear Ms. Bose:

I am in receipt of the Draft Environmental Report for the Northeast Energy Direct (NED) project forwarded by consultant Louis Berger. We have reviewed the materials per our cultural resource responsibilities for Section 106 of the National Historic Preservation Act and are replying to you as the Federal contact for the project in keeping with our Government-to-Government consultation.

On behalf of the Stockbridge-Munsee Mohican Tribe, I offer the following comments:

- In reviewing the Unanticipated Discoveries Plan contained in Resource Report 4, we confirm our satisfaction that the draft Plan adequately incorporates the views of Stockbridge-Munsee Mohican Tribe and we have no further changes. These views had been communicated to Louis Berger via previous correspondence, including ensuring that THPOs are contacted at the same time as the SHPOs, and including the Stockbridge-Munsee Inadvertent Discovery Policy in full as an appendix.
- We confirm that the Resource Report 4 accurately reflects the nature of our tribe's involvement in the consultation process to date, such as issuing comment letters, participating in fieldwork, and participating in in-person group consultation meetings with FERC and other federally-recognized tribes.
- We will continue to stay apprised of the archeological fieldwork and findings and when a complete picture is known of the impacted cultural sites and proposed treatment plans, we will issue comment.

Thank you for your review of the comments of Stockbridge-Munsee Mohican Tribe.

Kind regards,

Bonney Hartley  
Tribal Historic Preservation Officer  
New York Office

Cc: Paul Friedman, FERC, via email only  
Rebecca Brodeur, Louis Berger, via email only  
(518) 244-3164

Email: bonney.hartley@mohican-nsn.gov

**20150807-5029**

Lucie W Murray, Nassau, NY.

The following Web site lists Environmental violations by Kinder Morgan posted by the EPA

These violations are numerous. Please deny Kinder Morgan's Proposal for the NY pipeline.

I live on Clarks Chapel Rd within the 1/2 mile designated "Buffer Zone". The proposed compressor station is slated to be built on pristine farm land and is very close to recreational lakes and clubs such as the Sportsman's Club, the Golf Club and sensitive environmental areas such as Mud Pond Pond which will be adversely affected by the proposed Clarks Chapel Compressor Station and pipeline. Kinder Morgans proposal will have a devastating effect on my quality of life and health and property value. Please take these important factors into consideration in your review. Please deny Kinder Morgans proposal.

Violations:

<http://nlquery.epa.gov/epasearch/epasearch?>

cluster=no&filter=sample4filt.hts&fld=r02earth&url\_directory=&federated=no&max\_results=200&results\_per\_page=20&referer=http%3A%2F%2Fwww.epa.gov%2Fregion2%2Fspmm%2Fr2nepa.htm&result\_template=2col.ftl&areaname=Region%202&areapagehead=epafiles\_pagehead&areapagefoot=epafiles\_pagefoot&areasidebar=search\_sidebar&stylesheet=&sort=term\_relevancy&faq=true&results\_per\_page=20&cluster=no&sessionid=747D05B68360C4389EFDD6D2356FBF45&querytext=kinder%20morgan&start=1&dctype=all&typeofsearch=epa&force=false

**20150807-5037**

110 Clarks Chapel Road  
Nassau, NY 12123-2612  
August 1, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

And

Gas Branch 3, PJ-11.3  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

RE: Docket No. PF14-22-000  
NORTHEAST ENERGY DIRECT PROJECT

Dear Sir or Madam:

The Tennessee Gas Pipeline Company, L.L.C. has begun the process to design, construct and maintain a gas transmission pipeline and associated facilities from Pennsylvania, through New York and New Hampshire and ending in Massachusetts. The gas will be transported through this pipeline to markets not completely known at this time. It is proposed to be located within 1/2 mile of our house. We are also within the "1/2 mile FERC IDENTIFICATION BOUNDARY", as shown on the Kinder Morgan (KM) (owner of the Tennessee Gas Pipeline company, L.L.C.) MARKET PATH MID STATION 1 drawing dated 06/04/2015 sent to us. This boundary is outside the location of the land proposed for a 90,000 hp compressor station.

I have a number of comments and/or questions which I request that FERC consider when evaluating this project.

A cursory review of the proposed pipeline route shows that it will not impact Vermont in any way, even though it appears that going through Vermont would be a more direct route, impacting less land and people. Why has KM avoided Vermont?

As I understand it, KM proposes to use the thinnest pipe thickness for their pipeline in our area. Why is this so? I've been told that this is due to the pipeline traversing rural areas. I beg to differ with KM. In their plan noted above, there are 64 residences (yellow dots) located within the 1/2 FERC boundary, and that is just for the proposed compressor station. What about all of the residences along the way? Why isn't KM being required to use the thickest pipe domestically available. That's another question: is KM being required to utilize domestic steel pipe? This would certainly help the US economy. Many, if not most, of the residences noted above contain children. I request that KM take an accurate count of the people living in those 64 residences to determine the actual impact of the pipeline and 90,000 hp compressor station.

The area proposed for the pipeline and compressor station (in Nassau in particular) is rural and, as such, the residents enjoy a peaceful, tranquil and safe environment for ourselves and our children and grandchildren. That is not to say that we do not smell odors from manure from our animals. I believe that these are "clean" smells which will not harm us in any way. That cannot be said of the odors which WILL emanate from the pipeline (leaks or ruptures) and the compressor station (blow offs, diesel odors, etc.). Please review all available literature on these types of issues.

The site selected for the compressor station in Nassau is one of convenience only. The landowner suggested this site to KM because KM's initial location was across the street from his house. He must have suggested that his land on Clarks Chapel Road would be better. The station would be located in what is now a gravel pit. That sounds good, except for the location affects many families as note above, both from a safety aspect, but also from an environmental one. These stations are built to run constantly, 24/7 and 365/366 days per year. They must have lights which will, most likely, operate all night. We live on a hill overlooking the gravel pit. There are no lights there during the night. This extraneous light emanating from the compressor station will seriously affect our quality of life.

The compressor station will also generate noise, also 24/7 and 365/366 days per year. This issue MUST be studied in detail. There is a droning noise, which usually is taken as an average. It must be compared to the noise levels which exist right now. I request that KM and their noise consultant evaluate to worst case scenario of night noise levels at our house and compare these to the projected levels of all types of noise (droning, low frequency, impact, regular maintenance activities and potential disaster). Our bedroom windows look down towards the gravel pit and we should not have to listen to the compressor station noises at all hours and all days.

As I said previously, the location of the compressor station is for convenience only. I request that KM be required to investigate other locations which will have less impact on the residents. If they were to move it a few miles east, just east of Firetower Road, it appears to me that the impact will be almost negligible on homes. Sure, they will be required to negotiate for this land with another land owner. They might be required to build an access road through the woods. But those a small prices to pay to protect 64 families. You asked us to provide alternatives, well, here is one.

There have already been many comments made to FERC concerning this proposed pipeline. Emotions are running high. However, emotions are a natural occurrence whenever people's lives are on the line. You, as a federal commission, are mandated to protect the citizens from unnecessary interference from outside influences. KM's proposal for this new pipeline is one of those unnecessary occurrences. I ask that you protect us.

Sincerely,

Richard P. Murray

**20150807-5048**

Elizabeth Reilly, Nassau, NY.

My Farm, Business and residence is located adjacent to the Clarks Chapel Road compressor station which starts right across the street from the corner of my land. My Parcel should be considered a "HIGH CONSEQUENCE" area in regards to the compressor station. We have thousands of people here from November through December for our Christmas tree farm operation. We host elementary field trips, birthday parties and other events throughout the year. In the event of an emergency at the compressor station, there is no quick way to evacuate people off the property. Having the station in such close proximity will elevate the casualties if a rupture were to occur. Not only should compressor stations not be allowed in a residential neighborhood, but they should not be located next to areas of gathering, especially when they are outdoors. Please take this into consideration when the environmental impact report is being generated.

**20150807-5053**

Elizabeth Reilly, Nassau, NY.

Please extend the commenting period for at least an additional 60 days past the August 31 st. deadline. Kinder Morgan's resource report that was due in June has just recently been published. This project will have a devastating blow on our community if it is approved. Time needs to be given to allow us residents to analyze the 6,500 pages of information. These community's have taken generations to build, now Kinder Morgan would like to uproot the environment many of us chose to live in for the environment it provides. This decision should not be rushed in any way, homeowners are due the respect of additional time to read though the reports and have adequate amount of time to comment on them. Most residents work jobs on top of now fighting for our most valuable asset, our homes, health and safety. Please extend the commenting period.

**20150807-5150**

Barry Pfannebecker, South Deerfield, MA.

To: Federal Energy Regulatory Commission

Cc: Energy Facilities Siting Board, Commonwealth of Massachusetts

Subject: Draft Environmental Report (Resource Reports 1 through 13) and Project Scope Update of Tennessee Gas Pipeline Company, LLC  
Docket No. PF14-22-000

References: a. NED DataResponseMatrix Complete FINAL 20150721.PDF.

Responses to Comments on Draft Resource Reports, May 15, 2015, Northeast Energy Direct Project Page 9, Comment ID 17.

b. NED VolIII App L ECP MA 072415 PublicFINAL.PDF.

Appendix L, Environmental Construction Plan for Massachusetts.

c. NED VolIII AppH Plan and Procedures 072415 PublicFINAL.PDF. Northeast Energy Direct Project Appendix H Upland Erosion Control, Revegetation, and Maintenance Plan.

d. NED VolIII AppE USGS 072415 MKT.PDF pp 18, 19.

e. FERC #2323.

The purpose of this letter is to draw your attention to both the Environmental Construction Plan for Massachusetts (Ref: b) and related documents as referenced above regarding 2 rivers in Massachusetts that are in the path of the Pipeline, specifically the Deerfield River and the Connecticut River in Franklin County (Ref: d). The proposed Plan lacks design information that must be used to evaluate the efficacy of the construction of the Pipeline to meet environmental considerations for each river. Any preliminary document that has such a wide scope of construction should include sufficient design information to permit a review and comment phase before a final submittal in order to assess viability of the construction and to request further

details as required.

1. Deerfield River. The Deerfield River has changeable characteristics with regard to the flow, depth, and amount of its current. The springtime flow can be sufficiently imposing to prohibit any type of water sport. There are areas where a scouring of the river bottom are evident. Additionally, the Harriman Dam in Wilmington, Vermont (Ref: e) has the right to have an emergency drawdown to manage its reservoir level. By agreement, it impounds the Deerfield River. This drawdown is under the control of Trans Canada Corp. and the effect of which was very evident as a consequence of Hurricane Irene in 2011. Coupled with the rains from the storm, a drawdown occurred and caused a massive amount of water flow into the Deerfield River, extreme flooding of adjacent land, and restructuring of the river. Effects such as these must be considered in the design for “waterbody crossings” since the river and/or river bottom may be altered.

It is known that both temperature and pressure vary along the length of natural gas pipelines. There has been no indication in the Pipeline construction as to the expected temperature gradient in the Pipeline under or near the Deerfield River and whether or not this will have a long term impact on the associated environment.

The Pipeline report states that “dry crossing techniques” for the majority of the “waterbodies” (i.e., rivers) crossed by the project will be buried with a minimum cover of 5 feet over the pipe. Whether a dry crossing technique or horizontal directional drilling (HDD) is used, it is unrealistic to state a minimum of 5 feet since no unbiased third party studies have been cited to indicate what is acceptable to maintain the quality and integrity of the river bottom given the nature of it and expectations for emergencies as noted above. The 5 foot minimum may end up being the maximum unless the studies indicate otherwise.

2. Connecticut River. The same discussion applies here as with the Deerfield River. Since the Deerfield River feeds the Connecticut River, exceptional waterflow may be expected due to a Harriman Dam drawdown in addition to springtime water flow.

3. Other Information. There are other examples of either insufficient design details or lack of clarity in properly addressing environmental issues that pertain these rivers.

- There are statements such as “...to the extent practicable...” . This general clause only implies that something might be done if it fits a company budget. This is not an environmentally responsive approach. Clearly specified approaches must be given to indicate that the particular problem is known and there is a manner in which to solve it responsibly.
- The identification of “project sponsor” and an “Environmental Inspector” (Ref: c) is applied to someone performing certain activities without defining the professional credentials to do so. Any in-company representative used to perform these functions may not provide effective assurances for the environment they are traversing. An unbiased, accredited environmentalist acting as a third party must be used.
- Sensitive waterbody information is stated to have been “defined” (Ref: a , Comment ID 17, p 9). However, Appendix H (Ref: c) and Appendix L (Ref: b) do not do so as claimed in Comment ID 17. The 2 rivers noted above are indeed sensitive and must be addressed.

The absence of design details for the Pipeline construction regarding the aforementioned rivers suggests there could be design omissions for other rivers elsewhere in the proposed Pipeline route. These details must be disclosed before a final submittal to FERC in order for an assessment of the efficacy of the construction to address environmental concerns for these rivers. The present documentation is too casual in its approach to the Deerfield and Connecticut Rivers, and likely elsewhere. The lack of facts and the misleading answers in the Data Response Matrix as noted (Ref: a) indicate that technical merit is lacking in this Pipeline proposal. This Pipeline construction extends significantly beyond the digging of a trench and the design details to protect the traversed environment should be required by FERC. There cannot be a meaningful review without the information.

Barry Pfannebecker  
8 Baker Lane

South Deerfield, MA 01373  
7 August 2015

**20150810-0011**

Submitted on FERC comment form:

(Testimony given at 7/28/15 hearing at Taconic High School, Pittsfield MA)

My name is Ken Kipen, from Ashfield MA, a community resolved to oppose the pipeline through our town. I've come here tonight specifically to protest FERC's all-too-obvious advocacy of the Kinder-Morgan pipeline project.

At the Natural Gas Roundtable luncheon in Washington DC on July 21" just a week ago, FERC Chairman Norman Bay announced that his agency would soon issue a 'Best Practices Manual' to help the gas industry win permits for fracked gas infrastructure projects.

That FERC operates as a de facto arm of the fracked gas industry comes as no surprise to many communities that have contended with FERC's biased project-approval. It is well-illustrated by the fact that FERC holds free, three day interactive seminars where it teaches the industry how to successfully navigate the FERC process. It goes so far as to invite the industry to sponsor snack-times and evening social-gatherings. FERC also holds 'pre-conference' sessions where it's staff asks, "Do you have conflict in your pipeline work, maybe with a property owner," offering to "strategize for dealing with difficult behavior." It is thus obvious that FERC looks at communities, at people who are adversely affected by these projects, as mere 'problems'.

Emblematic of this attitude, and little-known to those who attended last Tuesday's luncheon, three organizers with the group Beyond Extreme Energy were not allowed to attend the seminar, despite having registered. The luncheon, held at the University Club, was monitored by FERC's internal security personnel, who escorted the three out. Once removed, the building's doors were locked and five security officers were stationed at the entrance.

Fracking infrastructure exacerbates climate change, but it also leads to documentable air- and water-pollution and a slew of human health impacts... headaches, respiratory problems, and cancer are very real dangers of living near fracking infrastructure, plus the ever-present possibility of explosion.

On the first-displayed slide this evening, FERC's list of 'Identified Public Concerns,' here is no mention of pipeline leaks, a PRIME concern in all the towns along the proposed route, based upon Kinder-Morgan's very poor record of preventing or attending to them. And inexplicably, FERC authorized construction allows Kinder-Morgan, a non-governmental entity, to take private land by eminent domain.

Can there be any doubt that FERC is NOT advocating in the interest of public health or safety or property rights, but rather for Corporate America?

**20150810-0012**

Hand written letter, Cherylann Pierce, 23 Mayflower Drive, Londonderry, NH 03053-2518, opposing

**20150810-0013**

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Room 1A  
Washington, DC 20426

Date: August 2, 2015

Re: Opposition to the proposed Tennessee Gas Pipeline natural gas pipeline and compressor installation in New Hampshire

As the owner of the property located at:

73 Livingston Rd  
Greenville, NH 03048

I am opposed to the proposed Tennessee Gas Pipeline natural gas pipeline and compressor installation in my community.

“We have been lied to again and again...”

I am writing to ask FERC to plan a Scoping Meeting in my Southern New Hampshire town of New Ipswich  
Victor Sherburda

**20150810-0014**

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426

Dear Secretary Bose:

please oppose the Northeast Energy District (NED) project and the extension of Kinder Morgan' Tennessee Gas Pipeline.

New Hampshire cannot expect monetary benefits to outweigh the monetary and environmental burdens on residents and towns and in looking at the proposed figures, I am not convinced gas and electricity prices will be lower. I understand we will incur a surcharge for this project.

There are more environmentally and economically responsible ways for bringing natural gas to New England such as imports to the Distrigas LNG facility located in Everett, MA which has significant excess capacity to accommodate the storage.

The shale oil and gas industries are not sustainable and may be causing seismic and toxic problems that will last far into the future.

The claims of NED project employment for New Hampshire residents is all but nil. This project will rely on out-of-state experts.

Locally our town of Fitzwilliam can expect a negative impact on our aquifer system, local schools and roads, wildlife and wildlife habitat and lower property values. Health and safety in light of this project is frightening. What kind of economic impact can Fitzwilliam expect? Our population almost doubles in the summer months due to the lake and Rhododendron State Park. Have you seen the route of the proposed pipeline? And what of people's right to their land? Some citizens will be losing their homes.

Please support expanding current coastal pipeline infrastructure instead of the current NED project plan.

Respectfully yours,

Kerry P. Gagne

**20150810-0015**

Federal Energy Regulatory Commission                      Aug 1st  
Kimberly D. Bose, Secretary  
888 First Street, NE  
Washington, DC 20426

John Yurka  
63 Cranberry Rd  
Dracut, MA 01826

Ref.: High Pressure Compression Sabon 8 Pipeline in Dracut, MA 01826

Tennessee Gas Pipeline Company, L.L.C./ Kinder Morgan  
NORTHEAST ENERGY DIRECT PROJECT

Good Morning

Please stop the High Pressure Compression Station & pipeline, we are a residential area.  
Per Geography Division U.S. Census Bureau letter, Dracut MA is a High Consequence Area.

Combine this with Kinder Morgan/Tennessee Gas Pipeline Co. has the worst safety record for its type of business, according to self-reported filings of significant incidents with a regulatory agency. How safe will our hundreds of families be if this plant is built?

In 2009, the Pipeline and Hazardous Materials Safety Administration (PHMSA) cited Kinder Morgan for violating safety standards regarding the distance between a natural gas pipeline and a "high consequence area/urbanized areas" such as a school or hospital; the pipeline was too close for safe operation in case of a leak

Reference: <http://www.pipelineawareness.org/wp-content/uploads/2014/05/Kinder-Morgan-Accidents.pdf>

Our police and fire station is in the blast zone. They mislocated the structures on their blast zone map. Other structures on their blast zone map are homes with families not empty structures.

Also, Kinder Morgan has been cited by the U.S. government in 24 incidents which led to five federal enforcement actions from 2006 to 2014.

In 2011, PHMSA cited Kinder Morgan for these safety violations:

- ~ failing to maintain update maps showing pipeline locations,
- ~ failing to test pipeline safety devices,
- ~ failing to maintain proper firefighting equipment,
- ~ failing to inspect its pipelines as required, and
- ~ failing to adequately monitor pipes' corrosion levels

Reference: <http://www.pipelineawareness.org/wp-content/uploads/2014/05/Kinder-Morgan-Accidents.pdf>

Question - Would you want your family to live in the blast zone of a plant built by a company with the worst safety record in its industry with a great many government violations?

Please stop them

John Yurka

Reference: <http://www.rvjournal.com/sforvtfach/science/environment/2015/n4/International-journal-of-environmental-research-25%L4nac/>

Reference: [https://en.wikipedia.org/wiki/Kinder\\_Morgan](https://en.wikipedia.org/wiki/Kinder_Morgan)

**20150810-0017**

Federal Energy Regulatory Commission  
888 First Street, NE  
Room 1A  
Washington, DC 20426

Date: 7/29/15

Re: Opposition to the proposed Tennessee Gas Pipeline natural gas pipeline and compressor installation in New Hampshire

As the owner of the property located at:

168 Main St, New Ipswich, NH

I am opposed to the proposed Tennessee Gas Pipeline natural gas pipeline and compressor installation in my community.

I am writing to ask FERC to plan a Scoping Meeting in my Southern New Hampshire town of New Ipswich  
Mary E. Rode

**20150810-0018**

Kinder Morgan, Tennessee Gas Pipeline  
1615 Suffield Street  
Agawam, MA. 01001

Copy to: Kimberly D. Rose,  
Secretary, FERC  
First Street NE, Room 1A  
Washington, DC 20426  
Re: PF14—22—000, 888

Copy to: General Counsel, National Grid  
40 Sylvan Road  
Waltham, MA 02451

Copy to: General Counsel, NYSEG  
Customer Relations Center  
18 Link Drive  
Binghamton, NY 13904

Date: July 24, 2015

Re: Denial of access to my property

As evidence mounts that high volume fracking & horizontal drilling causes earthquakes and health issues for surrounding communities, and the western US faces droughts that are putting food farms out of business, I don't know how the planners and executives at Kinder Morgan can sleep at night. In NY and the Northeast, we have options for renewable energy NOW, and Kinder Morgan is pushing a pipeline that I'm CERTAIN is intended for the Bear Head Export project and then overseas. It is 100% WRONG to take personal property through eminent domain for what will largely be private gain.

As the owners of property located at 263 Radley Road, Averill Park, NY 12018, we hereby deny to Kinder Morgan and its subsidiaries and affiliated entities, including without limitation Tennessee Gas Pipeline Company and its subsidiaries and related entities, as well as NYSEG, National Grid or other electric utility company with whom any of them co-locate or propose to co-locate any pipeline, and their respective employees, agents, representatives and contractors, permission to enter our property identified above, to perform surveys or for any other purpose (other than for access by my utility company directly related to the supply of electricity to my property) without prior written notice specifying the purpose of such access and my express consent.

Any entry on our property without our consent will be considered unauthorized and treated as trespass.

Tracy L. Teschka and Brian R. Teschka

**20150810-0019**

Hand written card, Marilynb Griska, 18 Atlantic Dr, Rindge, NH 03461, when will Western NH towns have their say at a Scoping meeting.

**20150810-0020**

Hand written card, Amanda & Courtney MacK?, 38 Ashby Rd, New Ipswich, NH 03071, opposing

**20150810-0021**

Hand written card, Timothy Earl Somero, 42 Old Tenney Rd, New Ipswich, NH 03071, demanding continuous monitoring and financial penalties for exceeding emissions standards.

**20150810-0022**

Hand written card, Karen M. Miller, 161 Ashburnam Rd, New Ipswich, NH 03071, opposing

**20150810-0023**

Hand written card, Timothy Earl Somero, 42 Old Tenney Rd, New Ipswich, NH 03071, compressor stations exacerbate existing medical conditions.

**20150810-0024**

Hand written card, Susan Duhamel, 83 Greenbriar Rd, New Ipswich, NH 03071, opposing

**20150810-0025**

Hand written postcard, Margaret Joyce, 54 Joseph Ave, Dracut, MA 01826, opposing

**20150810-0026**

Hand written postcard, Pamela Moloney, 49 Village Dr, Dracut, MA 01826, opposing

**20150810-0027**

Hand written card, Jill Farrington Stockwell, 39 Flanders Lane, Temple, NH 03084, opposing.

**20150810-0028**

Hand written card, Elizabeth Fontanella, 5 Garden Ave, Pelham, NH 03076, opposing

**20150810-0029**

Hand written postcard, Marshall J. Rogers, Jr., 1071 Methuen St, Dracut, MA 01826, opposing

**20150810-0030**

Hand written card, Ruth West, 55 Dudleyville Rd, Leverett, MA 01054, opposing

**20150810-0031**

Hand written postcard, Theresa Rogers, 1071 Methuen St, Dracut, MA 01826, opposing

**20150810-0032**

Hand written card, Christopher Long, 182 Tobey Highway, New Ipswich, NH 03071, opposing

**20150810-0033**

Hand written card, Norman Spiker, 44 Temple Road, New Ipswich, NH 03071, opposing

**20150810-0034**

Hand written postcard, John J. Moloney, 49 Village Dr, Dracut, MA 01826, opposing

**20150810-0035**

Hand written postcard, John Peters, 31 Greenridge Rd, Dracut, MA 01826, opposing

**20150810-0036**

Hand written card, Carole King, Dudleyville Rd, Leverett, MA 01054, opposing

**20150810-0037**

Hand written card, Lorraine Stockwell, 39 Flanders Lane, Temple, NH 03084, opposing.

**20150810-5001**

SUSAN A DUHAMEL, NEW IPSWICH, NH.

I am very concerned about the toxins that will be released from the compressor station that might be built one mile from my home. I will not be able to live here if it is built. We cannot afford to move. What do you suggest we do? Please do not approve this project. It is already ruining our lives.

**20150810-5004**

Terry Nord, Rensselaer, NY.

Please address the following in the EIS:

Impacts to asthmatic children from compressor emissions near recreational lakes (Nassau).

Impact on wounded warriors who use Burden Lake for recreation.

Impact on inner city children who have a summer experience at Burden Lake if exposed to toxins in the air, water, noise pollution.

The cumulative effect of a compressor station located in the Town of Nassau where there is already a Super Fund site very close to the location of the compressor station and also a proposed gravel mine where blasting will occur.

Well water studies before and after the project.

Air quality studies before and after the project.

Improved safety standards with thicker pipe.

The lack of adequate fire/rescue services in the event of an accident or explosion.

The lack of a burn unit near by (Town of Nassau)

Noise and light pollution impacting wildlife, circadian rhythms, causing stress.

Vibrations from the compressor station damaging home foundations.

The risk of increased radon exposure in Rensselaer where there are already high radon levels.

The impact of nitrous oxide and VOCs on ground level ozone, and it's impact on crop growth.

The impact of benzene, toluene, sulfuric oxide, and formaldehyde in emissions to residents living in close proximity. The impact of the same on the water quality of Burden Lake which is about 2000 feet north of the planned compressor station.( winds over the lake are most often from the south\_)

The impact from emissions blown over a cooler body of water (Burden Lake)

The research indicating that 20 years after methane is released it is 79 times more powerful than CO2 at destabilizing the climate.

The public health risks identified in the Compendium of Scientific, Medical, and Media Findings Demonstrating Risks and Harms of Fracking (Unconventional Gas and Oil Extractions) 2nd edition December 11, 2014.

The article in the May 10, 2011 American Journal of Public Health that speaks to the chemicals used in fracking (same as released at compressor stations) cause damage to lungs, liver, kidneys, blood, and brain.

The risks that home values will decrease, mortgages will be difficult to get, reverse mortgages for the aging population will be impacted, home owners insurance will be questioned.

Blasting during the project will disrupt our aquifer.

A report released as part of the US EPA's Office of Inspector General recognizes that leaks from pipelines account for more than 13 million metric tons of CO2 equivalent emissions, are almost 100% methane, and are more than 10% of the total emissions from natural gas systems. Who will monitor the leaks from NED pipes running through our streams and into our water supply and lake.

Studies done with people living near compressor stations identify problems with nose bleeds, rashes, eye problems, respiratory problems. The compressor station planned for the Town of Nassau is one of the largest in the country. What will this impact have on our population in a rural recreational area.

The impact of emissions, noise, light pollution on farm animals, wildlife, and the MANY people living near this location.

Please deny this project.

There are no benefits to our community.

This gas is for export.

Many of the volunteers in our fire department live near the proposed pipeline /compressor station in the Town of Nassau and in the event of a fire/explosion would be injured or helping family and unable to respond. We cannot handle this type of emergency.

The light pollution will obscure the beauty of our star lit sky, cause migration of wildlife, and disrupt sleep.

The roads around the construction site are narrow and already in poor shape. The construction process would be disruptive in a rural community and the Town already struggles to maintain roads.

In many areas of the Town of Nassau the pipeline would be buried 3 feet below ground on rock. This winter our frost was 5 feet deep. Metal on rock above the frost line! How would this impact the integrity to the pipe and welds.

It is my understanding that compressor station engines are cleaned with oil that can spray into the atmosphere in a mist. Will this mist drop into the waters of Burden Lake. What will the impact to fish, wildlife, swimmers, and people who utilize the lake water for bathing and showering be.

The Town of Nassau Environmental Committee indicated that the southern route for the pipeline if it had to exist was preferable. If the Town prefers this route why would you consider moving it closer to a recreational area.

## **20150810-5005**

Terry Nord, Rensselaer, NY.

Please address the following in the EIS:

Impacts to asthmatic children from compressor emissions near recreational lakes (Nassau).

Impact on wounded warriors who use Burden Lake for recreation.

Impact on inner city children who have a summer experience at Burden Lake if exposed to toxins in the air, water, noise pollution.

The cumulative effect of a compressor station located in the Town of Nassau where there is already a Super Fund site very close to the location of the compressor station and also a proposed gravel mine where blasting will occur.

Well water studies before and after the project.

Air quality studies before and after the project.

Improved safety standards with thicker pipe.

The lack of adequate fire/rescue services in the event of an accident or explosion.

The lack of a burn unit near by (Town of Nassau)

Noise and light pollution impacting wildlife, circadian rhythms, causing stress.

Vibrations from the compressor station damaging home foundations.

The risk of increased radon exposure in Rensselaer where there are already high radon levels.

The impact of nitrous oxide and VOCs on ground level ozone, and it's impact on crop growth.

The impact of benzene, toluene, sulfuric oxide, and formaldehyde in emissions to residents living in close proximity. The impact of the same on the water quality of Burden Lake which is about 2000 feet north of the planned compressor station.( winds over the lake are most often from the south\_)

The impact from emissions blown over a cooler body of water (Burden Lake)

The research indicating that 20 years after methane is released it is 79 times more powerful than CO2 at destabilizing the climate.

The public health risks identified in the Compendium of Scientific, Medical, and Media Findings Demonstrating Risks and Harms of Fracking (Unconventional Gas and Oil Extractions) 2nd edition December 11, 2014.

The article in the May 10, 2011 American Journal of Public Health that speaks to the chemicals used in fracking (same as released at compressor stations) cause damage to lungs, liver, kidneys, blood, and brain.

The risks that home values will decrease, mortgages will be difficult to get, reverse mortgages for the aging population will be impacted, home owners insurance will be questioned.

Blasting during the project will disrupt our aquifer.

A report released as part of the US EPA's Office of Inspector General recognizes that leaks from pipelines account for more than 13 million metric tons of CO2 equivalent emissions, are almost 100% methane, and are more than 10% of the total emissions from natural gas systems. Who will monitor the leaks from NED pipes running through our streams and into our water supply and lake.

Studies done with people living near compressor stations identify problems with nose bleeds, rashes, eye problems, respiratory problems. The compressor station planned for the Town of Nassau is one of the largest in the country. What will this impact have on our population in a rural recreational area.

The impact of emissions, noise, light pollution on farm animals, wildlife, and the MANY people living near this location.

Please deny this project.

There are no benefits to our community.

This gas is for export.

Many of the volunteers in our fire department live near the proposed pipeline /compressor station in the Town of Nassau and in the event of a fire/explosion would be injured or helping family and unable to respond. We cannot handle this type of emergency.

The light pollution will obscure the beauty of our star lit sky, cause migration of wildlife, and disrupt sleep.

The roads around the construction site are narrow and already in poor shape. The construction process would be disruptive in a rural community and the Town already struggles to maintain roads.

In many areas of the Town of Nassau the pipeline would be buried 3 feet below ground on rock. This winter our frost was 5 feet deep. Metal on rock above the frost line! How would this impact the integrity to the pipe and welds.

It is my understanding that compressor station engines are cleaned with oil that can spray into the atmosphere in a mist. Will this mist drop into the waters of Burden Lake. What will the impact to fish, wildlife, swimmers, and people who utilize the lake water for bathing and showering be.

The Town of Nassau Environmental Committee indicated that the southern route for the pipeline if it had to exist was preferable. If the Town prefers this route why would you consider moving it closer to a recre-

ational area.

## 20150810-5006

Terry Nord, Rensselaer, NY.

Please address the following concerns in the EIS for the Town of Nassau - Burden Lake portion of this project:

### Water Quality Concerns

Burden Lake is directly in line with the prevailing winds from the proposed site for the NED compressor station in the Town of Nassau. Given the topography of the immediate area, emissions from the compressor station are frequently going to be directed over the lake. When unfavorable meteorological conditions exist, both wet and dry pollutants from the compressor station are going to fall-out into Burden Lake. I am concerned about the adverse impact the compressor station will have on water quality and aquatic habitat in Burden Lake. FERC should undertake all necessary meteorological and air quality modeling studies to determine potential impacts and must identify how they will require Kinder-Morgan to take appropriate steps to prevent negative water quality and aquatic habitat impacts from occurring in Burden Lake and the Valatiekill and their its surrounding watersheds.

The proposed route of the NED through the Town of Nassau will impact many headwater streams and wetland areas of the Valatiekill and the Tsatsawassa Creek. Both of these streams are protected C(t) streams. In the most recent rule changes to the Clean Water Act the EPA and the US Army COE have indicated that they intend to extend protection to the headwater segments of protected streams. The proposed route of the NED will also cross over a major unconsolidated aquifer in the Town of Nassau and Stephentown. The aquifer roughly follows the Tsatsawassa Creek as it meanders through Dunham Hollow, both above and below State Route 43. This aquifer and its re-charge zones provides the water supply for many homes in the Town of Nassau and the Village of East Nassau. Protection of this aquifer is critical to the Town and is afforded such protection in Town law. FERC should consult with and seek in-put from the Town of Nassau and the Town of Stephentown on the proposed route of the NED on the Rensselaer Plateau as it relates to impacts on streams, wetlands and groundwater quality and quantity. FERC should address this issue in the EIS they are preparing and delineate how these headwater streams, wetlands and groundwater aquifers will be afforded protection both during the initial construction and post construction phase.

### Habitat Bio-diversity Concerns

New York State has identified the Rensselaer Plateau as an important area for protection due to its diversity and bird breeding features and the Audubon Society has designated the Rensselaer Forest Tract as an important bird breeding area. The Audubon Society specifically sites the high diversity and abundance of forest breeders on the Plateau, including many at-risk species. Many birds are experiencing declining population numbers in the Northeast due in part to loss of large blocks of forest. The Plateau has also been the focus of conservation efforts by the Rensselaer Land Trust and The Nature Conservancy. I am concerned about the impact the pipeline and its supporting infrastructure will have on breeding bird populations in the Rensselaer Plateau area as well as the areas surrounding Burden Lake and the Valatiekill watersheds. FERC should consult with and seek input from the NYS Chapter of the Audubon Society, the Rensselaer Land Trust and the NY Chapter of the Nature Conservancy on the impact the proposed NED project would have on the Rensselaer Plateau and the areas surrounding the Burden Lake and Valatiekill watersheds

Burden Lake is a stop-over and nesting sight for migrating water fowl. I am concerned that the noise and light pollution from the proposed compressor station will have a significant, negative impact on the migrating and nesting waterfowl populations. FERC must identify how it will mitigate the impact of noise and light pollution of the proposed compressor station on migrating and nesting waterfowl on Burden Lake and surrounding wetland areas.

Burden Lake, in recent years, has been a feeding site of a bald eagle population. Bald eagle nesting sites are potentially located within the watershed area. I am concerned that the noise and light pollution from the

proposed compressor station will have a significant, negative impact on the bald eagle population within the Burden Lake watershed area. FERC must identify how it will mitigate the impact of noise and light pollution of the proposed compressor station on the bald eagle population found in the Burden Lake watershed area.

## **20150810-5007**

Terry Nord, Rensselaer, NY.

Please address the following in the EIS as related to the Town of Nassau-Burden Lake portion of this project.

PFERC must identify how it will mitigate the impact of noise and light pollution of the proposed compressor station on the bald eagle population found in the Burden Lake watershed area.

The Nassau Town Board recently requested that the Town's Natural Resources Committee (NRC) prepare a report of the potential natural resource impacts that a proposed natural gas pipeline would have. The report was completed and submitted to the Town Board in May, 2015. It compares and contrasts the air, water, noise, cultural, archeological, historic preservation, visual, aesthetic impacts of two proposed routes for the NED within the Town. This report can be viewed at the Town of Nassau web site: [townofnassau.org/contents/Boards/View/6](http://townofnassau.org/contents/Boards/View/6) . Included in this report is a detailed habitat and bio-diversity report that was conducted by Dr. David Hunt, one of the State's pre-eminent authorities on bio-diversity. The report enumerates the likely impacts on the ecosystem of the Plateau from the NED, even with various mitigation efforts. The area of the Plateau that the NED proposes to cross is referred to as the Pikes Hill Block. This area has been identified as one of the 14 highest priority ecosystem sites within the Rensselaer Plateau due to the block's rocky summit/slope complex. It has associated high quality examples of State and county-rare natural communities including cliff, talus and rocky summit, and several county-rare plant species characteristic of these communities. Pikes Hill has 7 county-rare plant species, 3 of which are "actively tracked". Pikes Hill Block is one of 35 relatively large and important areas within the plateau without roads bisecting it. It is about 1,500 acres in size, with about 1,200 acres of contiguous forest centrally located within it. This un-fragmented forest provides habitat for forest interior species and large mammals, as well as state significant plant communities and concentrations of rare plants. FERC should review the Town of Nassau NRC May, 2015 report found at web site: [townofnassau.org/contents/Boards/View/6](http://townofnassau.org/contents/Boards/View/6) and the accompanying report by Dr. David Hunt entitled "Important Biodiversity Sites Along the Proposed Kinder-Morgan Pipeline" and address how it will mitigate the numerous potential impacts identified within the report.

### Land Use, Recreation and Aesthetics

The current proposed NED pipeline route will cut across the Rensselaer Plateau, one of the most unique geologic and bio-diverse areas in Rensselaer County and the New York State. The ecological distinctiveness of the Rensselaer Plateau has led it to be given priority project status in New York State's 1998 and all subsequent Open Space Conservation Plans and includes the fifth largest un-fragmented forest in New York. The boundaries of the Rensselaer Plateau can be viewed on the website <http://www.rensselearplateau.org/> . FERC should consult with and seek input from both the NYSDEC Division of Lands and Forests as well as the NYS Office of Parks, Recreation and Historic Preservation on the impact the proposed NED project would have on the Plateau as it relates to the goals and objectives of the Open Space Conservation Plan.

The U.S. Department of Agriculture's (USDA) Forest Service has designated the Rensselaer Plateau as a Forest Legacy Area. The USDA has awarded a \$5.5 million grant to the NYSDEC to work with the Rensselaer Plateau Alliance to create a program designed to protect forest lands from conversion to non-forest uses. This program will assist landowners within the Plateau through financial incentives designed to ensure that property remains dedicated to traditional forest uses, including logging, hunting, trapping, snowmobiling and open space. FERC should consult with and seek in-put from the USDA, Forest Service on the impacts of the proposed route of the NED on the Rensselaer Plateau.

The current proposed route of the NED through the Town of Nassau will impact many headwater streams

and wetland areas of the Valatiekill and the Tsatsawassa Creek. Both of these streams are protected C(t) streams. In the most recent rule changes to the Clean Water Act the EPA and the US Army COE have indicated that they intend to extend protection to the headwater segments of protected streams. The proposed northern route of the NED will also cross over a major unconsolidated aquifer in the Town of Nassau and Stephentown. The aquifer roughly follows the Tsatsawassa Creek as it meanders through Dunham Hollow, both above and below State Route 43. This aquifer and its re-charge zones provides the water supply for many homes in the Town of Nassau and the Village of East Nassau. Protection of this aquifer is critical to the Town and is afford such protection in Town law. FERC should consult with and seek in-put from the Town of Nassau and the Town of Stephentown on the proposed route of the NED on the Rensselaer Plateau as it relates to impacts on streams, wetlands and groundwater quality and quantity. FERC should address this issue in the EIS they are preparing and delineate how these headwater streams, wetlands and groundwater aquifers will be afforded protection both during the initial construction and post construction phase.

## **20150810-5008**

Terry Nord, Rensselaer, NY.

Please address the following concerns in your EIS statement particularly as it relates to theTown of Nassau-Burden Lake portion of the project.

The REnsselaer Plateau supports several unique wetland communities (including sedge meadow, dwarf shrub bog, spruce-fir swamp, and kettle hole bog), an impressive mammal diversity not typical of the greater Capital District (including black bear, fisher, otter, bobcat, and moose), and is included on National Audubon Society's list of Important Bird Areas in New York, which specifically mentions a high diversity and abundance of forest breeders, including many State listed species. Protecting this area would not only serve to secure these significant features, but would also contribute to a long-term vision shared by a number of organizations to establish an open space corridor and trail system across the Plateau, connecting Dyken Pond Center to Grafton Lakes State Park, Pittstown State Forest, Capital District Wildlife Management Area, Dickinson Hill Fire Tower, and other recreation and environmental education facilities. FERC should consult with and seek in-put from the managers of Dyken Pond Center, Grafton Lakes State Park, Pittstown State Forest, Capital District Wildlife Management Area, and Dickinson Hill Fire Tower on the impacts of the proposed route of the NED on the Rensselaer Plateau.

### **Air Quality and Noise Pollution Concerns**

Thousands of residents of Burden Lake and surrounding community (Including Glass, Crystal, Crooked Lake) residents are directly in line with the prevailing winds from the proposed site for the NED compressor station in the Town of Nassau. Emissions from the gas-fired turbines, periodic planned and unplanned pipeline releases and blow-downs will negatively impact the air quality for everyone in the immediate area of the compressor station. As part of a New York air permit application, dispersion modeling must show compliance with Annual Guideline Concentrations (AGC) and Short-Term Guideline Concentrations (SGC) air concentration limits for Hazardous Air Pollutants (HAPs).FERC should undertake all necessary meteorological and air quality modeling studies to determine potential air quality impacts and must identify how they will require Kinder-Morgan to full meet annual and short-term air concentration emission limits.

The proposed compressor station located within the Town of Nassau on Clarks Chapel Rd. will have at least two gas-fired turbines, sized at 41,000hp. Potentially additional turbines would be added, if Kinder-Morgan expands the project as stated in their most recent submission to FERC. These gas fired turbines will generate a significant amount of noise, every minute of every day of the year. Periodically, extremely loud releases of venting gas will occur to equalize or reduce pressure in the pipeline. This industrial compressor station is incompatible with the rural residential setting of the surrounding community. I am extremely concerned with the potential for constant, loud noise from the compressor station and its potential impact on mental and physical health, property values and habitat impacts. The FERC must follow the NYSDEC guidelines on noise impacts and "evaluate the potential for adverse impacts of sound generated to residences outside of the property." The NYSDEC requires measurement of ambient sound levels at adjacent residential parcels,

and states that in a non-industrial setting, such as the residences surrounding the compressor station in the Town of Nassau, that the new sound level should not exceed the ambient level by more than 6 dBA at the receptor.

I am deeply concerned about the potential short and long term health impacts posed by the proposed Kinder-Morgan NED compressor station in the Town of Nassau on Clarks Chapel Rd. The Medical Society of the State of New York (MSSNY) and the American Medical Association (AMA) both are on record as raising significant issues of concern about the human health risks that compressor stations and other gas pipeline infrastructure poses to individuals in areas immediately around these sites. FERC should review the positions taken by the MSSNY and the AMA and the resolutions that they passed. FERC should take the issues that they've raised in these resolutions and look to mitigate these concerns in the location, design and operation of this proposed compressor stations along with all other compressor stations proposed along the NED project.

#### **20150810-5009**

Peggy Huard, Hudson, NH.

Kinder Morgan, we the people of the State of New Hampshire do hereby put you on notice. You can not and will not put your pipeline through or any where near, above, below or around out drinking water supplies!

Any FEDERAL law that you feel gives you the privilege of overriding and/or ignoring the most important local and state laws in place to protect our precious sources of water, especially drinking water, as well as our air, has in fact been passed criminally and negligently by lawmakers. Therefore, these FEDERAL laws that you feel give you the privilege to ignore our environmental laws are NULL and VOID, making our local and state environmental laws the highest in hierarchy of competing laws.

Kinder Morgan, if you, your subsidiaries, your employees or subcontractors or anyone else associated with you, should so much as trespass on, around, through, near, above, below or around our drinking water, you WILL be prosecuted to the highest extent our local and state laws allow!!

#### **20150810-5010**

Representative Charlene Takesian, Pelham, NH.

I am a New Hampshire State Representative representing District 37 of Hillsborough County which includes the Towns of Pelham and Hudson, and a resident of the town of Pelham. I am submitting this letter on behalf of myself and my constituents.

This project is a major impact to the Town of Pelham with absolutely no benefit to its residents. It goes through conservation districts, watershed and aquifer districts and more importantly right through backyards of residential homes. Pelham is probably the most impacted Town on the route of this pipeline. We are not complaining with the "not in my backyard" attitude. We already have a pipeline running right through our Town, which includes in between school buildings and right through Parks & Recreation areas. And, by the way, no house in Pelham has or will have access to the existing pipeline or to the proposed pipeline. There is no natural gas fuel offered to any house or business in Pelham.

What should be considered is the impact this project will have on the budgets of the Towns affected. In New Hampshire, our tax structure is such that we rely heavily on local property taxes to fund our local Fire and Police departments. We get little or no money from the State, unlike most of the other States. The State has limited resources and funds continue to dwindle as ever demanding needs of the State budget lessens the amount of money it can share with the cities and towns of New Hampshire. Having said that, we are all wondering how we will get the additional resources that we need in order to be able to respond to a pipeline emergency. Most of the Towns along the route have volunteer on-call fire departments or minimal personnel at the Station. We do not have the money to be able to purchase new equipment or add additional fire and rescue personnel to our already strained departments.

Also, most Towns along the route do not have a municipal water system, meaning that there are no fire hy-

drants in the Town. In an emergency, the fire department responds with a pumper truck filled with water and when that water runs out, the truck leaves the scene to refill the truck.

Most Towns along the route do not have a hospital or medical emergency facilities in the Town and injured people have to be transported miles to receive treatment.

I hope that you will please consider how many homes and families will be affected by the construction of this pipeline before giving them permission to ruin the beauty and disrupt the lives of so many residents of New Hampshire.

## **20150810-5011**

Representative Charlene Takesian, Pelham, NH.

The following are questions I would like answers to, made public before any formal decisions regarding the precedent agreement between Liberty Utilities and Tennessee Gas Pipeline are finalized:

I would like to know the size of the existing pipelines of the Tennessee Gas Pipeline system through Massachusetts. Are these pipeline already carrying natural gas from the Marcellus shale to the New England region?

Where on the Concord Lateral pipeline system in New Hampshire are “bottlenecks” occurring? I would like these areas delineated on a detailed map of the entire Concord Lateral pipeline network beginning in Dracut, MA with all of its accompanying laterals and distribution lines. The map must be current as of 2015 and show all of the most recent area development alongside the Concord Lateral.

Nashua, New Hampshire has 25, 276 residential natural gas customers and 2, 497 commercial natural gas customers (numbers from Nashua Regional Planning Commission website). The existing lateral line that services Nashua, New Hampshire is 8-inches in diameter. I suspect this might be one of the “bottlenecks.” Is that assumption correct? Is the Nashua Lateral, off the Concord Lateral considered a “bottleneck?” Would that “bottleneck” be fixed if the 8-inch pipeline were upgraded to a 12-inch or even a 14-inch pipeline? Kinder Morgan representatives have told residents in Hudson, Pelham, Londonderry and Windham that the Concord Lateral easement has been built up against too much to allow any expansion. Is that true? Is that true for the Nashua lateral running through the town of Hudson, New Hampshire? Is that true for the existing Tennessee Gas Pipeline transmission main lines through Massachusetts?

If there is a smaller-cost solution to remedy a situation for price spikes which occur literally only a few days out of the entire year, is the Federal Energy Regulatory Commission the regulatory body that oversees bringing the people the smallest cost alternative? Is the Public Utilities Commission the state regulatory body responsible for ensuring the smallest cost alternative for the people? Have either of these agencies asked Kinder Morgan / Tennessee Gas Pipeline where the Nashua plan for the Northeast Energy Direct pipeline has gone and why? To be clear I am not recommending routing through Hollis, NH again. I am merely pointing out that plans for reaching Nashua and all points out from Nashua are seemingly missing from the preferred proposal being set forth by Kinder Morgan. In missing that, we are having difficulty with understanding how, regardless of whether the Liberty Utilities docket DG 14-380 is approved or denied at the PUC, service to these areas will be “made more reliable.”

Incremental upgrades, such as a replacement of 8-inch pipe with 12-inch, should be made to the pipeline systems already in place in New Hampshire and Massachusetts before the multi-billion-dollar construction of a new and very large transmission pipeline. How will a new and very large pipeline remedy price spikes if it will do nothing to correct “bottleneck” points on the existing pipeline system? When the Northeast Energy Direct project was to be routed in Massachusetts, there was a new Nashua lateral proposed. It was the only piece of the Northeast Energy Direct pipeline system that poked up into our state. Now that such a large portion of the Northeast Energy Direct has come north of the state border I can’t help but notice the proposed Nashua lateral has disappeared. We would like a descriptive explanation about how the Northeast Energy Direct project as it stands now, is planning on getting more of the gas to Nashua. Is that still a priority?

Are there concrete plans for Liberty Utilities customer expansion at this time? I have read that a mile of new distribution pipelines costs about \$1 million. Is that figure accurate? Kinder Morgan has told Pelham, New Hampshire that Liberty Utilities is planning on servicing our town, that Liberty Utilities has told Kinder Morgan very clearly that Pelham is on their radar and that they are taking action to serve our town already. Is that statement accurate? (made by Curtis Cole at our March 26 Pelham Town Hall meeting) Is natural gas distribution for home heating feasible for small towns zoned for one-acre lots?

We keep hearing from Kinder Morgan representatives that their project is in response to “demand.” With 27, 773 natural gas customers in Nashua, does that city constitute a large piece to what Kinder Morgan is calling a “demand?” Of the towns represented by the Nashua Regional Planning Commission, Hudson, New Hampshire is the second largest for natural gas customers with a total residential and commercial customers combined of 5, 218. Is Hudson, New Hampshire also fed off of that 8-inch existing Nashua lateral? Is Merrimack, New Hampshire with 3,742 natural gas customers fed off of that 8-inch existing Nashua lateral? BAE Systems is located in Hudson, Merrimack and Nashua. BAE has been specifically sited by Kinder Morgan in their Town Hall informational meetings as part of the region’s “demand” for natural gas. Would BAE Systems also be fed off of that 8-inch existing Nashua lateral? In addition to Hudson, Merrimack and Nashua, there are 534 natural gas customers in Amherst, 29 natural gas customers in Hollis, 116 natural gas customers in Litchfield, and 1,025 natural gas customers in Milford. Are all of those 38,437 customers fed from the existing 8-inch Nashua lateral?

## **20150810-5012**

Representative Charlene Takesian, Pelham, NH.

I would like to see a very detailed and up to date map issued for the Concord Lateral and its accompanying distribution lines; a comprehensive map of the Concord Lateral in its entirety with the capability to zoom in to see all of the houses and structures along the way. I would also like a compiled package of every PUC and FERC filing and ruling regarding every upgrade made on the Concord Lateral pipeline system over its lifetime to date to be made public within this docket DG 14-380. In 2008 Pelham, New Hampshire became the site for compressor station 270B. I would like to know why this compressor station is “rarely in use” as we have been told at numerous town hall meetings with Kinder Morgan. Is the Concord Lateral pipeline system being fully utilized? This is a question that must be examined before new agreements are made that will lead to construction of a new and expensive pipeline through our state. Where are the storage facilities along the Concord Lateral pipeline system? Are the storage facilities being fully utilized? Would another storage facility in New Hampshire (sited near Granite Ridge natural-gas fired power plant in Londonderry, for example) be a more cost-effective solution to the winter-reliability of energy in New Hampshire than a multi-billion-dollar pipeline construct would be?

For the sake of transparency, we must all in New Hampshire understand this Concord Lateral pipeline system’s deficiencies before we can decide the level of investment we should make into expanding natural gas infrastructure in our state. Or should we instead be making appropriately sized upgrades to the Concord Lateral for winter-reliability? For this reason, I am hoping that my request for answers to all of my questions and detailed maps are presented and made public within this docket PF14-22-000, preferably with a chance for cross-examination by the PUC staff, OCA, and PLAN NE attorney, for accuracy.

Thank you for your consideration,

Representative Charlene F Takesian  
114 Jeremy Hill Rd.  
Pelham, NH 03076  
603-635-7215

**20150810-5014**

Amy Glowacki, Mason, NH.

Slow down this process. Why is there a rush to approve the proposed NED pipeline? A project of this magnitude with so little public stakeholder support (less than 23% survey permission on the Market Path in NH) that will ultimately take private and public conservation land by eminent domain for a private for profit project demands further review that addresses specific questions of water quality, water supply, Conservation Land protection and public benefit and need. New England may need more energy. However, New Hampshire, being a net exporter of electricity, does not.

What New Hampshire does not need is the over-sized multi-billion dollar natural gas pipeline proposed by Kinder Morgan, a project that could cause over-dependence on distant and limited energy sources for electric generation, risk the security of NH's energy supply and energy future by diverting investment to ill-advised short-term plans, and significantly degrade the quality of our state's natural environment and endanger the water supply.

We've asked for more scoping sessions in larger venues that can hold all who wish to participate and more time for review. Slow this process down. Too much is at stake to rush this. Listen to those affected - there are reasons we protest the project and we only get one chance to get this right.

**20150810-5015**

Debra Austin, Averill Park, NY.

August 8, 2015

Regarding: Northeast Energy Direct Docket #PF14-22

Subject: FERC Filing #1, Request to Restart Scoping Period

I would like to request that FERC restart the scoping period for the proposed Nassau, NY Compressor Station with regard to the above. As you are aware, Kinder Morgan recently submitted an entirely new 6,571 page Resource Report four days prior to the MA & NH Scoping meetings for a different sized project than was initially submitted, rendering any comments from PA & NY irrelevant. I would request that the scoping process be restarted, the current August 31, 2015 date deemed null and void and that a new Notice of Intent be issued, in order to give citizens the opportunity to review the new report and respond accordingly.

I only recently found out about the proposed Nassau, NY Compressor Station and NED Pipeline Project. It has a great impact on people in our community and people elsewhere along the proposed pipeline. It adversely affects our health, lifestyle, wildlife, property values, well being, and the list goes on....! Surely, more consideration for citizen input for a project of this magnitude, which would take people's property by Eminent Domain and offers the people of NY and NH no benefit, is deserved.

This request has also been made via phone calls to:

Governor Andrew M. Cuomo

Senator Kirsten Gillibrand

Senator Charles Schumer

Congressman Chris Gibson

I have also requested they support the citizens they represent, in getting the NYS Department of Environmental Conservation involved immediately!

FERC Filing #2 is to follow...

**20150810-5016**

evelyn taylor, new ipswich, NH.

How would people escape from a fire or explosion? Our homes are in wooded areas with few escape routes. Why hasn't Tennessee Gas or Kinder Morgan discussed safety, evacuation and protective measures? Where is the plan? We need to see a plan before this project can go forward.

**20150810-5017**

evelyn taylor, new ipswich, NH.

Our existing electric grid is supported by wooden posts. If a fire occurs along the power line corridor these posts will burn and cause a massive failure that will complicate response, evacuation and containment activities. What is the plan to protect us from this increased risk?

**20150810-5018**

evelyn taylor, new ipswich, NH.

A very large compressor station is expected in New Ipswich, NH.

If a fire ensues, the electric grid is supported by wooden posts. The grid is sure to come down. Live wires would start more fires. How will Kinder Morgan control such massive fire spread?

**20150810-5019**

Evelyn Taylor, New Ipswich, NH.

Kinder Morgan had another pipe failure in Falfurrias Texas on Aug 3. Richard Wheatley commented that ruptures are often accompanied by a loud boom and a "concussion effect". Concussions can cause permanent brain damage and death. Kinder Morgan has not disclosed the hazards, especially to those in the 1/2 mile radius of the compressor station. You need to make Kinder Morgan expose all toxins and other hazards as how else can we receive accurate and rapid treatment from injuries if health care providers are unaware of the hazards?

**20150810-5020**

evelyn taylor, new ipswich, NH.

How is Kinder Morgan training health providers? We are not safe if they can not recognize the effects of each hazard to properly diagnose and treat us. Who pays the cost of our diagnosis and treatment? We may end up having more tests than are needed or incorrect treatments. All this confusion can cause additional illness or delays or death. We need to see Kinder Morgan's plan and compensation arrangements before you approve this pipeline.

**20150810-5021**

evelyn taylor, new ipswich, NH.

At the Milford, NH, scoping session on July 30 we were told over 3,000 comments had been received. We know we have submitted more than that. We asked for a clarification and were told that is ecomments. How many comments in total has FERC recognized? How about all our postcards? Have these been counted or have they been ignored or discarded? How about other paper mail receipts? We want FERC to prove they have counted and are tracking and considering all comments no matter how they were received. We want numbers from the FERC for this docket PF14-22 for the NED /Kinder Morgan/Tennessee Gas pipeline project. We also want to know how the counts are segmented - is it by state, by town? We know this project has far more than comments than the numbers given to us by the FERC

**20150810-5022**

evelyn taylor, New ipswich, NH.

We had originally been told by Kinder Morgan that the project was to use a 36 inch diameter pipe and the compressor station would be 80,000-90,000 hp. Now, the compressor station is half the size and the pipe is also reduced in size. So what happened to this essential need for so much capacity and power to serve the growing demand in the northeast United States? This is a plan intended to deceive.

A statement from the June 4 letter to those within a 1/2 mile from the compressor station, says the pipeline is to serve the growing demand for interstate natural gas transmission in the northeast and New England, it

does not say it is to serve the growing demand for interstate natural gas use. In other words the need is to transmit this gas through the northeast region and then outside of the United States as quickly as possible to capture greater overseas profits.

- This is clearly proof this is a project of greed, not a project of need.
- This is clearly proof of abuse of power to use eminent domain as there is no public need; this is a Kinder Morgan need and they will stop at nothing to make it happen.
- This is clearly proof of an irresponsible and reprehensible attack on the public and private spaces, the environment, the ecosystems and the people of New Hampshire. It is a catastrophe in the making for which Kinder Morgan has no ability to avoid or restore once destroyed. If the FERC approves this pipeline, it is clearly proof the FERC is not independent at all and that they are incapable of finding the truth about pipeline project submissions.

### **20150810-5023**

evelyn taylor, new ipswich, NH.

Where does Kinder Morgan expect to get the water for the compressor station in New Ipswich? I live in the 1/2 mile radius of the compressor station and when 2 new houses were built across the street from my home my well dropped 20 feet. The compressor station is going to surely destroy the water supplies to our home and it may be that the compressor station won't have sufficient water, either. How can Kinder Morgan know they will have sufficient water? The FERC should not approve the pipeline without Kinder Morgan showing unquestionable evidence that they can serve their water needs without destroying ours. It is not just for ANY REASON to turn our town into a community of homes with tanks of water as our only supply. This has happened and will happen again if the FERC approves this pipeline. What is wrong with the FERC to support such outcomes? The FERC must finally step up and say no to the mounds of evidence how destructive this project will be. The toxins will invade our aquifers and we will be the largest superfund site ever imagined. These toxins can flow downhill into water supplies that provide life to thousands of people. How much more does the FERC need to wake up to the dangers here?

### **20150810-5024**

evelyn taylor, New Ipswich, NH.

FERC must prove the public need. There is none, so I can't wait to see what FERC does.

### **20150810-5025**

Susan Williams, New Ipswich, NH.

On your own website, you have laid out the EIS Pre-Filing Environmental Review Process, which begins with receipt of the applicants request for a review of its project, moves through formal approval of the pre-filing process and issuance of a docket number. The next step in the process is given as "Participates in Applicant's Open House," then it proceeds to a scoping meeting(s).

Recently, Tennessee Gas announced additional public open houses for the proposed NED Pipeline in New Hampshire, scheduled between September 9-17 in five different towns. This would seem to constitute a RESET of the process, correct?

Respectfully submitted,

Dr. Susan Williams  
New Ipswich, NH

### **20150810-5029**

evelyn taylor, New Ipswich, NH.

Kinder Morgan has not considered health needs of those within the 1/2 mile radius of the proposed compres-

sor station in New Ipswich, NH. The construction and operation of the compressor station may impose death on these individuals. The FERC should not proceed to approve the pipeline until the negative health aspects of this pipeline project are fully disclosed to the public and health care providers so we can assess how to prevent harm or premature death of those living or working or spending significant time at least 2 miles from the pipeline construction or operation. A 1/2 mile is an incineration zone whereby no matter what a person's health, they are apt to be harmed or perish should an accident occur. To grant permission without that information and time to study is irresponsible and an act of neglect. We cannot continue to allow human abuses for projects that are purely for profit of a private entity.

**20150810-5031**

Sean Radcliffe, Temple, NH.

8/9/2015

I live within 1/2 mile from the proposed New Ipswich compressor station associated with the NED export pipeline. I am a runner and frequently run by the exact location of the proposed compressor station. Running involves breathing air deeply into your lungs. Any contaminations in air will have a magnified effect on runners. I once ran along a few miles of a New Jersey highway. After running a few miles, the carbon monoxide made my lungs feel like they were half their size. I began wheezing. After I was away from the highway a few miles, my lungs seemed to return to normal.

The health impacts reported by community members living 50 feet to 2 miles from compressor stations and gas metering stations along gas transmission pipelines is alarming: 61% of Health Impacts Associated with Chemicals present in Excess of Short and Long Term Effects Screening Levels in the air.

The symptoms reported are:

- Nasal Irritation
- Throat Irritation
- Eyes Burning
- Frequent Nausea
- Allergies
- Sinus Problems
- Bronchitis\*
- Persistent Cough
- Chronic Eye Irritation
- Shortness of Breath
- Increased Fatigue
- Muscle Aches & Pains
- Severe Headaches
- Frequent Nose Bleeds
- Sleep Disturbances
- Joint Pain
- Difficulty in Concentrating
- Nervous System Impacts
- Irregular/Rapid Heart Beat\*
- Strokes
- Dizziness\*
- Forgetfulness
- Easy Bruising

Please make the Compressor station safe for runners who live in the shadow of the compressor station.

Why can't the compressor station capture the blow down gases?

Why can't the compressor station be electric powered (eliminating the combustion exhaust and toxins)?

If people cannot stay healthy around compressor stations, why are they allowed?

Sean Radcliffe

Temple, NH 03084

**20150810-5037**

August 8, 2015

Kimberly D. Bose, Secretary

Federal Energy Regulatory Commission

Washington, DC 20426

Re: Dissemination of deceptive information by Tennessee Gas Pipeline (PF14-22-000)

Dear Secretary Bose,

I am writing to urge that FERC immediately sanction Tennessee Gas Pipeline, a Kinder Morgan (KM) company, for their dissemination of deceptive information in the matter of PF14-22-000. Further, I ask that FERC order KM to correct that improper information via new mailings overseen by FERC, and to delay any further action in PF14-22-000 for a period of one year while consumers assimilate and comment upon the corrected information.

Specifically, on or about August 7, 2015, I received a glossy mailing from KM stating, in part, that "North-east Energy Direct (NED) is designed...to help alleviate the high costs of electricity and natural gas in New England..." However, it is my understanding that KM has refused to rule out the export of natural gas to fungible global markets via NED. Utilizing FERC's own June 2015 data, indicating the dramatic disparity in price between the currently "locked" U.S. market and global markets, the export of gas via NED could increase the cost to New Englanders by 300-400%.

Thus, until and unless KM issues a legally-binding pledge to disavow the export of gas via NED, I urge FERC to intervene in KM's deceptive public relations campaign in the manner suggested above. Instead of KM being allowed to proffer deceptive "puff" public relations literature, the public should be informed about how this pipeline could drive prices upward and wreak havoc upon the New England economy and the jobs we depend upon. I am doubtful that any resident would support this project, and the taking of private land by eminent domain, for a purpose that could prove to be so harmful to our communities and employers.

Thank you for your consideration.

Sincerely,

Jon L. Bryan

Mason, NH 03048-4803

C: NH Governor Hassan, NH Congressional Delegation

1 <http://oilprice.com/Energy/Natural-Gas/A-Reality-Check-For-US-Natural-Gas-Ambitions.html> (Figure 6)

**20150810-5040**

Tennessee Gas Pipeline

Company, L.L.C.

a Kinder Morgan company

NORTHEAST ENERGY DIRECT NEWSLETTER

August 2015

*{note: poor quality OCR at FERC}*

The Northeast Energy Direct Project (NED) is designed to supply natural gas—a critical energy resource—to help alleviate the high costs of electricity and natural gas in the West and Midwest caused by the limited natural gas transportation capacity in the region. AIED will be an extension of the Kinder Morgan's Tennessee Gas Pipeline (ITGPI) which has safely delivered natural gas to the West for more than 50 years.

The project is currently in the pre-filing process with the federal Energy Regulatory Commission (FERC), which includes conducting surveys to gather information about the proposed route of the pipeline, and provides Tennessee the opportunity to interact with landowners and stakeholders.

#### WHAT IS INVOLVED WITH A PIPELINE SURVEY, AND DOES MY GIVING PERMISSION TO SURVEY ME IF I AM GIVING PERMISSION TO BUILD THE PIPELINE ON MY PROPERTY?

Survey crews will be identifying property boundaries, distances to surface features and other underground utilities, and fine-tuning the route and construction workspace requirements.

Additionally, survey crews will be revising the route for any environmental or culturally sensitive resources. The crews will be hand-digging small holes during their survey efforts, as required by the various regulatory agencies, to help identify sensitive environmental resources. All holes will be backfilled immediately upon completion of the survey.

Granting of survey permission does NOT grant permission to build the pipeline on your property. If the project moves forward and receives regulatory approval, separate negotiations will occur with TGP right-of-way staff in order to secure an easement on a landowner's property allowing for construction of the pipeline.

#### WHAT IS THE SURVEY PROCESS FOR THE NORTHEAST ENERGY DIRECT PROJECT?

During the survey process, TGP collects information on the following:

- ~ Environmental resources i.e., archaeological, water bodies, threatened and endangered species)
- ~ Location of any dwelling or homestead in proximity to TGP's proposed work area
- ~ Location of any wells and Septic systems in proximity to TGP's proposed work area,
- ~ Location of unique features, topography, and sensitive areas that are specific to individual landowners' properties
- ~ Location of potential access routes to the permanent easement, or right-of-way and the proposed construction work area
- ~ Landowners' specific concerns regarding construction on their property
- ~ Potential construction techniques specific to each property

The information gathered during the surveys will be used by TGP when determining temporary construction and permanent operational impacts to individual properties. The impacted areas identified during the surveys will be shared with the landowners for their comments. It will also be used to determine the design criteria that should be implemented to minimize the impacts of the project, and will be provided for consideration to FERC and other federal and state regulatory agencies as part of the certificate application and permitting process.

#### WHAT IS THE BENEFIT OF COMPLETING THESE INITIAL CIVIL AND ENVIRONMENTAL SURVEYS? WHY IS IT BENEFICIAL FOR LANDOWNERS TO ALLOW SURVEY OF THEIR PROPERTY?

The pre-filing process provides TGP the opportunity to interact with landowners and other stakeholders, and allows FERC and other regulatory agencies to receive feedback on the proposed project scope. TGP's participation in the pre-filing process began in September 2014 and will end when TGP files its application for a certificate of public convenience and necessity from FERC, which is anticipated to be in the fourth quarter of 2014.

Among other benefits, such as gathering comments from interested landowners, government officials, regulatory and other affected stakeholders, FERC's pre-filing process gives TGP time to address issues that are

identified during the surveys performed on properties. When survey access is denied by landowners, TGP has limited ability to identify and review features that have unique qualities or present sensitive issues on properties and develop avoidance, minimization or mitigation measures for those features.

The pre-filing stage of the NEO Project is the appropriate time to determine impacts and issues and work to resolve them. Without the benefit of the survey data from each property, TGP will continue to pursue its currently proposed alignment for the NEO Project. In the process of identifying and reviewing unique landowner issues and concerns regarding special features and resources, as well as construction techniques that may be available to address those particular landowner issues and concerns will be delayed. TGP's ability to make changes to the proposed alignment in order to avoid, minimize or mitigate landowner concerns decreases as the NED Project matures.

#### FOR MORE INFORMATION

[www.kindermorgan.com](http://www.kindermorgan.com)

[NEDInfo@kindermorgan.com](mailto:NEDInfo@kindermorgan.com)

Toll-Free Phone: (844) 277-1047

#### 20150810-5043

Nancy Woodward, Fitzwilliam, NH.

For too long, decisions related to energy have been unduly influenced by corporations and individuals motivated by financial and political interests rather than by the public good.

This project is more of the same. The prospective benefit to the fossil fuel industry is clear, but the alleged public need has not been demonstrated.

Thank you.

#### 20150810-5044

##### **Merrimack Conservation Commission**

5 Baboosic Lake Road

Merrimack NH 03054

[merrimackoutdoors@merrimacknh.gov](mailto:merrimackoutdoors@merrimacknh.gov)

[www.merrimackoutdoors.org](http://www.merrimackoutdoors.org)

July 29, 2015

Kimberly D. Bose, Secretary

Federal Energy Regulatory Commission

888 First Street, N.E.

Washington, DC 20426

RE: Tennessee Gas Pipeline Company, L.L.C.: Federal Energy Regulatory Commission  
("Commission") Docket No. PF14-22-000

Dear Secretary Bose,

The Conservation Commission for the Town of Merrimack New Hampshire; a properly established Conservation Commission in accordance with New Hampshire State Law RSA 36-4, appreciates the opportunity to submit these scoping comments in conjunction with the pre-filing phase of the Tennessee Gas Pipeline Company's (TGP) proposed Northeast Energy Direct pipeline ("NED Project"), Docket No. PF14-22.

The Conservation Commission already commented (accepted March 18, 2015 - 20150318-5072) on the need and appropriateness of placing a pipeline as proposed in our managed and owned conservation properties so I will not duplicate those comments at this time.

These comments today are in response to the guidance provided by your Commission in the June 30, 2015 Notice of Intent to Prepare an EIS for the planned NED project. Given the limited time to speak, my comments will highlight our concerns but will not be all-inclusive of our concerns. The Conservation Commis-

sion will be filing a more complete submittal in the near future.

I will now comment on each of the environmental impact headings:

### **Geology and Soils**

New Hampshire is known as “Granite State” and that is for good reason. Granite is very prevalent and found in all areas of our State. It lies on the surface and under the surface in most locations within our Town. There are significant granite formations within the proposed pipeline route. Those formations are not only picturesque but also contribute greatly to the hydrology of these properties. They form the underground channels and holding areas for the aquifers that provide more than 80% of the water needs of our community.

With this prevalence comes the burden of removal when a buried pipeline is being constructed. Typical methods are blasting, pulverizing, and digging. Each of these processes creates the opportunity for unintended consequences on the land, soils, water resources, vegetation, and wildlife nearby. The Town of Merrimack has developed ordinances to guide contractors during this type of activity. The Conservation Commission requests you stipulate TGP follows our ordinances and processes even if they appear more burdensome than State or Federal rules and regulations. The Town has local experience and has developed these ordinances to balance the environmental and health needs of our community with the needs of the business community. Our local experience and knowledge should not be underestimated and if nothing else, any other resident or commercial entity would be required to do the same. We are asking no more of TGP than we would require of any other business.

### **Water Resources and Wetlands**

As commented previously, Merrimack is nearly completely dependent on subsurface ground water through both private and large municipal wells. As this is a resource that cannot be easily replaced, protection of our underground water resources needs to be of the utmost concern. The Conservation Commission requests you stipulate to TGP that it must map, sample, and monitor all wells within the construction area and outside that area to a minimum distance of 1000 feet to be able to know if their activities have had any negative impact to these water resources. The sampling and monitoring should address both water quality and water quantity with baseline measurements done before activity starts. The results of the testing and subsequent monitoring should be independently confirmed and provided to the landowner of record.

Our conservation and other open space properties (both private and public) have ponds, streams, brooks, rivers, jurisdictional wetlands, and numerous vernal pools. The most elusive of these are the vernal pools. Vernal pools by nature appear and disappear every year. They provide life to some of the smallest wildlife in our Town. That wildlife then provides life to other species, including State rare and threatened species. Proper mapping of these vernal pools before construction is essential to assure the overall health of our properties and its inhabitants. This mapping should be done in different seasons leading up to construction to ensure all vernal pools are identified and cataloged. Once mapped, avoidance is the next request. Something often not considered is the avoidance of the trails, pathways, and connecting channels for these pools. If the connections are disturbed or blocked by the construction or the placement of a pipeline, the effectiveness and health of the vernal pools and wildlife dependent on them is of great concern. Vernal pools therefore cannot be viewed on an individual basis but must be considered, avoided, or properly mitigated when viewed as part of a larger ecosystem. The Conservation Commission requests that you stipulate TGP follows the New Hampshire Method (<http://nhmethod.org>) and all applicable State Laws and Merrimack ordinances when mapping all types of wetlands and makes that information fully available to the impacted landowners. Providing this information prior to construction will allow affected landowners to refute irregularities and educate both TGP and regulatory agencies associated with the project. This will help ensure potential wetland and vernal pool impacts are not missed in the process.

The proposed pipeline will have temporary and permanent wetland impacts within Merrimack and across the State. State Law (RSA 482-A) provides guidance on how these impacts should be mitigated and it is referred to as compensatory mitigation ([http://des.nh.gov/organization/divisions/water/w\\_etlAlr4sl'wmpA](http://des.nh.gov/organization/divisions/water/w_etlAlr4sl'wmpA)).

One aspect of that mitigation is a payment in-lieu doing physical protection or mitigation activities. This payment opportunity should be viewed as a last resort. The Conservation Commission requests that you stipulate TGP must act in good faith and make every reasonable effort to provide physical compensatory mitigation in each community where wetland impacts are made. The use of a payment should only be a last resort whose determination is solely allowed to proceed if the New Hampshire Department of Environmental Services has determined no mitigation project is possible in an impacted community.

### **Vegetation and Wildlife**

Merrimack's open space and conservation areas impacted by this pipeline are teeming with life of all types including plant, insect, amphibian, reptile, rodent, mammal, and human. We have professionally documented cases of NH rare and threatened species within the TGP study area for the proposed pipeline. This includes both plant and animal species. Some of this information has been found more recently and we are working with NH Fish and Game and NH Natural Heritage Bureau to have them be formally documented. Given these occurrences and their vicinity to the pipeline project" the Conservation Commission requests you stipulate TGP must do on-the-ground studies for rare and threatened species of both plants and wildlife and require them to avoid those areas where they are found and the general habitat areas where they live. Some of these species are mobile. They move and live in different habitat depending on the time of year, mating season, and for hibernation. Avoidance of these areas is crucial for their ongoing survival. This is one key reason why the Town of Merrimack has spent literally millions of dollars to preserve these open space areas.

The proposed pipeline project is intended to run adjacent to existing high voltage power lines. These power line corridors require vegetation maintenance which is likely similar to a natural gas pipeline. Eversource is our local power line company and they use mechanical methods to control vegetation along the route in our Town. They have been doing this work when the ground is frozen during what are normally the winter months. Doing this activity during the winter ensures most animal species are in hibernation or have migrated and are not likely directly harmed by the activity. They also avoid certain plant life if it has been identified as needing protection. The Conservation Commission requests that you stipulate TGP must only do mechanical vegetation control and that those activities only happen once the ground is frozen during the months of December through February. Also, that TGP work with each landowner to ensure rare or threatened species identified anytime during pipeline construction or operation are protected from any form of vegetation control.

### **Cultural Resources**

The Town of Merrimack was chartered before our great country came into being. It has a long history dating back to the 1600s. The proposed pipeline will inevitably cross or come into close contact with these historical treasures in our Town. Some of those treasures will be directly impacted if the proposed primary route is taken. This includes an historic roadway used by our Founding Fathers and original settlers who helped to incorporate, live within, and farm our community. Those homesteads, foundations, and roadways are precious to our Town and are currently protected by the Conservation and Heritage Commissions in our Town along with many private citizens. The Conservation Commission requests that you stipulate TGP maps all these treasures, avoids them once mapped and where avoidance is not possible, that best management practices for historical preservation be performed to ensure artifacts are not lost, removed from our Town, and not damaged. When an historical item is encountered anywhere along the construction route, we request you require the Town to be immediately notified and appropriate action be taken to preserve the item. We further request that historical artifacts found on properties that TGP may purchase as part of this project be offered free of charge to the prior property owners or the Town of Merrimack if those owners do not wish to have them.

### **Land Use, Recreation, and Visual Resources**

Many members of our Town and the surrounding communities utilize our conservation and open space ar-

eas. They are a treasure and are held in high regard. The Town of Merrimack has designated millions of dollars over the years to purchase and maintain these properties. We actively manage our parcels and have committees whose sole purpose is to manage them for all their intended uses. Wildlife, rock formations, flora and fauna only add to the visual appeal of our properties. Our open spaces have multi-use trails, fields, and support outdoor water recreation. Hunting, trapping and fishing is also deeply revered and an important part of our community as well as away to control certain animal species. A pipeline coming into our community will impact our way of life. The Conservation Commission requests that FERC reviews each of these activities, assesses the impact to them, and stipulates that TGP work with the Town and each landowner to minimize an interruption the pipeline may make as well as ensures that pipeline infrastructure is not located so as to impede these activities in our open spaces and conservation areas. Infrastructure items beyond the actual pipeline (metering stations, pig related items, blow off valves, etc.) often entail support roadways and other items. They should be specifically sited out of these open spaces and conservation areas to avoid interruption to the users and inhabitants and ensure the safety of the infrastructure.

### Socioeconomics

This is not an area where a Conservation Commission as defined by State Law would be active in. But it is something we do consider when making decisions. We feel our conservation properties and our oversight of water/aquifer projects within our Town certainly have a socioeconomic impact. We endeavor to ensure our properties add to the quality of life for our residents and businesses. Disruptions of these open spaces, visual interruptions, and the safety fears of people as they relate to a pipeline cannot be minimized. The Conservation Commission recognizes that State and Federal regulations may dictate certain signage, painting and marking schemes, etc. The Conservation Commission requests that you stipulate that TGP further adheres to our local ordinances for these types of things when they do not conflict with these other regulations. When local regulations add further precision, local ordinances should be adhered to and not be ignored because they add cost of any form or time.

### Air Quality and Noise

Air quality is a deep concern for the Conservation Commission. Blow-offs, venting, and other activities that allow gas to leave the transmission pipeline are both a fact of life and an area of concern. The gas that will flow through this pipeline is known as a green house gas and will likely contain many other gases that are part of how the gas is extracted from its initial source. Some are known to disturb and affect humans. Not to be missed is their impact on plant and animal species as well as when or if this gas becomes part of our wetlands or aquifers. The Conservation Commission realizes there are Federal regulations that dictate and mandate how air quality is measured and impacts should be mitigated. We do request that you stipulate TGP does not place potential gas emitters (valves, stations, outlets, etc.) within wetlands, near existing trails or commonly used areas by humans, or where if they were ignited could cause a significant loss of our forests and open spaces. It should not be lost on your Commission that our Town has only a limited public safety capability and a pipeline of this proposed size can cause significant damage before safety mechanisms react.

### Cumulative Impacts

The proposed pipeline is primarily being sited to run adjacent to the existing Eversource power lines. The power lines have already left a visual scar on our communities. Adding an adjacent scar on the landscape, will have a significant visual impact and will directly interfere with usability of both private and public property. Eversource likely has a long planned capital power line improvement plan. We are seeing evidence of this in one of our neighboring communities as Eversource is upgrading its own infrastructure. The Conservation Commission requests that FERC contact Eversource and review those long-term plans. We further request that where those plans may potentially, be in conflict with or along the same proposed route of the pipeline (and within the pipeline's intended operational life) that you consider those impacts when making your siting adjustment requests. Balancing these conflicts must be considered a part of your charter as you go through your approval process.

## **Public Safety**

The Conservation Commission is very concerned about pipeline and public safety during both the construction and operational phases of this project. Terrorism, natural disasters, weather, seismic changes, negligence, and ignorance can all lead to a public safety incident. The Conservation Commission requests that you stipulate TGP must not only work with local safety officials but that it must bear the cost of planning and implementation for any relocation of current public or private use trails that may be impacted by the pipeline project or be of a safety concern by TGP or Merrimack public safety officials.

In conclusion, the Commission has contracted with a professional ecological company to assist us in understanding two of our potentially impacted properties. We have allocated over \$30,000 for this study with the results due by early fall. Unfortunately this may leave us with no time to further clarify our scoping comments to your Commission before your current scoping deadline.

The speed at which this NED pipeline process is moving makes it very difficult for our community to be adequately prepared and do adequate research. It is not that we have delayed our activities or are using this as an excuse. We have been very proactive and engaged our contractor within one month of the New Hampshire alternative route becoming the primary proposed route. The simple fact is that our properties are large (~600 acres). The different seasons of the year provide both challenges to performing a study and provide for new or not previously seen species of all kinds to be found, identified, and studied. Proper science following best management practices has a time aspect that cannot simply be ignored.

Given these concerns and our sincere desire to be an active stakeholder in the project, we request your Commission extends the scoping period by 60 days so we can provide you even better guidance and further that your Commission holds a scoping meeting and site visit within the Town of Merrimack to allow specific input on any impacted parcels as they relate to the NED project.

Sincerely,

The Merrimack Conservation Commission

Timothy Tenhave, Chairperson

ttenhave@merrimacknh.gov

As authorized by the Conservation Commission on July 20, 2015.

## **20150810-5085**

James L Giddings, Greenville, NH.

Driving south on route 45,

I feel drawn to overhead wires.

They criss-cross the sky everywhere,

follow every country road,

disappear into groves of trees.

How did it get this way?

In 1935, the year of the Rural Electrification Act,

wind turbines were popping up everywhere;

they were getting cheaper.

Where did the grid of black wires

bearing coal energy from afar come from?

It didn't have to be this way.

Now, as wind and solar are growing,

getting cheaper,

FERC is the new REA,  
selling the supposed need for fracked gas,  
for supersizing, networking, poisoning  
the way we get light, heat, communication  
far into the future.

It doesn't have to be this way.

It mustn't be this way this time!

**20150810-5087**

Julia V Stockwell, Townsend, MA.

Dear FERC Members,

I am sorry I am not able to attend the hearing on August 12th in Lunenburg. I am a 70 year old single woman trying to survive without any financial support from the state or the Federal governments. Of course my income is fixed since I am retired, social security, which I supported while working and savings; and I manage by funds and life style according to what I can afford. I do have several acres of land, two parcels already have an easement by Unitil for power lines. All of the property I own as a caretaker are predominately wetlands and two parcels are classified as Chapter 61. The parcels are either landlocked or not marketable properties. The only way I can manage to retain the properties is through Chapter 61 and recreation classification due increasing yearly taxes. Believe me I would rather not manage this land as it consumes much of my time. However, it does provide clean oxygen and a habitat for wildlife. I am explaining this to give you an idea of what I accomplish without state or federal aid. I burn wood and supplement it with oil. I would love to convert to solar energy and I may in the future with the new technology and if costs become more reasonable. This is where we should be putting our energy towards developing. It is safe and will take us into the future as long as the sun continues to exist.

I guess caring for the environment comes with age. As Americans we relied too much on oil and now it seems we are heading towards that same path with natural gas regardless of the effects it has on our environment and the people. I am 70 so I do not expect to ever see, at least I hope, the repercussions from transporting gas and its added chemicals across our land, providing damage to our pristine water systems, air, wildlife and fire safety. We do not need to experience forest fires like the west coast. Additionally, We need to take a lesson from Nova Scotia in predicting their gas field would last for twenty years and it ran out in five. It is exactly what they are predicting the Pennsylvania shale fields will supply, twenty years. Most of the land the pipeline will be built on is wetlands, conservation land, forests and in people's back yards. There is already an existing pipeline in the southern part of Massachusetts that actually extends into Fitchburg. If it is not large enough to transport the volume of gas they say they need, then they need to think about enlarging that line rather than building another separate line impacting more of our environmental resources. From the hearings I have attended I have not received a clear answer from Kinder-Morgan - the catch phrase is the area is too densely populated from the time the pipeline was built in the 1950s. The real problem is the money since the existing pipeline is old and most likely more expensive to rebuild. Besides they already have existing easements and would not have to take anymore land by eminent domain. The other area they have not addressed is once the gas no longer exists, then how do they propose to eliminate the existing vacated pipelines and restore the areas to their original condition, or will it be like the railroad tracks that are left abandoned across our state.

Kinder-Morgan, or should I say the Tennessee Gas Pipeline Company, has diverted their plan for the pipeline to encompass more of lower New Hampshire than Massachusetts. I can tell you that is probably the result of the impact our local towns people had on making their voices heard loud and clear that we will fight this invasion to the end. The Revolution began in Massachusetts in 1775 to make our country, we still have that same spirit to defend it against unjust invasion of a dangerous element to our lives. I am whole

heartedly against this pipeline, it is not needed and it is too dangerous. Our energies need to be put towards renewable energy resources like solar and wind power that does not damage our environment and our lives. Please consider this proposal carefully, eminent domain was not originally created to assist companies in making a profit over the rights of the people, it was meant to acquire land for public good. Putting another pipeline across virgin land is not a necessity! Companies hide under the umbrella of public domain and eminent domain because government lets them get away with it. It is time to stop this nonsense!

Respectfully,

Julia Stockwell  
203 Lunenburg Road  
Townsend, Massachusetts 01474-1131  
jvstockwell@yahoo.com  
978-582-6920

#### **20150810-5091**

Wendy Juchnevics-Freeman, New Ipswich, NH.

I live in New Ipswich, NH and we have no public drinking water. We rely on private wells, many of which draw water from the three stratified drift aquifers the pipeline is proposed to segment. I draw water from one of these and, if we ever required a public drinking water source, it would likely be one of these aquifers. Please AVOID these aquifers. If not, please identify the wells which draw from these aquifers, regardless of location, and test these wells for flow and contamination prior to construction and then quarterly after construction until the pipeline is removed.

#### **20150810-5092**

Wendy Juchnevics-Freeman, New Ipswich, NH.

I live in New Ipswich, NH and we have no public drinking water. We rely on private wells, many of which draw water from bedrock aquifers. The pipeline is proposed to segment an unknown number of bedrock aquifers. In order to protect our private wells, please AVOID blasting. Please consider alternatives such as drilling and cutting. Please do a hydro-geological study to identify the bedrock aquifers proposed to be impacted by the pipeline. Please identify the wells drawing water from these aquifers. Please test these wells, regardless of distance from the pipeline, before construction and quarterly after construction until the pipeline is decommissioned and removed. Please test these wells for flow and contaminants, both naturally occurring (e.g., radon and arsenic) and those found in fracked natural gas.

#### **20150810-5094**

**MRWC**

**Merrimack River Watershed Council**

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August 6, 2015

Kimberly D. Bose, Secretary

Nathaniel J. Davis, Sr., Deputy Secretary

Federal Energy Regulatory Commission

888 First Street, NE

Washington, DC 20426

DOCKET NO. PF14-22-000

Re: Tennessee Gas Pipeline Company, LLC, Proposed Northeast Energy Direct Project

Dear Secretary Bose:

On behalf of the Merrimack River Watershed Council, Inc. (“MRWC”), the Emmett Environmental Law and Policy Clinic (“ELPC”) at Harvard Law School<sup>1</sup> welcomes the opportunity to comment on the Tennessee Gas Pipeline Company’s (“TGP”) proposed Northeast Energy Direct Project (the “Project,” FERC Docket No. PF14-22-000). The MRWC is a nonprofit organization that was formed in 1976 by local activists and regional planning commissions to involve citizens in cleaning up the Merrimack River, which, due to its long urban and industrial history, was then one of the ten most polluted rivers in the country. After decades of efforts by MRWC and others to improve and preserve a healthy ecosystem throughout the river valley, the Merrimack River now provides important economic and environmental benefits to humans and wildlife. The MRWC continues to combine science, policy, and citizen action to protect, improve, and preserve a healthy ecosystem for the mutual well-being of the people and wildlife in the Merrimack River watershed.

Today, the Merrimack River is the second largest surface-water source of drinking water in New England; after treatment, the river provides drinking water to nearly 360,000 people in Massachusetts and New Hampshire; an additional 150,000 are projected to soon use the water in New Hampshire.<sup>2</sup> The River is also a recreational resource, including for boaters, hikers and fishermen, and provides habitat for numerous terrestrial and freshwater species, including the endangered Shortnose sturgeon (federally and state listed) and the threatened bald eagle (state listed).<sup>3</sup> Despite the River’s current role as a significant source of drinking water, it is still at risk from historic contamination and ongoing development. For example, a 2009 study by the United States Forest Service ranked the Merrimack River watershed as the 4th most threatened in the country for impacts to water quality by increased housing density on private forest lands.<sup>4</sup>

MRWC does not support the Project, either as originally proposed or as defined by TGP’s amended preferred route, outlined in a December 8, 2014, filing with FERC. As a general principle, MRWC believes that co-locating new pipelines along existing pipeline or utility routes is preferable to greenfield development, and recognizes that TGP’s revised preferred route would increase the percentage of new pipeline that would be located “adjacent to, and parallel with, existing utility corridors” and cross fewer Article 97 properties.<sup>5</sup> However, TGP’s revised preferred route (i.e., the New York Powerline Alternative and the New Hampshire Powerline Alternative for the Market Path Component of the Project) will continue to have impacts on the Merrimack River (which it crosses twice), four of the River’s tributaries (including the Souhegan River, Shawsheen River, Spicket River, and Nashua River) and other Massachusetts’ public lands, areas subject to conservation and other preservation restrictions, and waterways (collectively, “Conservation Areas”)<sup>6</sup> that must be appropriately considered in FERC’s review of the Project.<sup>7</sup> These Conservation Areas provide important environmental benefits as well as significant economic value to land owners and surrounding communities.

Massachusetts and New Hampshire have dedicated significant resources to protecting the Merrimack River, its associated tributaries and other Conservation Areas in order to protect their economic, environmental, health and social benefits. FERC must, and should, consider the impacts of the Project on these resources when determining if the Project serves the public interest. Should FERC proceed with a full National Environmental Policy Act (“NEPA”) analysis or issue a Certificate of Public Convenience and Necessity (“Certificate”) for the Project, its determinations of environmental impacts, required mitigation and Certificate conditions should account for the benefits of Conservation Areas that will be impaired by the Project.

Although the Natural Gas Act (“NGA,” 15 U.S.C. § 717 et seq.) may preempt some of the state laws that protect Conservation Areas, FERC’s analysis should still be informed by the strong legal system that the Commonwealth has developed to protect the benefits provided by, and public and private investment in, Conservation Areas.<sup>8</sup>

## **I. THE PROPOSED PROJECT WOULD HAVE A SIGNIFICANT NEGATIVE IMPACT ON MASSACHUSETTS AND/OR NEW HAMPSHIRE CONSERVATION AREAS AND THE BENEFITS THEY PROVIDE**

According to TGP, the revised preferred pipeline route in Massachusetts would consist of approximately 64

miles of 36-inch-diameter pipeline and 51 miles of new delivery lines and laterals with diameters ranging from 12 to 30 inches.<sup>9</sup> Approximately a third of the new pipeline in Massachusetts would be located outside of existing powerline or pipeline corridors.<sup>10</sup> The revised preferred option for the Project would traverse several dozen municipalities and affect over 1,600 acres of land during construction (not including additional acreage for temporary workspace during construction).<sup>11</sup> Alternative pipeline locations proposed by TGP would cross waterbodies and/or lands that MRWC works to protect.

The Project's proposed crossings of the Merrimack River and four of its eleven tributaries (the Souhegan River, Shawsheen River, Spicket River, and Nashua River) threaten the public and environmental benefits supported by the River. For example, sediment pollution is one of the primary sources of non-point pollution in the watershed,<sup>12</sup> and dredging could disrupt historically contaminated sediment, thereby releasing harmful chemicals and heavy metals from the Merrimack River's industrial past in proximity to public water supplies<sup>13</sup>. Specifically, the Project's proposed crossings of the Merrimack River, the Souhegan River, and the Shawsheen River are segments that the Commonwealth has designated as impaired or threatened for one or more uses, due to the presence of mercury, aluminum, iron, lead, polychlorinated biphenyls ("PCBs") in fish tissue, and/or phosphorus.<sup>14</sup> Drilling in the riverbed would also disrupt fish and wildlife habitat.

TGP's original preferred route for the Project would have also crossed Pine Island, a Conservation Area owned by MRWC, which provides public benefits ranging from recreation to turtle nesting habitat, and is subject to a conservation restriction administered by the MRWC. The conservation restriction prohibits a wide range of activities, including construction of any conduits, lines or permanent structures, excavation or dredging, activities detrimental to water conservation, water quality, erosion control or soil conservation, cutting or removal of any trees or any other vegetation within 100 feet of the water line surrounding the property, or any other uses of the land or activity thereon which is inconsistent with the purpose of the conservation restriction.<sup>15</sup> The Project, which would entail clearing tracks of land between 75 to 100 feet wide along the entire length of the pipeline,<sup>16</sup> would have violated this conservation restriction and exacerbate existing erosion conditions at Pine Island. It is therefore important that Pine Island remain outside the scope of the Project, as it is proposed now or changed in the future.

Conservation Areas like the Merrimack River, its associated tributaries, and Pine Island provide a wide range of economic, public health and environmental benefits to Massachusetts and New Hampshire communities, property owners, economies and ecosystems; the Trust for Public Land estimates that every \$1 invested by Massachusetts in land conservation returns \$4 in natural goods and services to the Commonwealth's economy.<sup>17</sup> The environmental benefits of Conservation Areas also contribute to property values in surrounding communities, quality of life and the scenic beauty of the state, all of which impact the state's ability to attract business and labor. For example, one study found that property located 200 meters closer to the Great Meadows Wildlife Refuge increases the sale price of the average property by almost \$2,000 (in 2007 dollars).<sup>18</sup> Other studies found that homes near the Minuteman Bikeway and Nashua River Rail Trail sell on average 45 percent faster than other comparable homes and closer to their list price.<sup>19</sup>

Conservation Areas provide a wide range of economic and nonmaterial benefits whose value should be taken into account when evaluating whether projects that would impair such benefits are in the public interest. Examples of such benefits include the following:

- **Water Supply and Quality**: Conservation Areas play an important role in providing drinking water and preserving water quality. For instance, forests and wetlands purify water by stabilizing soils and filtering contaminants, which prevents pollutants from developed areas flowing into drinking water sources. This is particularly important in Massachusetts, where approximately 80 percent of the population receives its drinking water from surface water sources.<sup>20</sup> Conservation Areas such as wetlands and other pervious surfaces may also capture and store water, thereby helping to control flooding and regulate supply.

The natural characteristics of Conservation Areas provide a cost effective alternative to expensive water treatment facilities. For example, a study of 27 water supplies found that, "[f]or each 10 percent increase in forest cover on the watershed surrounding a drinking water reservoir, water treatment costs were reduced by

20 percent,” and noted that, “while increased treatment costs must be paid each year, the cost of conserving land is a one-time expenditure.”<sup>21</sup> Similarly, the Trust for Public Lands calculated that the \$130 million spent on land acquisition by the Massachusetts Department of Conservation and Recreation over a 20 year period resulted in the ability to forego additional filtration and savings of approximately \$200 million.<sup>22</sup>

- **Critical Habitats:** Habitat destruction is a significant threat to species, and the impacts of habitat destruction, even in small amounts, may be exacerbated when the alteration creates fragmentation in habitats, which can interrupt normal animal movement within habitats and isolate species.<sup>23</sup> Large intact ecosystems, such as wetlands, forests or river networks, “generally support larger populations of native species, a greater number of species, and more intact natural processes than small, isolated examples.”<sup>24</sup> Connected tracks of land are also better suited to help plants and animals survive the types of extreme conditions that are expected to increase due to climate change.<sup>25</sup>

- **Air Quality:** Conservation Areas can contribute to the removal of pollutants from the air, including by supporting trees and other plants that filter pollutants through their leaves and diffuse them into their cells. In Massachusetts, five of the counties that the Project would traverse have yet to reach attainment with the national eight-hour standard for ozone – a pollutant that can interfere with respiratory functions and worsen conditions like asthma, which resulted in hospitalization charges of \$89 million in 2006.<sup>26</sup>

- **Flood Control:** Conservation Areas with water storage capacity, e.g., wetlands, can reduce flooding and subsequent damages and recovery costs. Maintaining such areas is particularly important in flood prone areas and will become more important as climate change leads to increased precipitation events.<sup>27</sup> For example, a one-acre wetland can typically store about one million gallons of water, and wetland vegetation can slow the speed of floodwaters.<sup>28</sup>

- **Recreational Value:** Conservation Areas are a significant draw for outdoor enthusiasts in Massachusetts and New Hampshire, and are used for activities such as hiking, skiing, biking, fishing, bird watching, swimming and boating. In addition to the personal enjoyment derived from such activities, the money spent on recreational activities, and associated travel, lodging, food and other goods and services, is a direct benefit to the Massachusetts economy. Outdoor recreation generates \$10 billion in consumer spending and \$739 million in state and local tax revenue each year, and supports 90,000 jobs and \$3.5 billion in wages and salaries.<sup>29</sup>

Even when the benefits of Conservation Areas cannot be monetized, they should be considered in determining the impacts of the Project and whether it serves a public need.

## **II. MASSACHUSETTS LAWS AND POLICIES PROMOTE PRESERVATION OF CONSERVATION AREAS**

Routing the pipeline through Conservation Areas would directly contravene Massachusetts laws and policies that protect and expand Conservation Areas. The Commonwealth’s commitment to public lands can, and should, inform FERC’s evaluation of the proposed Project, even if the normal implementation of certain statutory protections is preempted by the Natural Gas Act.<sup>30</sup> At a minimum, should FERC issue a Certificate for the Project, we urge the Commission to implement the Massachusetts Executive Office of Energy and Environmental Affairs’ (“EOEEA”) policy of “no net loss” of Article 97 properties (discussed below), and to apply that objective to all Conservation Areas as a condition of its approval of the Project.

In Massachusetts, the right to a clean environment and the government’s obligation to protect natural resources are embedded in the Constitution, which provides that:

The people shall have the right to clean air and water, freedom from excessive and unnecessary noise, and the natural, scenic, historic, and esthetic qualities of their environment; and the protection of the people in their right to the conservation, development and utilization of the agricultural, mineral, forest, water, air and other natural resources is hereby declared to be a public purpose.

Mass. Const., Art. XCVII (hereinafter, “Article 97”). As explained by the Massachusetts Supreme Judicial

Court, “conservation and environmental protection are express obligations of the government in Massachusetts.”<sup>31</sup>

Article 97 enables the Massachusetts legislature to acquire lands, including via takings, in furtherance of the purposes outlined in the provision (“Article 97 properties”). Once acquired, these lands are subject to procedural safeguards regarding disposition or change in use. In brief, a two-thirds vote by the Massachusetts legislature is required before any (i) disposition of Article 97 land, i.e. a change in legal or physical control such as easements to private parties, or (ii) change in use, even to another Article 97 use if inconsistent with the prior Article 97 use. According to TGP, the Project would cross Article 97 lands in a manner that would normally require a two-thirds vote by the Massachusetts legislature.

EOEEA’s implementation of Article 97 includes an “Article 97 Land Disposition Policy,” which iterates that EOEEA, and its agencies, shall not, as a general rule, “sell, transfer, lease, relinquish, release, alienate or change the control or use” of any right or interest of the Commonwealth in and to Article 97 properties.<sup>32</sup> A condition for an exception to EOEEA’s general rule of non-disposition is that “real estate of equal or greater fair market value or value in use of proposed use, whichever is greater, and significantly greater resource value as determined by [EOEEA] and its agencies,” must be granted to the party disposing Article 97 property.<sup>33</sup> This “no net loss” policy of Article 97 helps protect the constitutional rights of the citizens of Massachusetts.<sup>34</sup>

The Constitutional right to a clean environment is further reflected in the Commonwealth’s laws, which create substantive and procedural protections that may apply to Article 97 properties and other Conservation Areas, including state and/or municipal-level review and approval of changes in use of such areas. For example, M.G.L. c. 184 § 32 establishes procedural requirements that must be met before the release of conservation, preservation, or watershed preservation restrictions held by governmental entities, charitable corporations or trusts. With respect to conservation restrictions, for instance:

- A government-held restriction cannot be released without public notice, hearing and vote by the governmental body holding the restriction;
- A restriction held by a charitable corporation or trust cannot be released without a vote by the relevant mayor, city manager, city council or town selectmen; and
- A restriction that was initially approved by EOEEA cannot be released without approval from EOEEA.

In addition, M.G.L. c. 40 § 15A provides that lands owned by a municipality (excluding land acquired for park purposes) with a designated specific purpose may only be subjected to another purpose upon a two-thirds vote of the city council, with the approval of the city manager or mayor, or a two-thirds vote at a regular or special town meeting.

Massachusetts common law also provides procedures that govern changes in use of certain public lands. Specifically, the public trust doctrine and the doctrine of prior public use both offer protections for public lands and certain water resources. In short, the public trust doctrine in Massachusetts provides that navigable waters (e.g., the Merrimack River), great ponds (>10 acres) and the lands beneath them are held in trust by the Commonwealth for the benefit of the public.<sup>35</sup> Lands protected under the public trust can be relinquished only by a vote of the legislature in furtherance of a “proper public purpose.”<sup>36</sup> The prior public use doctrine applies the concepts of the public trust doctrine from waterways and submerged lands to upland resources, providing that “land devoted to one public use may not be diverted to another inconsistent use without plain and explicit legislation authorizing the diversion.”<sup>37</sup>

The Commonwealth’s commitment to the protection of Conservation Areas is reflected in its significant financial investment in the acquisition and preservation of such areas. For example, between 1998 and 2011, Massachusetts funded the conservation of 131,000 acres, including lands protected through conservation easements and direct acquisitions.<sup>38</sup> Federal funds may have also been used in the acquisition or protection of Conservation Areas.

In addition to directly investing in the protection of these properties, the Commonwealth offers incentives

for private landowners to dedicate their properties to conservation purposes, including via a number of tax benefit programs. For example, the Commonwealth Conservation Land Tax Credit grants tax credits of up to \$75,000 for donations of conservation land, (301 C.M.R. 14.00), and the Massachusetts Current Use Program gives preferential tax treatment to property maintained as open space for the purposes of timber production, agriculture or recreation (M.G.L. c. 61, c. 61A, c. 61B). In some instances, the sale or conversion of land enrolled in such tax programs is subject to a right of first refusal to purchase vested in either the relevant municipality, Commonwealth or nonprofit conservation organization (e.g., M.G.L. c. 61, §8).

### **III. THE COMMISSION MUST CONSIDER THE BENEFITS OF CONSERVATION AREAS AND MITIGATE THE RISKS TO SUCH RESOURCES**

As explained below, throughout its assessment of the Project, the Commission must account for the impacts of the proposed pipeline on Conservation Areas and the benefits they provide. Should FERC determine, even in the face of these lost benefits, that the Project is in the public interest, it must ensure that such harms are mitigated. Specifically, FERC should consider the impacts to Conservation Areas and the benefits they provide when:

- (1) Balancing the Project’s projected benefits against adverse consequences to determine if the Project is “necessary or desirable in the public interest;”
- (2) Conducting the NEPA analysis of alternatives to the proposed route, including the no action alternative, and developing mitigation measures (if the Commission determines the Project is in the public interest); and
- (3) Imposing conditions on the Certificate (assuming the Commission determines the Project is in the public interest and complies with NEPA).

#### **A. FERC’s Public Interest Assessment**

Before approving the Project, FERC must determine that it is “necessary or desirable in the public interest” (15 U.S.C. § 717f (c)). This process includes balancing the Project’s projected public benefits against potential adverse consequences; the Commission only proceeds when the benefits outweigh the adverse effects, i.e., when FERC determines that a project is in the public interest.<sup>39</sup>

As touched upon above, the Project could impair the many benefits provided by Conservation Areas. The Commission must adequately account for the harm to Conservation Areas and the benefits they provide, including to owners of Conservation Areas and surrounding communities, when balancing the Project’s projected benefits against potential adverse consequences. The Conservation Areas and related benefits that would be lost due to the Project are resources that cannot be easily replaced, if at all, even with mitigation. In this instance, the impacts on Conservation Areas and the benefits they provide weigh heavily against authorizing the Project.<sup>40</sup>

Conservation Areas provide benefits that have significant direct economic value and contributions to property owners and the Commonwealth’s economy. However, FERC’s consideration of adverse consequences to Conservation Areas and the benefits they provide should not be limited to values that are directly quantifiable in monetary terms. Many of the benefits that Conservation Areas provide to property owners and surrounding communities, e.g., better health from cleaner air and water, might not be easily quantified, but avoided costs, like reduced asthma cases, are economic interests, the impairment of which should be included in FERC’s analysis of the Project’s impacts.<sup>41</sup> In addition, as discussed above, Massachusetts’ historic economic investment in Conservation Areas, including by direct investments and foregone taxes, need to be weighed against any benefits of the proposed Project.

In assessing whether the Project is in the public interest, FERC must also consider the extent to which TGP will exercise eminent domain authority to obtain access to land required for the Project. (Assuming FERC issues TGP a Certificate, Section 7(h) of the NGA grants the company the right to condemn private property for the Project as a public use). According to FERC, the strength of the Project’s benefit showing must be proportional to TGP’s proposed exercise of eminent domain.<sup>42</sup>

A pipeline route that goes through Conservation Areas will require an increased exercise of eminent domain. Many Conservation Areas are subject to restrictions, often held by nonprofit organizations, that limit the holder's right to grant permission for activities such as excavation or uses that would conflict with existing uses. For example, the Commonwealth of MA EOEEA's sample conservation restriction prohibits holders from authorizing any construction or other activity that is inconsistent with the purpose of the restrictions.<sup>43</sup> Even if the holder of a conservation restriction is not contractually prohibited from granting access for a pipeline, providing such authorization might be contrary to an organization's purpose, thus preventing it from allowing access to its land absent an eminent domain taking. Likewise, given the number of municipalities that have adopted resolutions against the Project, TGP would likely need to exercise eminent domain authority to take much of any municipal land required for the Project. FERC should assume that the Project would require a significant exercise of eminent domain, thus increasing the required level of public benefits that the Project must supply in order to be in the public interest.

## **B. NEPA Environmental Review Process**

The National Environmental Policy Act (42 U.S.C. §4321 et seq.) requires federal agencies to consider potential environmental impacts of an action or authorization of an action.<sup>44</sup> With respect to the Project, FERC has stated that it will prepare an Environmental Impact Statement ("EIS") as part of the NEPA process.<sup>45</sup> Should the Commission determine that the Project would be in the public interest, the EIS must consider the significant environmental value of Conservation Areas that would be impacted by the Project when evaluating alternatives to TGP's proposed route and when determining mitigation requirements.

Project impacts that must be considered as part of the NEPA analysis include ecological effects, including on "natural resources and on the components, structures, and functioning of affected ecosystems), aesthetic, historic, cultural, economic, social, or health, whether direct, indirect, or cumulative." (40 C.F.R. § 1508.8). In evaluating required mitigation, FERC must consider opportunities for:

- (a) Avoiding an impact altogether by not taking a certain action or parts of an action.
- (b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
- (c) Rectifying the impact by repairing, rehabilitating, or restoring the affected environment.
- (d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action. [and]
- (e) Compensating for the impact by replacing or providing substitute resources or environments.

40 C.F.R. § 1508.20. According to the Council on Environmental Quality ("CEQ") the need to mitigate impacts is not limited to major effects:

Mitigation measures must be considered even for impacts that by themselves would not be considered 'significant.' Once the proposal itself is considered as a whole to have significant effects, all of its specific effects on the environment (whether or not 'significant') must be considered, and mitigation measures must be developed where it is feasible to do so.

A full set of mitigation measures cannot be identified until TGP presents further information about the Project and its impacts. However, by way of example, potential mitigation measures could include requiring TGP to:

- Monitor water quality in areas where construction could disrupt contaminated sediment;
- Pay for impacts to public drinking water supplies, including increased treatment costs;
- Replace lost or impaired storm water storage capacity; and
- Fund the creation of "travel lanes" or corridors of sufficient width for animals where habitat is fragmented.

The EIS must also address how inconsistencies between the proposed Project and any State or local law will be reconciled.<sup>46</sup> Thus, the EIS should examine the Project's compliance with state laws, such as, but not limited to, the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), The Massachusetts Rivers

Protection Act, Chapter 258 of the Acts of 1996, Endangered Species Act (M.G.L. c.131A), Global Warming Solutions Act (M.G.L. c. 21N) and Clean Waters Act (M.G.L. c. 21, §§ 26-35), and local laws, including, but not limited to, municipal wetlands ordinances and bylaws.

### **C. Conditioning the Certificate of Public Convenience and Necessity**

FERC has the authority to issue Certificates with “reasonable terms and conditions as the public convenience and necessity may require” (15 U.S.C. § 717(f)(e)). Should FERC issue a Certificate for the Project, we urge the Commission to include conditions to minimize adverse impacts on Conservation Areas and surrounding communities. A full set of conditions cannot be identified until TGP provides a draft environmental report, but an example of an appropriate condition would be to condition the Certificate on TGP’s compliance with mitigation measures spelled out in the EIS.

In addition, FERC should condition the Certificate on TGP’s compliance with Article 97 of the Massachusetts Constitution. This would be consistent with TGP’s commitment to seek an Article 97 vote from the Massachusetts legislature.<sup>47</sup> At a minimum, FERC should condition the Certificate on TGP’s compliance with Massachusetts’ “no net loss” policy for Article 97 land.

Such a condition would be consistent with FERC’s general expectation that natural gas companies will “comply with state and local requirements, to the extent that doing so does not interfere with actions that the Commission has determined are required by the public convenience and necessity.”<sup>48</sup>

\* \* \*

The protection of Conservation Areas is critical in order to preserve the economic, environmental, health and social benefits they provide. The Project’s impacts on such areas and benefits must be fully considered in FERC’s evaluation of the Project, and weigh against finding that the Project is in the public interest. Thank you for your consideration of these comments.

On behalf of the Merrimack River Watershed Council,

Aladdine D. Joroff & Karen Dildei, JD ‘16

Emmett Environmental Law & Policy Clinic

and Dr. Caroly Shumway, Executive Director, The Merrimack River Watershed Council

1 The ELPC works on a variety of local, national, and international projects covering the spectrum of environmental law and policy issues under the direction of Wendy B. Jacobs, Esq., a Clinical Professor at Harvard Law School and Director of the ELPC.

2 See e.g., Massey, A.J., and Waldron, M.C., “Pharmaceutical Compounds in Merrimack River Water Used for Public Supply, Lowell, Massachusetts, 2008–09,” U.S. Geological Survey Scientific Investigations Report 2011–5192, pg. 5 (2011), available at <http://pubs.usgs.gov/sir/2011/5192>.

3 See e.g., Executive Office of Environmental Affairs, “Merrimack River: A Comprehensive Watershed Assessment Report,” (2001), available at <http://www.mass.gov/eea/docs/eea/water/assess-rpt-merrimack-2000.pdf>.

4 Stein, Susan M. et al., “Private Forests, Public Benefits: Increased Housing Density and Other Pressures on Private Forest Contributions,” Gen. Tech. Rep. PNW-GTR-795, U.S. Department of Agriculture, pg. 19 (2009), available at [http://www.fs.fed.us/openspace/fote/benefits\\_files/pnw-gtr795\\_pt2.pdf](http://www.fs.fed.us/openspace/fote/benefits_files/pnw-gtr795_pt2.pdf).

5 Letter from J. Curtis Moffat, Deputy General Counsel and Vice President, Gas Group Legal, TGP, to Kimberly D. Bose, Secretary, FERC (December 8, 2014).

6 The term “Conservation Area” is used broadly in these comments to encompass a range of preservation tools, including conservation restrictions, preservation restrictions and watershed preservation restrictions as defined in M.G.L. ch. 184, §31, and agricultural and forestry restrictions.

7 Beyond the Project’s impacts on Conservation Areas, there is also a significant question as to the need for, or appropriateness of, the Project from either a capacity or public interest perspective.

8 These comments focus on certain procedural protections for Conservation Areas, but do not address all environmental aspects of the Project or laws with which the Project must comply, such as, but not limited to, the federal Clean Water Act and its anti-degradation provisions. The MRWC may submit additional comments regarding these and other obligations.

9 TGP, “Northeast Energy Direct Project: Draft Environmental Report, Resource Report 1,” 1-12 & 1-13 (December 2014) (hereinafter, “Resource Report 1”).

10 Id. at 1-12, 1-13, 1-21 & 1-22.

11 *Id.* at 1-16, 1-17, 1-38 & 1-39.

12 See e.g., U.S. Army Corps of Engineers, “Merrimack River Watershed Assessment Study: Summary of Information on Pollutant Sources,” pg. 6-1 (2004) (“[T]he watershed’s industrial past points to a strong potential for sediment contamination”), available at <http://www.nae.usace.army.mil/Portals/74/docs/Topics/MerrimackLower/PollutantSources.pdf>; U.S. Army Corps of Engineers, “Merrimack River Watershed Assessment Study: Description of Existing Conditions,” pg. ES-6, (2003) (Listing “in situ contaminants” among the primary sources of nonpoint source pollution in the watershed), available at <http://www.nae.usace.army.mil/Portals/74/docs/Topics/MerrimackLower/ExistingConditions.pdf>.

13 The original proposed route would have impacted public water supplies in Methuen and Andover.

14 See e.g., Massachusetts Division of Watershed Management, Watershed Planning Program, “Massachusetts Year 2012 Integrated List of Waters,” pg. 137 (2012). Also, New Hampshire 2012 Section 305(b) and 303(d) Surface Water Quality Report. In Massachusetts, segment MA83-18 (Shawsheen) has mercury in fish tissue; segment MA84-03 (Merrimack crossing at Dracut) has Mercury and PCBs in fish tissue; in New Hampshire, segments 70006092005 (Souhegan River crossing) has aluminum, iron, and lead in sediments, and the macroinvertebrates are already impaired.

15 Quitclaim Deed for Pine Island, Methuen, Massachusetts (Dec. 18, 1998), Essex Registry of Deeds, North District, Book 5365, Pg. 18.

16 TGP, “Resource Report 1” at 1-40.

17 The Trust for Public Land, “The Return on Investment in Parks and Open Space in Massachusetts,” pg. 20 (September 2013) (hereinafter, “The Return on Investment”), available at <http://cloud.tpl.org/pubs/benefits-ma-roi-report.pdf>.

18 B.C. Neumann et al., “Property price effects of a national wildlife refuge: Great Meadows National Wildlife Refuge in Massachusetts,” *LAND USE POLICY*, Vol. 26, Issue 4, pgs. 1011-1019, 1018 (2009), available at <http://www.sciencedirect.com/science/article/pii/S0264837708001609>.

19 The Trust for Public Land, “The Return on Investment,” at 31.

20 U.S. Environmental Protection Agency, “Fiscal Year 2011 Drinking Water and Ground Water Statistics,” EPA 816-R-13-003, pg. 11 (2013), available at <http://water.epa.gov/scitech/datait/databases/drink/sdwisfed/upload/epa816r13003.pdf>.

21 Executive Office of Energy and Environmental Affairs, “100,000 Acres of New Conservation Land and 150 New Parks: A Legacy for the Next Generation,” pg. 14 (2014) (referencing a study performed by the American Water Works Association and the Trust for Public Land), available at <http://www.mass.gov/eea/docs/eea/land/100k-acre-report-r1.pdf>.

22 Trust for Public Land, “The Return on Investment,” at 16 (basing calculations on a filtration plant construction cost of \$250 million and annual operating costs of \$4 million over a twenty year period).

23 Massachusetts Department of Fish & Game and the Nature Conservancy, “BioMap2: Conserving the Biodiversity of Massachusetts in a Changing World,” 10, 16 (2010) (“Habitat loss and fragmentation are well understood as significant threats to biodiversity”) (hereinafter, “BioMap2”), available at <http://www.mass.gov/eea/docs/dfg/nhosp/land-protection-and-management/biomap2-summary-report.pdf>.

24 *Id.* at 12.

25 *Id.*

26 Massachusetts Department of Public Health, “Strategic Plan for Asthma in Massachusetts 2009-2014,” pg. 14 (2009), available at <http://www.mass.gov/eohhs/docs/dph/com-health/asthma/state-plan.pdf>.

27 Massachusetts Department of Fish & Game, “BioMap2” at 10.

28 The Trust for Public Land, “The Return on Investment,” at 13.

29 *Id.* at 22.

30 See e.g., *Schneidewind v. ANR Pipeline Co.*, 485 U.S. 293, 300-01 (1988).

31 *New England Forestry Foundation, Inc. v. Board of Assessors of Hawley*, 498 Mass. 138, 152-153 (2014) (finding that “holding land in its natural pristine condition and thereby protecting wildlife habitats, filtering the air and water supply, and absorbing carbon emissions, combined with engaging in sustainable harvests to ensure the longevity of the forest” constituted engaging in activities of that “may benefit the general public”).

32 EOEEA [formerly EOE], “Article 97 Land Disposition Policy,” (1998), available at <http://www.mass.gov/eea/docs/eea/dcs/dcsarticle97.pdf>.

33 *Id.* (emphasis in original).

34 *Id.*

35 See e.g., *Fafard v. Conservation Com’n of Barnstable*, 432 Mass. 194, 198-99 (2000); *Boston Waterfront Development Corp. v. Com.*, 378 Mass. 629, 633-34 (1979).

36 *Opinion of the Justices to Senate*, 383 Mass. 895, 905-06 (1981).

37 *Mahajan v. Dept. of Env’tl. Protection*, 464 Mass. 604, 616 (2013) (quoting *Robbins v. Department of Pub. Works*, 355 Mass. 328, 330 (1969)).

38 The Trust for Public Land, “The Return on Investment” at 12.

39 See e.g., FERC Statement of Policy, “Certification of New Interstate Natural Gas Pipeline Facilities,” 88 FERC ¶ 61,227

(1999), orders clarifying policy, 90 FERC ¶ 61,128 (Feb. 2000) and 92 FERC ¶ 61,094 (July 2000) (collectively, the “Statement of Policy”).

40 While these comments focus on the benefits of Conservation Areas that are threatened by the proposed pipeline, and argue that the loss of such benefits must be weighed against any value provided by the project, we note that there is also a question of whether there is a public need for the pipeline at all, even absent its adverse effects. See e.g., ENE, “Pipeline Alternatives Assessment: Energy Resources to Meet New England’s Winter Needs” (June 2014), available at [http://acadiacenter.org/wpcontent/uploads/2014/09/ENE\\_Pipelines\\_Alternatives\\_Assessment\\_140612\\_RF.pdf](http://acadiacenter.org/wpcontent/uploads/2014/09/ENE_Pipelines_Alternatives_Assessment_140612_RF.pdf); Feldstein, M. and Kessler K., “Burden of Proof: The Case Against the Proposed Northeast Energy Direct (NED) Fracked Gas Pipeline,” (Aug. 2014), available at <http://www.nofrackedgasinmass.org/notgp/wpcontent/uploads/2014/09/BurdenOfProof.pdf>.

41 See e.g., FERC, Statement of Policy, 88 FERC ¶ 61,227 at pgs. 23-27.

42 See e.g., id.; 90 FERC ¶ 61,128 at pg. 19

43 EOEAA, “The Massachusetts Conservation Restriction Handbook” (1991).

44 NEPA is only one of the federal laws applicable to the Project. TGP will also need to demonstrate compliance with, for example, the Clean Water Act and Endangered Species Act.

45 See Letter from Cheryl A. LaFleur, Chairman, FERC, to Congressman James P. McGovern (Oct. 24, 2014).

46 Fed. Reg. 18,026 (Q. 19a) (March 23, 1981). Thus, even individual or smaller harms to Conservation Areas must be evaluated and mitigated.

47 40 C.F.R. § 1506.2(d) (“To better integrate environmental impact statements into State or local planning processes, statements shall discuss any inconsistency of a proposed action with any approved State or local plan and laws (whether or not federally sanctioned). Where an inconsistency exists, the statement should describe the extent to which the agency would reconcile its proposed action with the plan or law.”)

48 TGP, “Resource Report 1,” at 1-82.

## 20150810-5110

### Society for the Protection of New Hampshire Forests

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July 30, 2015

Ms. Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE  
Washington, DC 20426

RE: Northeast Energy Direct Project, Docket N. PF-14-22-000

Dear Ms. Bose:

Thank you for the opportunity to comment on the proposed Northeast Energy Direct Project (NED). As you know, the Forest Society is New Hampshire’s oldest and largest land trust. We hold more than 750 conservation easements permanently protecting more than 120,000 acres of privately owned land statewide. In addition, we own more than 53,500 acres of forested lands in 180 separate reservations in 101 New Hampshire municipalities. Three of our forest reservation parcels are located in the route of the NED: the 55 acre Heald Tract parcels in Greenville and Mason, and the 45 acre Bockes Forest in Hudson. As such, we are in the process of assessing the potential negative impacts the project may have on them and their natural resources, and will be providing a full report upon completion of this study.

Because the 71 mile proposed route in New Hampshire will cross significant land and water resources as well as wildlife habitats, SPNHF requests FERC undertake a thorough and transparent review of the impact the entire NED Project will have on natural resources on the ground. As you determine whether it provides a public benefit, we believe FERC must equally weigh the project’s adverse effects, especially over the long-term. These natural resources provide benefits to public drinking water supplies, agricultural and forest soils,

public recreation including hunting and fishing and the forest products industries. It is therefore incumbent for the agency to take this approach during its review.

Specifically, we would urge the agency to develop alternate proposals that will avoid and minimize impacts to protected conservation lands and other sensitive natural areas. As you recall, the Nature Conservancy asked FERC to give special consideration in the EIS of how to avoid, minimize impacts to, or offset impacts to critical habitats. We strongly support TNC's request and would expect to see information in the Draft EIS that addresses the following categories: large, intact forest patches; floodplains, wetland and vernal pool complexes, seeps, bogs, and fens; fragile habitats; rare species habitats, both freshwater and terrestrial; migratory bird habitat. As you develop these alternate proposals, we would also ask FERC to consider options that use existing transportation rights of way.

The Natural Gas Act grants private natural gas companies that have received a FERC certificate of public convenience and necessity the power of condemnation. This authority is a powerful tool and provides those companies a significant regulatory advantage over landowners. Therefore, FERC must exercise extreme diligence and restraint before granting such power. We would ask FERC to set a high a review threshold for determining if the NED Project will provide a substantial benefit to the people of New Hampshire before granting the power of condemnation.

In closing, if you determine this project is necessary, we would also ask you to require the developer to avoid impacts the most ecologically significant natural resources and minimize impacts on other important environmental areas. Thank you for your consideration of these comments. We look forward to your response.

Sincerely,

Matt Leahy, Public Policy Manager

## 20150810-5183

Carolyn Sellars, West Townsend, MA.

August 10, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE Room 1 A  
Washington, DC 20426

re: Tennessee Gas Pipeline Company, L.L.C., Docket No. PF14-22-000

Dear Secretary Bose:

I have reviewed the Alternatives Analysis for the proposed Fitchburg Lateral in Resource Report 10 released in July 2015 and have several serious concerns to share with your staff and consultants.

While the proposed route of the lateral differs from the one identified in the December and March Resource Reports, there is no specific description of the changes that were made or why they were made. The original route does not appear as one of the Alternatives still being considered. The Kinder Morgan Land Agent explained privately to some Townsend residents that the route change was to avoid crossing one parcel of state land, which would have required Article 97 approval. The requirement for such approval represents additional process, but not necessarily additional environmental impact. The revised route is also part of the Squannassit Area of Critical Environmental Concern, contains critical wildlife habitat, and is a high quality water resource area. Additionally, the proposed Fitchburg lateral will still involve Article 97 approval since it proposes to take other Article 97 lands including large swaths of Willard Brook and Pearl Hill Brook State Parks.

Only one alternative route for just one section of the lateral was described, that was co-locating with Route 31 for part of the way. Clearly more alternatives are needed such as coming down roadways through Mason, Townsend and Lunenburg to avoid critical lands and habitats.

Additionally, the land crossing statistics in the Table 10-3-12 comparison for the one alternative presented

are very misleading. For example, “crossing” by forested land in the alternative route’s roadway is hardly the same as cutting a new swath through forested land in the proposed lateral. This calls into question all impact analyses provided by Kinder Morgan throughout all the Resource Reports.

The Fitchburg Lateral requires its own No Action Alternative. The purpose and need for the Fitchburg Lateral has still not been described despite. Many people have publicly raised this issue of the need for this particular part of the project to Kinder Morgan and to FERC.

Finally, at least seven new homeowners would be affected by the revised lateral route. While Kinder Morgan mailed survey requests to these homeowners in late May and visited with many during June, none of the newly affected landowners were provided notice about the July and August Scoping Period and local Scoping Meetings. One has to wonder how many other property owners across the 400 mile route have also not been notified about the Scoping Period and meetings.

Sincerely yours,

Carolyn Sellars  
Townsend, MA

### **20150810-5216**

Richard Kinnas  
Box 1692  
Pittsfield, MA 01202

August 10, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington DC

Dear Secretary Bose:

Please reference Project Docket PF14-22-000

My name is Richard Kinnas, live on Adams Road in Hinsdale, MA and am an impacted landowner.

Here are comments, questions and concerns about the project as requested:

Adams Road is located between 2 reservoirs, which are, Cleveland to the south and Windsor to the north. They are both public water supplies.

Our entire neighborhood is now water shed.

I ask if the electric power lines pre-existed the water shed. In the area of Windsor Reservoir there is evidence (in the form of camp site signs on trees) of an abandoned state run camp ground. Its use is now restricted and wonder if the water shed was a factor. I also remember as a child some 40 to 50 years ago, the power lines being a part of our community.

Have the dynamics of the area changed since the construction of the power lines and is it appropriate to construct a pipeline there? Is it a good idea to collocate a pipeline in an existing utility corridor within a water shed?

In addition, our neighborhood supports the Town of Dalton’s proposal to relocate the pipe so as it does not cross MA State Route 9.

However, we are also asking that you consider an additional route proposal.

My neighbors, also impacted landowners, and I are asking FERC to make an exception and spare the people of our Town. Please make a minor route deviation and place the pipeline slightly to the North and East. This is in Segment G.

The reasons are as follows:

1. When Kinder Morgan announced the ‘preferred’ route, our local newspaper reported that the number of affected landowners would be reduced from 1468 to 522 or about 65%. It was reported as a positive achievement by them, meaning it is “fair game” for us. The deviation we are requesting would reduce the affected landowners in Hinsdale by 60%. Berkshire Eagle, March 17, 2015.
2. Regarding safety: The pipe passes well within the theoretical blast radius of our homes. More importantly, the pipe passes within an uncomfortable proximity to the electrical substation. Could a natural or manmade event at either one also impact the other and what would the consequences be? Consider the recent FBI arrest of an alleged terrorist tied to ISIS in our little county.
3. The deviation removes approximately 0.5 mile of pipe. Would you agree that’s a benefit considering what may be a ten million dollar a month construction operation?
4. Lastly, the current route impacts 6 streams, 5 wetlands, and 2 vernal pools. The deviation impacts 3 streams, 1 wetland, and 0 vernal pools. These statistics are based upon information found in the Massachusetts Department of Environment Protection’s Wetlands Viewer. This is a web based resource used by local Conservation Commissions and is also available to the general public.

Can you conclude, this is a benefit for landowners, Kinder Morgan, and the environment?

Attached is an annotated map of the area showing the deviation in red.

In addition, there are other impacts:

Our septic systems and wells are in close proximity. People rely on their private water supplies and septic systems for daily life.

What are Kinder Morgan’s plan’s to prevent disturbances? If these systems are disrupted, will we still be allowed to inhabit our properties until repairs are made? What are the plan’s to provide for us in the event these systems are disrupted? What would the time frame be for repairs? Who would be liable?

How willing would Kinder Morgan be to “own up” and not use it’s might to refuse to address these issues?

What about our streets? Old Windsor Road and Adams Road are deteriorated. Starting from MA Route 8 to the last house on Adams Road (2 miles), please consider, the asphalt is crumbling and sections are turning to dirt, possibly due to the extra ordinary stress of heavy vehicles due to the previous Windsor Dam restoration effort. Adams Road has a developing water drainage issue. It’s apparent by a drive down these streets.

Can these country roads support the heavy equipment and level of traffic? Please consider the under road drainage pipe at the end of Adams Road. That intersection is the only practical access to properties on Adams Road as the west end of Adams is not cleared of snow in the winter and is impassable during the spring, summer and fall due to ruts and obstructions.

Will these roads be repaired and re-graded with fresh asphalt?

During what hours and days will construction workers and activity be taking place? Will we have time off to enjoy our properties or get some sleep?

Will Kinder Morgan erect a temporary barrier between the temporary easement and our houses to prevent our animals from inadvertently wandering into the construction zone and having issues arise? They are accustomed to using the area.

Regarding the temporary easement, Will trees beyond the temporary easement also be taken, simply because of the overhang of branches? What height quantity of overhang is permitted?

Can the temporary easement be moved to under the wires or on the other side of the wires? I point out the pipe does cross under the wires in other locations. Can the pipe be moved to the other side of the wires? It is more palatable there.

I do not support wood chips being left on our properties in any quantities.

Lastly, I call your attention to what appears to be a proposed access road located between Old Windsor Road and the power lines.

It is located on sheet 14 of a set of maps somewhat entitled 'NED QUAD MAPBOOK, Segment G, Berkshire County, Massachusetts' with .pdf file name: NED\_Vol-II\_App- E\_USGS\_072415\_MKT. There is no formal title page.

It is near mile post 13.5 and does not have a label (of sorts) NED\_TAR\_G\_xxx.

The map key also indicates it is a proposed access road.

If you look closely, you see it is an aqueduct supplying Cleveland Reservoir from Windsor Brook and from a well head on Cady Brook.

I have first-hand knowledge of this. It is a large diameter concrete water pipe most likely unable to support light or heavy vehicle traffic.

What is Kinder Morgan's rationale for this? I now have to question their knowledge and capability.

If this aqueduct is disrupted, what will be the impact? Please investigate.

Respectfully,

Richard Kinnas

*{map, not included here}*

#### **20150811-4005**

Transcript of August 11, 2015, Scoping Meeting at Dracut, MA. See separate Transcripts file:

**Transcripts of Scoping Meetings at: [http://www.Mason-NH.org/FERC\\_Scoping\\_Transcripts.pdf](http://www.Mason-NH.org/FERC_Scoping_Transcripts.pdf)**

#### **20150811-5000**

Jean Nigro, Temple, NH.

August 10, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426

RE: Docket PF 14-22 (Kinder-Morgan /  
Tennessee Gas Pipeline proposed Northeast Energy Direct (NED) pipeline)

Dear Secretary Bose,

Enclosed is Testimony I provided at the Scoping Meeting held on July 30, 2015 in Milford, New Hampshire

I would like to express my grave concern regarding the negative environmental effects caused by the noise generated at and in the vicinity of compression stations.

Compression Station Noise: Noise levels associated with natural gas compressors vary with the size of the compressor and distance from the compressor; and change with shifts in wind direction and intensity. For these reasons accurate assessment of decibel levels is challenging. According to the Powder River Basin Resource Council in Wyoming, "Depending on the wind direction, the roar of a field compressor can be heard three to four miles from the site. Near the compressor stations, people need to shout to make themselves heard over the sound of the engines." And this is under normal operation. Noise levels during blowdowns have been measured as high as 120 decibels(dbA). Industry standards require that noise levels in the vicinity of compression stations be no higher than 55 dbA. However the reasoning for setting the standard at that level is problematic.

Evaluating Noise: Noise levels vary during operation, so evaluating an "average" level of noise does not accurately document the noise emitted on an ongoing basis every day. And levels of noise during blowdowns far exceed the standard. Additionally, decibel level alone does not capture the potential negative effects of noise. Infrasound, sometimes referred to as low-frequency sound, is sound that is lower in frequency than

20 Hz (hertz) per second, the “normal” limit of human hearing. Low frequency sound is commonly emitted by gas compression stations. Samuel Matteson, professor of physics at the University of North Texas and a specialist in acoustics, has stated that low-frequency sound transmits easily through the soil and can travel great distances. It is extremely difficult to protect oneself from low frequency sound as buildings are not designed to insulate from it and it is easily transmitted from the ground by sound waves originating underground or near the surface. Given these factors, the utilization of a maximum standard of 55 dbA is a flawed mechanism of measure and does not take into account the quality of noise emissions.

Negative Effects of Noise: There is a large body of research documenting negative health effects from high decibel noise as well as low frequency noise.

High Decibel Noise Effects: A European study conducted by Deepak Prasher of University College, London concluded a chronic nighttime exposure of 50 dbA was the noise threshold for at which there was a higher risk for cardiovascular problems. Prasher states “Many people become habituated to noise over time. The biological effects are imperceptible, so that even as you become accustomed to the noise, adverse physiological changes are nevertheless taking place, with potentially serious consequences to human health.”

Physician Louis Hagler, who coauthored a review on noise pollution in the March 2007 Southern Medical Journal concluded “Noise pollution contributes not only to cardiovascular disease, but also to hearing loss, sleep disruption, social handicaps, diminished productivity, impaired teaching and learning, absenteeism, increased drug use, and accidents. The public health repercussions of increasing noise pollution for future generations could be immense.”

In 1999 The World Health Organization published a report called “Guidelines for Community Noise” to standardize risk assessment and management of noise dangers... Researchers found that “acute noise exposures [can lead] to temporary changes such as increased blood pressure, increased heart rate, [artery] constriction, hypertension, and ischemic heart disease.”

The Environmental Protection Agency website provides research articles outlining the dangers of acute noise, including high blood pressure, coronary disease, migraine headaches, and low-birthweight newborns. A number of studies of noise effects on children conclude that noise-exposed children have difficulties in concentrating in comparison with children from quieter schools. Children exposed to chronic environmental noise have been found to have poorer auditory discrimination and speech perception as well as poorer memory requiring high processing demands. Finally, chronically exposed children tend to have poorer reading ability and school performance on national standardized tests. I do not need to remind you that the proposed location of the New Ipswich compressor station is within 1/2 mile of the Temple Elementary School.

The World Health Organization has stated that “Noise is an underestimated threat that can cause a number of short and long-term health problems, such as sleep disturbance, cardiovascular effects, poorer work and school performance, hearing impairment. Their recommendations state that exposure over the following levels pose a danger: Indoor noise level at night: less than 30 dbA; outside levels less than 40 dbA; in classroom settings less than 35 dbA to allow good teaching and learning conditions.

While these findings are of significant concern and certainly substantiate justification for FERC to require noise dbA levels that align with WHO guidelines, of equal or greater concern are Low Frequency Sounds that are emitted by compression stations during normal operation

Low Frequency Noise Effects: Infrasound, sometimes referred to as low-frequency noise (LFN), is sound that is lower in frequency than 20 Hz (hertz) or cycles per second, the “normal” limit of human hearing. Psychologist Richard Wiseman of the University of Hertfordshire conducted an experiment with young adul

## **20150811-5002**

Karen Sullivan, New Ipswich, NY.

The Tennessee Gas Pipeline company/Kinder Morgan/NED will file an Application for a Certificate of Public Convenience & Necessity with FERC.

I was at the FERC Scoping Meeting held in Nashua, NH on Wednesday, July 29, 2015

I was at the FERC Scoping held in Milford, NH on Thursday July 30, 2015

At the Nashua Scoping meeting there were about 28 elected officials speaking before the FERC members. Not one of these elected officials agreed that the TN Gas Pipeline/Kinder Morgan/NED project was necessary. I do not know how many private individuals spoke. I would guess that only 5 or 6 individuals spoke for the pipeline to be built. These individuals were all union members who wanted union jobs. I am not anti union. I have been a member of my union since 1973. I am pro union. I am anti pipeline.

At the Milford Scoping meeting there were 28 elected officials speaking before the FERC members. Not one elected official spoke in favor of the pipeline. There were 43 private individuals who spoke at the Milford Scoping meeting. Not one of those private individuals was in favor of the pipeline project.

If the Federal Energy Regulatory Commission is not a "Rubber Stamp" for the fossil fuel companies when the Tennessee Gas Pipeline Company/Kinder Morgan/NED files an Application for a Certificate of Public Convenience & Necessity I request that FERC DENY this application from the TN Gas Pipeline Co/Kinder Morgan/NED.

This pipeline is NOT for "public convenience". This pipeline is NOT for "necessity". This pipeline is strictly for PROFIT by a private company.

There are three other pipelines that can transport this gas from the Marcellas Shale in Pennsylvania to/through New England.

FERC's own rules state that the public benefits of a pipeline must exceed the costs to society. The upgrades already in various planning stages to existing pipelines provide alternative gas infrastructure projects that have a smaller impact and costs to landowners, communities and the environment.

I urge FERC to just say no and DENY the Tennessee Gas Pipeline Company/Kinder Morgan/NED project slated to come through southern NH with a compressor station planned for New Ipswich, NH (Docket # PF14-22)

Thank you for your time.

### **20150811-5003**

Sullivan Family, New Ipswich, NH.

I am writing to you today because I am very upset about the Tennessee Gas Pipeline Company/Kinder Morgan/NED proposal for a gas pipeline through southern New Hampshire. I am upset about the proposal for the compressor station that is slated to be built on the property known as the "SkinnyKat" property located on the border of New Ipswich and Temple, New Hampshire at 40 Skinny Cat Road.

I am within 1/2 mile of this compressor station. I am in what is known as the "blast zone".

This is a huge piece of land, almost 300 acres that is right now woods and wet lands. Having a compressor station, no matter what size it may end up being, on this property will devastate the rural character of the area. It will devastate the wildlife and flora species of the area. It will devastate the human population. It will bring noise, water and air pollution into the area.

I have the spotted salamander on my 10 acres of land in New Ipswich. I understand that several states have already named the spotted salamander a "Species of Special Concern". Check out Welcome to The Vernal Pool and [www.maine.gov/dep/blwq/docstand/nrpa/vernalpools](http://www.maine.gov/dep/blwq/docstand/nrpa/vernalpools))

On Temple Road in New Ipswich, NH, just feet from the edge of the SkinnyKat property where the proposed compressor station will be built, there is a sign warning of hazardous spills on the water shed area. It gives a special phone number to call in case of a hazardous spill. I consider the proposed compressor station to be a "hazardous spill".

I have well water as do all the citizens of New Ipswich. This proposed gas pipeline and compressor station will effect the water supply of not only New Ipswich but Temple and Greenville, New Hampshire as well. In

my opinion it is criminal to effect negatively the water supply for humans as well as wildlife.

My husband & I looked for over 1 & 1/2 years to find our dream home in New Ipswich, NH. We signed for our house in October of 2012. This was our little piece of heaven for our remaining years. We came for the clean rivers, lakes, streams, brooks, wet lands & water ways, clean well water, peace & quiet. The natural beauty of the area. It is rapidly becoming just the opposite. All due to the Tennessee Gas Pipeline company/ Kinder Morgan/NED. We are heart sick in hearing that we will be living within the incineration zone of the compression station & pipeline. This was/is our last move. We are both senior citizens & just do not have the resources nor the energy to move again.

Please do not allow the Tennessee Gas Pipeline/Kinder Morgan/NED, for lack of a better word, rape our country side here in southern New Hampshire.

Sincerely,

Sullivan Family

155 Old Wilton Road

New Ipswich, New Hampshire 03071

### **20150811-5025**

Ellen Gugel, Westborough, MA.

Re: Northeast Energy Direct pipeline project docket number PF14-22-00

Dear Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission

I want to make clear my unconditional opposition to this project. I speak from the perspective of a member of the land trust community in Massachusetts and one who worked professionally in land conservation for a number of years.

This pipeline project would destroy decades of efforts by conservationists, environmental advocates, local farmers, and ordinary citizens who enjoy local food, wildlife habitat, scenic views, clean water and air. These lands were protected with federal and state funds, private donations and are held in trust in perpetuity.

I urge you to deny, not recommend this project that would interrupt thousands of lives, people's homes and communities, all for profit to a large corporation. The last thing we need is to perpetuate the unequal distribution of wealth into the hands of a few at the expense of the many.

Massachusetts does not need this project either. Most of the gas would eventually be for export, the real reason behind the proponent's proposal.

Please stop this now, and forever, to the extent you have the power.

Thank you for strongly taking into account the overwhelming opposition, including mine. The people of Massachusetts do not want, do not need this pipeline. Please deny.

### **20150811-5032**

sandra rourke, FORT EDWARD, NY.

To whom it may concern:

The damage placing this pipeline through the proposed route in Schoharie County, NY far out weighs any benefit, especially to the residents of Schoharie County.

You have already agreed to Constitution taking land from my family's farm, and this pipeline will cause further danger to the residents and wildlife living on Bixby Rd. Much of this land is protected wetland; with water fowl, deer, turkeys, eagles, beaver, and many more species living here for years. Some of this land is forested steep hills and clearing even more trees will clearly path the way for erosion and landslides. My family depends on well and spring water for everything and studies have shown this will endanger their water supply.

Gas companies try to gain support by speaking of all the economic benefit. Workers on pipeline construc-

tions are not local workers. This is demonstrated by the orange shirted union workers that travel from out of area to your informational meetings. There is no documented data showing this a valid benefit.

Schoharie County has struggled to survive through floods and harsh economic times. Please do not add to their struggles. Please deny any further pipeline proposals.

Thank you.

Respectfully,

Sandra Rourke

**20150811-5064**

Peter Salera, Temple, NH.

I am deeply concerned about the effects of this project on local aquifers and water bodies, specifically in their relation to the proposed compressor station in New Ipswich, NH. My household, like all others in the region, obtains water through underground wells that will be affected by this pipeline. When chemicals build up in the pipe and have to be released, these can negatively affect local aquifers and wells, and the construction of the pipeline itself will put aquifer structure in peril. I urge you to deny this project.

**20150811-5088**

Peter, Temple, NH.

I am writing to make known my opposition to this project, and to share my disdain for the proposed economic “benefits” of it. At the core of the argument over the benefits or drawbacks of this pipeline is if we, the energy customers of New Hampshire, need it. This argument is wholly invalid. The NED pipeline is a hose, and the natural gas that is pumped through it is the water. The water comes in abundance from a Pennsylvania shale field, and it flows through the hose on the way to Dracut, MA and foreign markets. The water in the hose has already been bought by other energy customers and those who have the pipeline running through their backyard are simply hosts of the hose. Whether we are thirsty or not doesn’t matter, as the water is being used to fill someone else’s glass. Kinder Morgan and Tennessee Gas have not shown any evidence that this gas is going to natural gas customers in New Hampshire, but continue to make the argument that we NEED it. Those who will be buying the natural gas need it, but we don’t. There has yet to be a contract reached between Tennessee Gas and a New Hampshire utility company for the purchase of the gas, and there is no talk of any offshoot pipeline to accommodate said contract. New Hampshire is comprised of informed, environmentally conscious citizens, of which I am one. The largest solar operation is soon to come online in nearby Peterborough, New Hampshire, just 15 miles from the proposed compressor station. In Antrim, there is talk of a wind farm. Renewable energy is gaining momentum in the state, and more projects will be supplying renewable energy to the electric grid in the coming years. Therefore, any “energy crisis” we may have will be solved in a much more sustainable way than the natural gas that will flow through the pipeline. I wholeheartedly oppose this project because I do not support the environmentally disastrous effects of hydraulic fracturing to obtain natural gas from shale deposits, and I believe in the clean and economically viable option of renewable energy from the sun and wind. And I especially do not support this project as I will not reap any benefits.

**20150811-5102**

Nancy Belt, Sonoita, AZ.

I am writing concerning the compressor station proposed on Clarks Chapel Road, Nassau, NY. My family has lived on Clarks Chapel Road for five generations. My dad was born in a house on Clarks Chapel Road. My family lives all up and down the roadway and I own a portion of the farm where I grew up. I am all for creating new sources of energy and I am not opposed to this but what I am opposed to is the creation of an environmentally unsafe facility being plopped down right in the middle of a residential area without regard to the protection and safety of the families living in the area or to the devaluation of their property. I have

been involved in real estate, development and zoning issues for practically all of my adult life. Zoning laws were put in place so that incompatible uses would not be allowed to the detriment of an adjoining property. It is designed to guide and protect the growth of community so that quality of life and property values would be protected. Clarks Chapel Road is a rural, residential community with farming and families. How is a compressor station that emits toxic emissions, loud noises and safety hazards compatible with the surrounding community. This type of plant under normal circumstances would never be allowed in this type of community. It appears that there are other forces at play and I am requesting that you use your authority and influence to put a stop to this travesty. These compressor stations either need to be moved to a more appropriate location or they need to be stopped until there is technology in place that will make them compatible with their surroundings. I am making this request as a property owner on Clarks Chapel Road. While I live in Arizona, my family plans on constructing a summer home on the farm that I grew up on. The construction of this plant will affect the heritage that I plan to leave to my daughter and will affect the value of my property in addition to that of many other family members.

Sincerely,

Nancy A. Belt

### **20150811-5105**

Sullivan Family, New Ipswich, NH.

The following is a list of Pipeline concerns as expressed by the New Ipswich Police Chief, New Ipswich Fire Chief, New Ipswich Emergency Management Director and New Ipswich Road Agent. This list expresses my initial concerns and is not meant to be all inclusive or final.

We would like a copy of the emergency response plan.

Will Kinder Morgan be installing an Active (CO<sub>2</sub>?) or passive fire suppression system?

Will Kinder Morgan Install gas leak detectors at the Compression station?

The fire department would like Kinder Morgan to provide Gas meters for responders.

What are your plans for a Cistern or water source for dissipation of vapors because there is no municipal water supply?

Will you provide and pay for initial and ongoing Training for all first responders (police, fire, ambulance, emergency management and highway)?

What kind of Special protective gear is needed for first responders at an incident and will Kinder Morgan provide and maintain it?

Manpower/ mutual aid response

Scene security at incident

What security monitoring will be implemented at the compression station and on the length of the pipeline (alarms, fences, manpower, cameras, patrols)?

Will Kinder Morgan provide an ATV or like vehicle for access to the pipeline by emergency responders.

Evacuation routes and scene access

Shelters for displaced residents and supplies to support the shelters

Preplanning of response

Periodic meetings with compressor pipeline operator or designee

We would like a detailed site plan that is kept current.

Will Kinder Morgan provide Medical equipment for a mass casualty incident?

Develop a mass casualty plan including ambulances and hospitals

What is the plan to protect the pipeline from a Soft Terrorism threat?

Will Kinder Morgan provide a messaging system for notification of an incident or training (including message boards)?

Will Kinder Morgan provide and maintain a foam bank for fire suppression at the Compression Station?

The lack of 24 hour police coverage needs to be addressed.

The fire department in New Ipswich is a call department with minimal manpower during the daytime. This needs to be addressed.

Will Kinder Morgan maintain road access to the compression station and Pipeline? This would include snow removal and roadway maintenance and upkeep so that emergency vehicles can respond.

What will the state involvement be in an incident?

Does FEMA region 1 have a plan for response to an incident?

Where is the closest service field rep located and what is their response time to New Ipswich?

Where does funding come from to reimburse for emergency response (including alarm activation and full blown incidents) and how soon is it available?

Will Kinder Morgan be paying for security details for surveyors and workers during the initial phases of the project?

FERC's own rules state that the public benefits of a pipeline must exceed the costs to society. Just by reading the above list of concerns tells me the answer to this is a resounding NO!

There are upgrades already in various planning stages to existing pipelines to provide alternative gas infrastructure projects that have a smaller impact and costs to landowners, communities and the environment.

I respectfully request that FERC says NO to the Tn Gas Pipeline Company/Kinder Morgan/NED that have proposed a pipeline and compressor station through southern New Hampshire.

Thank you

## **20150811-5106**

Rachel Hobbie, S.Deerfield, MA.

The Proposed TGP/Kinder Morgan pipeline NED is 101.3 miles right here in MA of new gas pipeline laid across private and public lands, under vital rivers and via power lines owned by utilities to route a for-profit, for export, pipeline through the Pioneer Valley, PA, NY, CT, & NH. What!? That sounds completely wrong. What?

Our farmers and townspeople cannot recover from a pipeline coming here- or anywhere along proposed route-either from land it will take or from results of a man-made or natural disaster - explosion, fouled waters and loss of lives in the mapped "Incineration Zone" a mile wide, across our valley which is served by Volunteer Fire departments which lack resources or personnel to battle a fire of any size, let alone a 200 foot high fireball that has to burn itself out under our power lines, across our water pipes and wells on a route that includes historic homes, artifacts, burial grounds, protected and endangered species and family farms all across the valley and beyond.

We simply cannot allow this pipeline in to set a precedent for further destruction under a "Certificate of Public Convenience and Necessity" from FERC when it flies in the face of logic and violates our inalienable rights here in Mass. and beyond.

Consider that our families and friends, people's livelihoods, homes, their health and their children's children's lives will be in danger via NED siting a 30% thinner pipe-thinner than is even required in Urban areas- in our Rural/Agricultural land that is subject to flooding, notable seismic shifts and Cat 3/4/5 Hurricanes, which churn up the floor of our valley from edge to edge of the proposed route. This will create a disaster of epic proportion, no doubt.

We have farmers who are still dealing with what Hurricane Irene did to soil composition on their fields,

several years after the fact!

No town on this line could bear the added burden on town coffers, or state coffers, and on our lands, our health, river health, on our own wallets.

Residents will face tariffs and rate increases when they are forced to pay for mitigation or disaster-related services on our rivers, lands and homes, or through rate increases passed along to customers of Spanish-owned Berkshire Gas. My town, Deerfield, like so many along the route, cannot even use the gas the lines will carry, since it is an interstate transmission line - leading ultimately to export out of US. It is for profit and for export, at the expense of our most vital resources - our lands, our waters, our people, our creatures, fish and organisms needed for farming the land, and historic, irreplaceable artifacts that line the valley. My family lives less than 500 feet from the proposed line on the south where it crosses under a field, under the hill, under Lower Rd., under Route 91, and under the rail road. It also runs along in back of my sibling's home after coming across other fields from East Deerfield rail road side, via Woolman Hill, under Route 5 & 10, and across private lands. We are flanked. We will be dead if we are home and it blows up near us. We are residing in a mapped "unable to be aided in disaster - Incineration Zone" here on Lower Road in Deerfield, MA, in an historic farmstead, a former B and B we bought in 2014 to try to find a sensible life here in Mass.

It goes far beyond just my family. It is so many people, our rivers, farms and all of our lands. It is the whole valley and our future viability-here and at large- as the agricultural center of Mass. which stands to be forever altered and degraded beyond possible repair here, if NED gets built. Fracking the Marcellus Shale is wrong, supporting or considering proposed NED pipeline is plain wrong. The valley economy is based heavily on agriculture ( mainly small family farms ) and tourism both of which could never recover from the impact of a pipeline being installed or God forbid, a catastrophic explosion anywhere on the line. The residents of Deerfield and ALL of the surrounding communities value their lives, and the health and safety of all members of the landscape here in the valley. I am urging, no pleading w/ the FERC members to comprehend the incalculable damage that the pipeline would bring to these towns and their inhabitants. Our right to clean water is undeniable! The planned compressor stations along the route will threaten both public and private water supplies for all our residents, NO company has the right to destroy a water system for private financial gain!

Thank you FERC members for reading this document.

Rachel Hobbie

a life long Deerfield resident

## **20150811-5111**

Edward McCarthy, Greenfield, MA.

To Whom it May Concern:

I would like to state my support for the NED Gas Pipeline proposal through western Massachusetts. As a veteran of the Iraq War I believe strongly in supporting reliable domestic energy sources. I also support moving our energy demands away from coal and oil and towards cleaner and renewable energy sources. That said, I believe that natural gas is the best way to achieve those ends and shipping that gas by way of pipelines is the safest, most effective and environmentally appropriate way to convey that product to markets here in New England. I support the NED pipeline as part of the solution to the aforementioned concerns and as a bridge to cleaner solar and wind energy in the future.

I do however insist that the NED pipeline be installed using the least invasive and destructive methods possible and that the contractors involved adhere strictly to all State and Federal environmental regulations with regard to storm water discharges and wetland protection guidelines. To that end I believe that the proposed project should be subject to robust oversight in order to assure that environmental rules are followed for the entire duration of the project.

Thank you,  
Edward McCarthy  
748 Country Club Road  
Greenfield, MA 01301

**20150811-5112**

Elizabeth Lareau Whitcomb, Northfield, MA.  
To Whom It May Concern:

I am writing to urge you to restart the scoping process for the proposed Kinder Morgan pipeline through northern Massachusetts. Kinder Morgan's latest plan was submitted too late for a detailed study of it prior to the recent hearings in Greenfield. In addition, the report as submitted leaves far too many unanswered questions, which in turn means an unacceptable level of uncertainty as far as safety matters are concerned.

The pipeline threatens to destroy wildlife habitats, taint our drinking water, and disrupt our public safety. It would be ideal if the project is denied. It is mandatory that the scoping process not be put on a fast track, with approval granted before all the details are known.

I thank you for your time and consideration of this matter.

Elizabeth Lareau Whitcomb  
Northfield, Massachusetts

**20150811-5113**

k sullivan, New Ipswich, NH.

FERC's own rules state that the public benefits of a pipeline must exceed the costs to society. The Tennessee Gas Pipeline Company/Kinder Morgan/NED proposed site of the pipeline and compressor station in southern NH and New Ipswich does not follow FERC's own rules.

There are upgrades already in various planning stages to existing pipelines provide alternative gas infrastructure projects that have a smaller impact and costs to landowners, communities and the environment.

We need to keep fossil fuels in the ground, and move to 100 percent renewable energy — and we need to act immediately.

Please just say NO to the Tennessee Gas Pipeline Company/Morgan Kinder/NED proposal through southern NH.

Thank You.  
K Sullivan

**20150811-5114**

Sulli Sullivan, New Ipswich, NH.

The Tennessee Gas Pipeline company/Kinder Morgan/NED will file an Application for a Certificate of Public Convenience & Necessity with FERC.

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I was at the FERC Scoping held in Milford, NH on Thursday July 30, 2015

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At the Milford Scoping meeting there were 28 elected officials speaking before the FERC members. Not one

elected official spoke in favor of the pipeline. There were 43 private individuals who spoke at the Milford Scoping meeting. Not one of those private individuals was in favor of the pipeline project.

If the Federal Energy Regulatory Commission is not a “Rubber Stamp” for the fossil fuel companies when the Tennessee Gas Pipeline Company/Kinder Morgan/NED files an Application for a Certificate of Public Convenience & Necessity I request that FERC DENY this application from the TN Gas Pipeline Co/Kinder Morgan/NED.

This pipeline is NOT for “public convenience”. This pipeline is NOT for “necessity”. This pipeline is strictly for PROFIT by a private company.

There are three other pipelines that can transport this gas from the Marcellas Shale in Pennsylvania to/ through New England.

FERC’s own rules state that the public benefits of a pipeline must exceed the costs to society. The upgrades already in various planning stages to existing pipelines provide alternative gas infrastructure projects that have a smaller impact and costs to landowners, communities and the environment.

I urge FERC to just say no and DENY the Tennessee Gas Pipeline Company/Kinder Morgan/NED project slated to come through southern NH with a compressor station planned for New Ipswich, NH (Docket # PF14-22)

#### **20150811-5122**

Comment No 1

I tried to attend the Nashua and Milford New Hampshire public scoping meetings. I was unable to get into the buildings that the meetings have been held. It was obvious that there were more people in the buildings that legally allowed by fire codes. As a citizen I have the right to be heard, but I was not given the opportunity along with lots of other people. I request that FERC reschedule the scoping meeting in the safe facility so that I can voice my option and concerns

Comment No 2

Does FERC normally permit compressor stations that less than a half mile from an elementary school/emergency shelter?

Comment No 3

Do you consider a compressor station that within less than a half mile of an elementary school in Temple a significant impact to the community?

Comment No 4

Would you permit a compressor station that has a significant impact on a well known migratory bird fly route?

#### **20150811-5147**

kaela law, Pelham, NH.

Please read the following submission made to the NH PUC by Representative Takesian: <https://www.puc.nh.gov/Regulatory/Docketbk/2014/14-380/COMMENTS/14-380%202015-07-14%20C%20TAKESIAN%20COMMENT.PDF>

We would like to mirror many of her questions made to the PUC here with your agency as well.

We require the company (Kinder Morgan or Tennessee Gas) and the FERC to provide answers to all of these questions regarding the Concord Lateral pipeline system.

Thank you.

**20150811-5174**

Steven McGettigan, Temple, NH.  
Steven and Niki McGettigan  
PO Box 101  
Temple, NH 03084

August 6, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

Re: Project Docket Number PF14-22-000

Dear Ms. Bose:

We are writing to voice our opposition to the Northeast Energy Direct (NED) pipeline that is being proposed by Kinder Morgan/Tennessee Gas Pipeline.

Kinder Morgan and Tennessee Gas Pipeline have put the cart before the horse in their rush to gain FERC's approval for this project. When their original pipeline path proposed for northern Massachusetts met with too much costly opposition they responded by creating a new path circumventing that area and re-routing the pipeline into southern New Hampshire. After crossing 17 New Hampshire communities, this newly proposed path eventually routes the pipeline right back down into northern Massachusetts where it again continues onward toward its original destination in Dracut.

Kinder Morgan and Tennessee Gas Pipeline are attempting to push through this project with little concern for protecting our fragile environment and conservation lands, for the long-term health of our citizens, and for New England's actual need for natural gas. Instead, they are showing major concern for minimizing their own corporate costs and creating huge profits for their shareholders.

There has been essentially no public need demonstrated for constructing this massive-sized pipeline that can't be met with our already existing pipeline infrastructure. I believe that after two years of trying, not a single contract has been signed to purchase any of this natural gas for electricity generation. The only potential New Hampshire customer contracted to purchase even a small amount of this natural gas is Liberty Utilities whose parent company is the Algonquin Power and Utilities Corporation (APUC) based in Canada. Interestingly, according to APUC's 2014 Annual Report, Algonquin formed a development partnership in Kinder Morgan's Northeast Energy Direct pipeline project in November 2014. It appears the company is essentially contracting to purchase gas from itself, pretending there is an actual need. New Hampshire is already a net exporter of the electricity we produce here.

Experts who understand far more about how Kinder Morgan and Tennessee Gas Pipeline operate, explain that the companies' real intention is to build this pipeline in order to transport this highly-contaminated, natural gas into Canada where it will be converted into liquid natural gas and then exported at a higher price than American companies are willing to pay. Along the pipeline, some of the largest compressor stations in America ever to be constructed will blow off this contaminated gas, causing all kinds of health and pollution issues in this up-to-now, beautiful unspoiled part of America. We do not understand how exporting this natural gas will make America energy independent.

We respectfully ask FERC to deny approval for this pipeline that would provide huge corporate profits for Kinder Morgan and Tennessee Gas Pipeline at the expense of New Hampshire's citizens and environment.

Sincerely,

Steven and Niki McGettigan

**20150812-0008**

7/28/2015

DOCKET 1PF14-22-000 NE Energy Direct Project - Kinder Morgan Pipeline

Federal Energy Regulatory Commission

888 First Street NE, Room 1A

Kimberly D. Bose, Secretary

Ms. Bose,

It is with significant anxiety that I am writing to you regarding the proposed NE Energy Direct Project involving the construction and operation of facilities by Tennessee Gas Pipeline Company, LLC.

My name is Katherine M. Guilmette. I live at 42 Boyd Road in Hudson, NH. Since relocating from Massachusetts in 1993, I have spent the past 22 years renovating my property to create a home. It is a secluded site of nearly 12 H acres consisting of a small ranch house set back 400'rom the street, 2 car garage with detached barn. The property parallels the high-tension wires although they are not Vjsible due to the natural tree barrier. My two main objectives for reloca'.irg to Hudson, NH were for privacy and to be in the country. The location of this particular parcel allowed me to continue my employment due to a manageable commute, renovate a suitable dwelling surrounded by land providing pastures for my horses while maintaining my privacy.

Based on the proposed route for the NE Energy Direct Project gas pipeline, my property will be adversely impacted. I may even lose my home. The trees will disappear. My artisan well maybe contaminated or destroyed. The animals including but not limited to silver fox, deer, red-tailed hawks, pileated woodpeckers, wild turkeys, fisher cats, ducks, salamanders, turtles, frogs, the occasional meandering skunks and a myriad of migrating birds including the Rose-breasted Grosbeaks and hummingbirds, will be displaced. I'm certain you will agree that this environmental destruction is not in support of NH's state slogan, "Live free or die" or is it?

In working for nearly 42 years to make a home, this proposed gas line will devalue my property significantly. If my land is taken by eminent domain, it will force my relo ation. If the line is installed I could be the victim of incineration should there be an explosion. No one, including Kinder Morgan, can guarantee my safety.

I understand the need for clean energy however; based on my research, this gas line is not required by NH residents to meet their energy needs but for other states including export. Why should NH subject itself to environmental destruction for the benefit of shareholders? Perhaps, wind, hydro and solar options should be NH's avenue for providing its residents with clean renewable energy versus destroying our precious landscape

I ask that you consider the substantial environmental impact this proposed gas line wi'.I create not only for me but others who live in the affected areas or have relocated to NH for the reasons stated above.

Thank you for your time.

Sincerely,

Katherine M. Guilmette

CC: Maggie Hassan, NH Govemor

Debra Howland, Public Utilities, Executive Director and Secretary

Jeanne Shaheen, Kelly Ayotte, Andy Sanborn, NH Senators

Ann McLane Kuster, NH State Representative

**20150812-0009**

Hand written card, Elise Bingham, 118 Knight Street, Milford, NH 03055, opposing

**20150812-0010**

Hand written card, Susan Herceg, 14 Summerfield Way, Amherst NH 03031, opposing

**20150812-0011**

Hand written card, Karen Miller, 161 Ashburnham Rd, New Ipswich, NH 03071, opposing

**20150812-0012**

Hand written card, Deb ?, 115 Green Farm, New Ipswich, NH 03071, opposing

**20150812-0015**

**Congress of the United States  
House of Representatives  
Washington, DC 20515-2103**

NIKI TSONGAS  
3rd DISTRICT, MASSACHUSETTS

July 20, 2015

Chairman Norman C. Bay  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

Dear Chairman Bay,

I write to express some of the concerns my constituents and local advocacy groups have raised with me relating to the scheduling of Federal Energy Regulatory Commission sponsored scoping meetings regarding the Northeast Energy Direct Project. As FERC released the Notice of Intent to Prepare an Environmental Impact Statement for the Northeast Energy Direct Project on June 30, 2015, the FERC sponsored scoping meetings are currently scheduled along the project's impacted communities throughout July and August.

The initial release of resource reports by Kinder Morgan were voluminous, with hundreds of pages of information for my constituents and other interested parties to read through to determine how the proposed Northeast Energy Direct project may affect their communities. As is common for projects of this size, some key pieces of information were left incomplete and are likely to be clarified in the second round of reports which Kinder Morgan plans to release in late July. However, holding the scoping meetings only weeks after the newest round of resource reports are released does a disservice to my constituents who wish to attend the scoping meetings fully informed of the potential impacts and prepared to ask knowledgeable questions in order to better inform FERC of local issues that must be examined in the Environmental Impact Statement.

As Kinder Morgan will be releasing the second round of resource reports in late July 2015, I respectfully request that the FERC sponsored scoping meetings be held 30 days after the second round of resource reports are publicly released. I ask that you give this request every appropriate consideration. If you have any questions please do not hesitate to reach out to me directly, or your staff can contact my Economic Development Representative, Russell Pandres at 978-459-0101 or russell.pandres@house.gov.

Sincerely,

Niki Tsongas  
Member of Congress

**20150812-5005**

Alan Austin, Averill Park, NY.

I am a resident of Nassau, NY, and I am requesting that FERC issue a new Notice of Intent, schedule new

Scoping Meetings, and allow a new, full 60-day Comment Period for the NED Pipeline Project.

This is because Kinder Morgan submitted a brand new 6,571 page set of Resource Reports for a different sized project than that which was discussed in the original Scoping Meetings. These new reports were filed AFTER the PA and NY Scoping Hearings, and 4 DAYS PRIOR to the MA and NH Scoping Meetings.

Because of this late submission with major changes, there has not been sufficient time for anyone to evaluate the new Reports. All comments from the Scoping Hearings are without a proper basis, and therefore meaningless and incomplete.

The Scoping Hearings are a necessary and crucial part of the review process, and a correct and complete statement of the proposed project is an absolute requirement for a fair and complete review. Please reset the timeline for new Scoping Hearings, based in fact, on the new set of Resource Reports.

Thank you for considering this important matter.

Sincerely,

Alan Austin

Nassau, NY

### **20150812-5006**

Joseph L Pfeifer, III, Windsor, MA.

Comments

Re: Northeast Energy Direct Project (NED)      FERC Docket # PF-14-22

Definitions:

The NED is purported to be a “natural gas” pipeline project. Natural gas is defined as consisting mostly of methane with varying amounts of ethane, propane, butane, and nitrogen.

According to 15 U.S. Code § 717a natural gas means either natural gas unmixed, or any mixture of natural and artificial gas.

Nowhere in the law does the meaning of natural gas include the addition of specified and unspecified hydraulic fracturing chemicals, as well as radioactive compounds such as radon, which this pipeline will carry. This raises the question of whether current law can apply to pipelines carrying these chemicals. One may conclude that since the carriage of hydraulic fracturing chemicals is not defined in current Federal law, that regulation of these substances falls to the states and is outside the scope of FERC regulation of interstate natural gas pipelines.

Chemical contained in fracturing liquids may be regulated under Massachusetts 301 CMR 41.00: TOXIC OR HAZARDOUS SUBSTANCE LIST which is governed under M.G.L. c. 21I, §§ 4(C) and 9.

These include methanol, ethylene glycol, naphthalene, benzene, xylene, toluene, ethylbenzene, formaldehyde, and sulfuric acid, dimethyldisulfide, ethyl-methylethyl disulfide, trimethyl benzene, diethyl benzene, tetramethyl benzene, carbon disulfide, naphthalenes, methyl pyridine, carbonyl sulfide, some of which are known to be toxic, carcinogenic, neurotoxic and associated with reproductive harm. Many of these compounds are also regulated in other industries under the Safe Drinking Water Act (SDWA) and the Clean Water Act (CWA) as hazardous water pollutants (Safe Drinking Water Act of 1974; Clean Water Act of 1972; US HOR 2011).

This is clearly not “natural gas” under the meaning of the law.

Necessity:

What is the demonstrated need for additional gas supply in the Northeast?

Is there data from non-industry, scientific sources which quantify that need?

What percentage of the transported gas is intended for export?

What will be the effect on retail prices from exportation of large quantities of gas?

The financial press which covers the energy industry indicates that exportation of gas will lead to large swings in seasonal prices of gas. It is also reported that Kinder-Morgan is purchasing and developing numerous gas liquification plants at numerous East Coast locations. The implication of this is a clear intent to export.

Furthermore, the current gas distribution infrastructure in the Northeast is aged and leaky. Estimates for the Boston area, based on a Duke & Boston University study demonstrated 3,356 methane leaks in greater Boston. This translates to 300,000 metric tons of natural gas leaks — about 2.7 percent of all natural gas delivered to the region. This is enough to supply 200,000 homes per year. Repair of these leaky pipelines, now mandated by law, will reduce the overall energy needs of the region substantially and needs to be factored into the actual projected need for natural gas.

Looking into the CO<sub>2</sub> emissions averaged over all sources of electric generation in MA, the average per source is 910 lb. per MWh. The average natural gas generation plant is 1,210 lb. per MWh. Natural gas has done its “bridge” work. With renewables phasing in at an unprecedented rate, adding more natural gas would now take us in the wrong direction for achieving the state’s greenhouse gas emissions goals – based on CO<sub>2</sub> output alone.

Natural gas is also primarily methane, a greenhouse gas over 86 times more powerful than CO<sub>2</sub>. When a full accounting of methane’s impact is taken into consideration, studies show that it has no benefit over coal or oil in reducing greenhouse gas effects.

Routing:

The overall planned route of the NED pipeline in the northwestern tier of the state will traverse what is arguably the last pristine region of Massachusetts. The route is planned to cross many environmentally sensitive and constitutionally protected lands.

It intersects 206 Wetlands, 15 Outstanding Resource Waters, 13 public water supplies, 2 scenic/protected rivers, 4 wellhead protection areas, 34 certified

Vernal Pools, and 12 aquifers.

It intersects 72.2 miles of “core habitat” lands, including areas identified as necessary for wildlife protected under the Massachusetts Endangered Species Act or State Wildlife Action Plan, Critical Natural Landscapes, and Areas of Critical Environmental Concern (ACECs), as well as over 37 miles of secondary habitat including open recreational spaces and areas that MassGIS characterizes as “

extensively forested portions of the Massachusetts landscape where forest cover is relatively unfragmented by human development.

It passes through close to 10 miles of primary or secondary social protection areas, including primary school lands, areas protected by the state’s Environmental Justice (EJ) policies, areas protected by the Massachusetts Community Preservation Act (CPA), and places identified in the Massachusetts Historic Commission inventory.

The pipeline will cross many areas identified in the Massachusetts BioMap2 as Core Habitat and Cortical Natural Landscape. The routing proposed will, by necessity, disrupt much of the critical ecosystem in its path, both during construction and operation.

The pipeline will also cross Westfield Brook and the West Branch of the Westfield River by drilling under those waterways. These streams contain populations of naturally reproducing trout species, which is a rarity in Massachusetts. As such, it is an invaluable resource to the entire state.

The Westfield watershed is one of 3 federally-designated Wild & Scenic River in Massachusetts. Will it be able to maintain this designation in the face of a pipeline?

How will Kinder-Morgan ensure the safety not only of the fish populations in these streams, but the inver-

tebrate life upon which they depend, such a mayfly & caddis fly species? Trout and the insect life on which they depend require clean, cold water for survival.

How will Kinder-Morgan ensure that the spawning area for these fish is not disrupted?

Will they monitor the health of the resident trout to ensure that they are safe for human consumption? Trout, being salmonid species, have abundant adipose tissue. These tissues will accumulate contaminant hydrocarbons in their environment. These are the kinds of chemicals found in “fracking fluid”, which has the potential to leak from the pipeline.

Will they monitor the health and populations of the invertebrate species in these watersheds? They are just as sensitive as trout to hydrocarbon contaminants.

The pipeline route will also interrupt the migratory and local routes of mammalian wildlife such as moose, deer and bear. How will Kinder-Morgan assure that the impact on these species is minimized?

Safety & Maintenance:

Kinder-Morgan is probably the wrong company to undertake this project. It has a long history of pipeline accidents and compressor station explosions. Of the major pipeline companies, they are reputed to spend the least on maintenance and safety per mile of pipeline. In comparison, Spectra Energy spends

From the financial research firm Hedgeye in 2013:

“We believe that Kinder Morgan’s high-level business strategy is to starve its pipelines and related infrastructure of routine maintenance spending in order to maximize Distributable Cash Flow...

In our view, Kinder Morgan cuts, defers, and eventually finances the [Limited Partnership’s] maintenance spending...

A broader, and more important concern is the reliability and safety of Kinder Morgan’s pipeline’s. In 2012, Kinder Morgan acquired El Paso, then the largest natural gas pipeline company in the US, in a +\$30B deal; Kinder Morgan has already cut maintenance expenses by 70-99% and maintenance [capital expenditures] by ~60% on most of those assets. In our view, it is alarming that Kinder Morgan supporters believe that this is a sound business practice.”

Kinder Morgan’s pipelines are plagued by leaks and explosions, including two large and dangerous spills in residential neighborhoods in Canada. One hedge fund analyst has accused the firm of “starving” its pipelines of maintenance spending.

Kinder Morgan was convicted on six felony counts after one of its pipelines in California exploded, killing five workers.

A review of accidents on Kinder Morgan pipelines across the country shows more than 20 since 2003 that were serious enough to be reported to the Pipeline and Hazardous Materials Safety Administration. Here are some examples:

August 2003: Kinder Morgan 26-inch diameter natural gas pipeline exploded in a farming area in Caddo County, Okla., throwing a 54-foot long section of pipe 30 feet from the ditch.

May 2005: Kinder Morgan 30-inch diameter natural gas pipeline exploded near Marshall, Texas, sending a giant fireball into the sky and hurling a 160-foot section of pipe onto the grounds of an electric power generating plant. Two people were hurt, 40 evacuated.

July 2006: Kinder Morgan Tennessee Gas pipeline exploded near Campbellsville, Ky., blowing a 25-foot chunk of pipe out of the ground and sending it 200 feet away.

September 2008: Kinder Morgan gas pipeline manifold exploded and burned for more than 10 hours in Pasadena, Texas, injuring one employee. The Houston Chronicle reported the blaze “could be seen for miles.”

August 2011: A flash fire at a Kinder Morgan gas pipeline south of Herscher, Ill., sent five employees to the hospital.

November 2011: A weld failed on a 36-inch diameter Kinder Morgan Tennessee Gas Pipeline near Glouster,

Ohio, leading to an explosion that caused a blast crater 30 feet across and 15 feet deep. Three homes were destroyed by the fire.

June 2012: A 26-inch Kinder Morgan natural gas pipeline failed in Gray County, Texas, blowing a crater 30 feet in diameter, burning two acres of agricultural land and closing State Highway 152 for several hours.

June 2013: in Louisiana, a 30-inch diameter Kinder Morgan pipeline ruptured and exploded in a rural area of Washington Parish. No one was seriously hurt, but 55 homes were evacuated. - See more at: <http://www.unionleader.com/article/20150208/NEWS05/150209202&template=mobileart#sthash.9FvM39bm.dpuf>

In 2009, the

Pipeline and Hazardous Materials Safety Administration (PHMSA) cited Kinder

Morgan for violating safety standards regarding the distance between a natural gas pipeline and a “high consequence area” such as a school or hospital; the pipeline was too close for safe operation in case of a leak.

PHMSA letter to Richard Kinder, September 1, 2009,

[http://primis.phmsa.dot.gov/comm/reports/enforce/documents/520071008/520071008\\_FinalOrder\\_09012009\\_text.pdf](http://primis.phmsa.dot.gov/comm/reports/enforce/documents/520071008/520071008_FinalOrder_09012009_text.pdf), accessed 2014-06-18.

In 2011, PHMSA cited Kinder Morgan for these safety violations:

failing to maintain update maps showing pipeline locations,

failing to test pipeline safety devices,

failing to maintain proper firefighting equipment,

failing to inspect its pipelines as required, and

failing to adequately monitor pipes’ corrosion levels.

Pipeline and Hazardous Materials Safety Administration (PHMSA) letter to Hugh

Harden, Kinder Morgan, Feb. 28, 2011,

[http://primis.phmsa.dot.gov/comm/reports/enforce/documents/520115005/520115005\\_NOPV%20PCO\\_02282011\\_text.pdf](http://primis.phmsa.dot.gov/comm/reports/enforce/documents/520115005/520115005_NOPV%20PCO_02282011_text.pdf), accessed June 2014.

In 2013, the headline “Wall Street Worries About Kinder Morgan’s Safety Record: BC pipeline operator slashes and defers maintenance spending” was a concern to anyone who lived or worked near a Kinder Morgan pipeline.

On May 7, 2015, Peabody Citizens United discovered an email from Kinder-Morgan in which a person working for KM’s Boston-based lobbyist reveals that the company will pay people in our communities to advocate for the pipeline. The email says that they are looking to recruit people who are active and well-known. They’re looking for former elected officials, PTO officers, youth sports league presidents, etc. They are also looking for coordinators in central and western Mass.

Here are some excerpts from that email:

“I am helping coordinate this Pipeline campaign, and have been asked to recommend County Coordinators (pays more), and Community Coordinators (pays less). I have been asked to recommend (or find) good potential coordinators in the central and western MA. I need to find a County Coordinator for Essex County, and Community Coordinators for Andover, Lynnfield, Methuen, Danvers, Middleton and Peabody.

“Again these are paid coordinators (not a lot of money) but should last for a significant amount of time, at least a year.

“These coordinators should have some kind of political and community resume (former Selectman, Little League President, American Legion Commander, PTO President, Chamber Executive, former Campaign Manager etc.). Another [sic] words people that have respect and clout in their community.”

Is this the kind of company Massachusetts can afford to do business with?

In further regard to pipeline safety, K-M plans to use the thinnest walled pipe permitted in the sections

traversing rural areas. These pipes will be at higher risk of corrosion, rupture and shorter life-span. Much of the western Massachusetts route will run alongside existing high-tension transmission lines. The electric fields generated in proximity to the lines have been demonstrated to accelerate the corrosion inherent in steel pipes.

Aggravating the electromagnetic effects are thermal fluctuations which occur at the higher elevations in Berkshire County. These will add thermal stress as an additional risk factor. I routinely note an 8-13o F difference from Dalton to Windsor along Route 9. Metals heated or cooled at different temperatures will expand or contract at different rates. This differential response has the potential to cause small defects in the pipe or weld to enlarge, possibly catastrophically.

What is the engineering response of K-M to these environmental stressors on their metal pipes?

In the pipeline cleaning process a robotic “pig” is sent through the line to scrub it and when it exits the pipe substantial amount of fracking chemicals are spilled into the environment.

What is the engineering response of K-M to containment of these toxic chemicals?

Potential Terror Target:

We have recently had in Adams, MA the arrest of young man who is alleged to have plotted a terror attack using home-made bomb material, found in his home. The pipeline, and particularly the compressor stations, may make an inviting target for terrorists, local or foreign. What steps will Kinder-Morgan take to ensure the security and resistance of its facilities to bomb and other attacks?

Disaster Management:

Given the reasonable chance of a catastrophic event, such as a pipeline or compressor explosion, it is important to be aware of the limited resources available in the Berkshires to respond to such an event. Access to remote areas, particularly in winter, is severely limited. The potential for wide-spread and/or uncontrollable environmental destruction, such as fire, exists.

How will K-M respond to such an event? Or, is it the problem of the local communities affected?

In the event of multiple human casualties associated with such an event, it may be beyond the capacity of local medical resources to handle such an event. I am the Trauma Medical Director at Berkshire Medical Center and sit on our Emergency Management Committee. In that capacity, I can assure you that an event involving more than 4 or 5 synchronous casualties will rapidly exceed our resources.

Will K-M arrange to immediately bring in the resources needed to cope with such a disaster?

Water Supply:

This issue has been addressed in more detail by others, but suffice it to say that any upstream event can lead to contamination of the main drinking water resources for the larger downstream communities. Basically, everything east of Dalton is upstream to the drinking water for Pittsfield and Dalton.

“abandoned in place”:

Given the uncertain nature of the economic viability, due to market conditions, and long-term availability of supply, of hydraulically fractured gas, there is a real risk that the pipeline may be abandoned after it has been constructed. The natural fate of steel in the ground is to corrode. If conventional natural gas was what was in the pipeline, that may not be such a great problem. However, the presence of fracturing chemical left in the pipeline presents a different set of issue. The material is likely to leach into the ground and groundwater over time.

Will K-M be required to remediate this environmental time-bomb? Or will they be allowed to “abandon in place”- as described in FERC’s literature?

Noise, Air Pollution, Toxic Releases:

My home is located less than 3 miles north of the proposed site for a compressor of yet to be specified power (anywhere between 80,000 to 44,000 hp). The standard operation of compressors involves “blow-

downs”, where material in the pipeline is released into the air. This will include the toxic materials from fracking chemicals. In the heavy snowpack experienced in Windsor, the fallout will accumulate in the snow and released into the ground during thaws.

How does K-M intend to monitor and mitigate the release of toxic material from its compressors?

High-power compressors emit noise, as high as 100 dBs. What steps will K-M take to mitigate noise pollution? Will they consider locating the compressors underground? Or with a large containment wall? How will they measure the effect on local wildlife of the noise emission?

Clash of Values:

At the end of the day, the proposal to run the Northeast Energy Direct pipeline through northwestern Massachusetts and the opposition engendered by it represents a fundamental clash of values. Massachusetts has made a commitment to reduce its carbon footprint as a matter of state policy. We have led the country in the changeover to renewable resources for electric generation for the last 4 years. The introduction of a fracked gas pipeline flies in the face of those efforts. We have made a commitment to preserve and protect our endangered natural resources and landscapes. A pipeline running through those environmental treasures, for the sake of the profitability of one company, would be an utter abrogation of the public trust. Yes, Massachusetts may need more energy, but we have not accurately determined the extent of that need and how we should best go about obtaining it. Until we do, a pipeline represents one of the worst solutions to a problem that may be resolved by much simpler means, such as conservation, repair of gas infrastructure and expanding the capacity of existing pipelines, such as the Algonquin Incremental Market project. Of interest, Spectra Energy, the owner of Algonquin, has publicly stated that the increased capacity will not be used for export, but to supply southern New England.

In terms of jobs, one argument used in favor of the pipeline is the creation of new jobs. However, most of these will be of short-term during the construction and, if K-M stays true to form, not many will be employed for pipeline safety & maintenance. Energy jobs are more likely to be long-term in Massachusetts in the manufacturing and installation of solar and wind equipment. These will be more sustainable in the long-term.

Massachusetts stands at a juncture which will test its commitment to sustainable energy growth. It may also be called upon to stand up for its sovereign rights as a state versus the considerable power of the federal government.

Alternatives:

Do not issue permits to cross waterways or near drinking water supplies or across constitutionally protected lands.

Remove all fracking chemical from the pipeline at the source or before it enters Massachusetts

Decrease the size of compressors and consider increasing the number of smaller compressors, which can be housed underground and require containment of all blow-down emissions.

In lieu of a new pipeline ... the 2 billion dollar price tag of the Massachusetts section of the Tennessee Gas Pipeline could more prudently be spent installing 4KW rooftop solar systems on 100,000 homes, which would collectively generate 80 million dollars' worth of electricity annually — without compromising the land or our atmosphere. An alternative infrastructure investment such as this at this scale, 400MW, would provide numerous benefits to the public interest while avoiding both critical losses to one hundred years of prior investments in land conservation and exacerbations of climate volatility being experienced today and projected to worsen.

Joseph L. Pfeifer, MD  
110 Hill Cemetery Rd.  
Windsor, MA 01270

**20150812-5007**

Katie A Wallace, Andover, MA.

I am writing in regards to the Tennessee Gas Pipeline Company's Northeast Energy Direct pipeline expansion project, Docket # PF14-22. I am a resident of Andover, MA and have continued to express our strong opposition to this entire project. My husband and I are along the first proposed route. Our understanding is that in order to proceed with a project of this size, FERC must deem that this project is within the public's best interest. Our greatest concern is that this project is still NOT in the "public's best interest" as a means of satisfying our energy needs. It is imperative that alternative energy solutions be considered. Replace old existing pipeline with new infrastructure consisting of pipeline that meets 2015 standards. This should negate the need for this NED project. Can you confidently advise that these old pipelines meet the safety standards for 2015? Replacing old pipes, even if slightly enlarged, should account for the current energy needs.

Not only does the current customer demand not justify the desired size of the compressor stations, but it also doesn't support this project as a whole. Safety concerns exist for abutters to this pipeline project as all of these proposed routes to date are within a close vicinity to residential areas. Again, along the lines of public safety, what are the safety concerns with having the compressor stations of this size within such a close vicinity to residential areas, especially with the population being more densely packed than it was years ago? Are we at all concerned about public safety related to all aspects of this project, and levels of methane emissions?

I ask that the people from FERC please listen to our concerns and deny TGP the ability to create a new pipeline system. Please ask yourself who is really benefitting from this pipeline project? Is it the citizens in the towns along the routes or this Texas gas company?

**20150812-5009**

C Elizabeth Gibson, Nantucket, MA.

Please accept this comment as a wholehearted objection to any further consideration of this project in its entirety and especially through Massachusetts and New Hampshire. The environmental damage likely to occur, not to mention the extremely critical and documentable health and safety concerns of nearby abutters is beyond alarming. This project should absolutely not proceed. In no way would this project benefit "public convenience and safety". Certainly not for anyone who lives around it - especially someone in an "Incineration Zone"! If homes are going to be placed in "Incineration Zones" as part of this project - that alone should be a resounding NO! Thank you.

**20150812-5010**

Alan Austin, Averill Park, NY.

I am a resident of Nassau, NY. My wife and I moved here 17 years ago for the tranquility, fresh air, lack of noise, rural atmosphere, and the beauty and recreational value of Burden Lake, which we are situated adjacent to. We stretched financially to buy a large house on a large property. It has always felt like our own estate in an ideal community. It has been our dream home, complete with our horses and Koi Pond.

Suddenly, our world has been turned upside down, as we have learned that Kinder Morgan and Tennessee Gas Pipeline plan to build a Compressor Station Complex just 1.6 miles from our home.

Our initial research about the health implications of living near a Compressor Station was enough to make us horrified that this could even be a real possibility in a rural residential zoned recreational area with a beautiful lake and a nearby golf course and country club.

There are dozens of homes closer to the proposed ground zero than we are, and we feel horrible for all of those people who have established roots here. Every home, including ours, will be greatly devalued. Some families will undoubtedly feel a need to leave, including us.

The question for us is who would want to buy our home, 1.6 miles from this toxic spewing monster? Our

home is our largest asset by far, and we had planned on using it to fund our retirement years when we were actually ready to sell and downsize. Will we be devalued by 50%, 80%, or more? Will we have to just give it away and leave? Who knows? Can FERC tell me the financial consequences?

It is just inconceivable to me how FERC could approve this NED Pipeline, and specifically this Compressor Station to be built in a rural residential, recreational neighborhood like ours, with little or no regard to how many peoples' lives it will ultimately destroy.

We have read about the many toxic emissions that these Compressors produce during normal operation, and also during blowdowns, and accidents. There are dozens and possibly hundreds of toxic compounds that are known to be routinely vented to the air during operation. Some are known carcinogens, neurotoxins, and other volatile organic compounds. And there are countless other compounds that have not even been studied to determine their effects on humans.

We need to have more scientific studies about how human health is affected by these noxious emissions.

FERC should not grant licenses to build large Compressors within heavily or moderately populated areas. If these things must be built somewhere, they should be limited to desolate areas, largely unpopulated. Does FERC have any guidelines regarding this?

In our own case, I would like to see Kinder Morgan be required to map out a Corridor of Feasibility for the location of this particular Compressor Station. Make them map out and show alternate areas where the pumps could be placed and still move the gas sufficiently along the NED Pipeline.

I am not wishing to just push the problem onto someone else I don't know, but surely there must be some truly desolate areas of wilderness within reach, to at least minimize this unbelievable problem.

Thank you for considering this important matter.

Sincerely,

Alan Austin  
Nassau, NY

#### **20150812-5011**

Katie Miller, Medford, MA.

The proposed pipeline route will take at least a 125-foot wide easement over both public and private land. With nearly 2.5 miles of pipeline proposed to go through Hudson, NH alone, over 15 acres of land will be permanently lost to this project. The risks of pipeline leaks, explosions, and damage to homeowners' wells from installation blasting are significant environmental risks that would not be voluntarily chosen by area residents. I oppose the pipeline as it is an unnecessary risk to the health and safety of all residents along the proposed route.

#### **20150812-5012**

shannon K Johnson, Averill Park, NY.

My name is Shannon Johnson. I am a year-round resident at Burden Lake, on Lakeshore Drive, in the township of Nassau, less than a mile north of the proposed compression station for the Kinder Morgan fracked gas pipeline. My concerns are the following:

There have been numerous studies on the health impacts of fracking around animals, but none regarding the potential health-effects of off-gassing from compressor stations and pipeline leaks / spills in the vicinity of ecologically sensitive areas such as wetlands containing federally protected species like bald-eagles and loons. Howard Zucker, "Would I live in a community with [fracking] based on the facts that I have now? Would I let my child play in a school field nearby? After looking at the plethora of reports behind me ... my answer is no."

A recently completed study by two Cornell researchers indicates the process of hydraulic fracturing deep shale to release natural gas may be linked to shortened lifespan and reduced or mutated reproduction in

cattle—and by extension humans. i ask that further study be done to confirm the findings in this report related to compression station off-gassing and pipeline leakage both on the ground and into our groundwater systems. <http://is.gd/etLdS8>

I request studies on the impact of a 80K compressor station on humans with auto-immune diseases and compromised respiratory systems within the radius of the off-gassing reach of the station. I request studies on the wind currents that will carry the off-gas elements that settle in lower areas, such as lakes. I request a study on the impacts of the compressor station on our low-lying water areas, Burden Lake in particular including how the water-quality and chemical composition be effected over a long period of time? 5 -10 - 20 years out.

i ask for studies on the impact of protected species living in our area such as the bald-eagle—who eats fish from our lake—the common loon, osprey, box + snapping turtles, all the amphibians and macroinvertebrates that live in these waters and all the waters of the surrounding area (such as tasawasick creek). What will the effect be on our local fisheries and macroinvertebrates? on insects such as honeybees? i ask a study be done on the impacts of constant background noise on the habitats of local species such as the barred owl.

i ask that studies be consulted on the effect of light pollution on both human and animal species and full cut off fixtures be mandated. NED is slated to operate under much greater pressure than other local pipelines, i ask that studies be executed on incidents of documented spills, of pipe failures, compressor station explosions, and other hazards on a pipeline of 32" @ 1400psi. I ask that there be an investigation into the construction impact on the entire region for laying the pipeline and the construction of the compressor station.

The proposed location of the Kinder Morgan compressor station on Clark's Chapel Road is only a mile from a super fund site the "Dewey Loeffel Landfill". I would ask that the impacts of the construction of the proposed project, including blasts, earth removal and truck traffic, be fully investigated as per its potential impact on the contained toxic chemicals in the "Dewey Loeffel Landfill". Also the affects of the construction on well water quality.

The proposed project is expected to have a negative impact on local property values. This is an unfair burden given there will be no benefit to NY'ers who will assume all of the risk. This is unacceptable.

I also request a study to be conducted on the costs to repair road damage from the increase truck traffic due to construction. Our infrastructure is already weak – and roads have potholes that are sorely in need of repair. And increase of heavy vehicular traffic to service the construction of the compression station and the pipeline will increase the wear and tear on the roads in the area. I request a study that will lay-out the costs of that impact.

We also have an increase in summer vacation population on Burden Lake where our numbers double. Among the people who will be affected by the light, noise and air quality pollution include participants in the "Wounded Warriors" program and kids from "Camp Adventure" (serving urban underprivileged children). Fracked gas can contain any number of toxic and radioactive contaminants. The presence of these contaminants in our natural gas system is new, and epidemiological studies have not yet been conducted (although the human health effects of the contaminants themselves are well documented and provide cause for serious concern). Therefore, NED would also expose the people of New England [and NY State] to health risks that have not been quantified.– "Burden of Proof - The case against the proposed NED fracked gas pipeline" Prepared by Michael Feldstein and Kathy Kessler. According to the EPA, ozone components "can travel hundreds of miles on air currents, forming ozone far from the original emissions sources." [1] Therefore, ozone pollutants from Marcellus fracking fields in New York and Pennsylvania should be capable of traveling to Massachusetts and Connecticut with sufficient wind. We are not aware of any studies regarding the potential increase in ozone exposure for the people of New England that could result from the increased fracking activity necessary to keeping NED "full". It is an unquantified health threat. (- Ibid\_ I also request that the FERC scoping hearing period be extended. Please do not close the scoping comment period until 60 days after Kinder Morgan files new, complete Resource Reports.

What would be the impacts of NOT BUILDING A PIPELINE?

For the cited reasons, I respectfully request that FERC deny a certificate of public convenience and necessity for the proposed Kinder Morgan pipeline. There is significant, strong, and growing local opposition to the project as evidenced by four local resolutions against it.

Thank you.

## 20150812-5013

Kathy High, Averill Park, NY.

My name is Kathy High. I am a year-round resident at Burden Lake, on Lakeshore Drive, in the township of Nassau, less than a mile north of the proposed compression station for the Kinder Morgan fracked gas pipeline.

I ask that an investigation be done by FERC on the environmental impact of off-gasing by the proposed compression station on Burden Lake and the water systems in the area. There are various small lakes in the region, as well as streams and marshlands. These are environmentally sensitive areas, where there are delicate eco-systems in place. In my time living on Burden Lake (12 years) we have seen the return of bald eagles (on the “threatened” list of the NY State DEC <http://www.dec.ny.gov/animals/7494.html>), various migrating birds, such as loons and osprey (on the “special concerns” list of NY State DEC), and many reptiles such as turtles including Eastern Box Turtles (also on the “special concerns” list of NY State DEC), snapping turtles and many other species. I also request studies on the wind currents that will carry the off-gas elements that settle in lower areas, such as lakes.

I ask that there be an investigation into the construction impact on the entire region for laying the pipeline and the construction of the compressor station. The proposed location of the Kinder Morgan compressor station on Clark’s Chapel Road is only a mile from a super fund site the “Dewey Loeffel Landfill”. I would ask that the impacts of the construction of the proposed project, including blasts, earth removal and truck traffic, be fully investigated as per its potential impact on the contained toxic chemicals in the “Dewey Loeffel Landfill”. Also the affects of the construction on well water quality.

I also request that FERC conduct studies into the environmental effects on insects and plant life. I am a honeybee keeper and own one of the few surviving hives in our area after the extremely harsh weather last winter. These bees are sensitive to any environmental disturbances – and will soon be extinct if we do not monitor closely the environmental impact. Last year 42% of all bees in the USA perished.

I also request a study to be conducted on the costs to repair road damage from the increase truck traffic due to construction. Our infrastructure is already weak – and many roads here have potholes that are sorely in need of repair. And increase of heavy vehicular traffic to service the construction of the compression station and the pipeline will increase the wear and tear on the roads in the area. I request a study that will lay-out the costs of that impact.

We also have an increase in summer vacation population on Burden Lake where our numbers double. Among the people who will be affected by the light, noise and air quality pollution include participants in the “Wounded Warriors” program (vets with PTSD) and kids from “Camp Adventure” (serving urban underprivileged children).

I moved to this upstate neighborhood from Brooklyn, New York, because of health reasons – I have a series of autoimmune diseases. I request a study on the public health and safety impacts on the health of citizens living within a one mile radius of a compression station – particularly to those who have lung diseases, bowel diseases and cancers. Those of us living in proximity to the compression station will bear the brunt of health impacts from it.

Fracked gas can contain any number of toxic and radioactive contaminants. The presence of these contaminants in our natural gas system is new, and epidemiological studies have not yet been conducted (although the human health effects of the contaminants themselves are well documented and provide cause for serious concern). Therefore, NED would also expose the people of New England [and NY State] to health risks that have not been quantified.

– “Burden of Proof - The case against the proposed Northeast Energy Direct (NED) fracked gas pipeline” Prepared by Michael Feldstein (michael@mfeldstein.com) and Kathy Kessler (kathy.kessler@gmail.com), with support from Berkshire Environmental Action Team and No Fracked Gas in Mass.

Also,

According to the Environmental Protection Agency (EPA), ozone components “can travel hundreds of miles on air currents, forming ozone far from the original emissions sources.” Therefore, ozone pollutants from Marcellus fracking fields in New York and Pennsylvania should be capable of traveling to Massachusetts and Connecticut with sufficient wind. We are not aware of any studies regarding the potential increase in ozone exposure for the people of New England that could result from the increased fracking activity necessary to keeping NED “full”. It is an unquantified health threat. (- Ibid\_

I also request that the FERC scoping hearing period be extended. Please do not close the scoping comment period until 60 days after Kinder Morgan files new, complete Resource Reports.

What would be the impacts of NOT BUILDING A PIPELINE?

**20150812-5034**

### **FERC – Do Your Job**

I am here this evening to ask all FERC commissioners and other personnel to please – DO – YOUR – JOB. You are employed by FERC, the Federal Energy Regulatory Commission. The “R” in “FERC” stands for “Regulatory” and not for “Rubberstamp”.

The definition of Regulatory is “To control or direct according to rule, principle or law”.

The definition of Rubberstamp is “Giving automatic approval or authorization to the decisions of others, without proper consideration”.

Your job is to regulate this industry and the interstate pipelines that it proposes. But instead, you are acting more as a pipeline siting agency – as if your job was simply to decide where a pipeline should go and what remediation should be done along the pipeline path.

A true regulator must first determine the actual need for a pipeline and whether that need outweighs the harm that will be done to the environment, to property rights, to property values, and to the public’s belief that the Federal government is indeed of the people, by the people and for the people.

Massachusetts Senator Elizabeth Warren seems to agree. She has said of FERC: QUOTE “I am very concerned about a regulatory agency that is only able to say ‘yes, yes, yes.’ That’s not the job of a regulatory agency.” UNQUOTE

I am here to ask that FERC:

**One.** Examine the actual need for each pipeline that the energy companies propose to build. The market alone does not determine need – especially when that market consists largely of companies that are themselves pipeline investors and companies that have corporate ties back to the pipeline company.

**Two.** When there are proposals to build multiple pipelines in one region, as there currently are in New England, do not simply consider each pipeline in isolation. Step back and consider the total, cumulative impact of all of the proposals upon the region. Do not blindly approve a massive overbuild of natural gas pipelines.

**And Three.** When you are weighing the impacts of a proposed pipeline against its possible public benefits, consider all of the negative impacts, not just those along the pipeline corridor.

NEPA rules require that you consider the direct, indirect and cumulative impacts of a pipeline. And the December 2014 draft guidance from the Council on Environmental Quality insists that both “upstream” and “downstream” impacts on greenhouse gases and climate change be included in all NEPA reviews.

Unfortunately FERC seems to spend more time explaining why it can’t follow these guidelines than it spends trying to honor them.

In closing, I again remind you that you are a regulatory agency. Please do your job and regulate. The people are depending upon you.

Thank you.

Nick Miller Groton, MA

**20150812-5037**

kaela law, Pelham, NH.

According to the federal register order of notice for the Environmental Impact Statement for the Concord Lateral ( <http://www.gpo.gov/fdsys/pkg/FR-2000-08-21/pdf/00-21148.pdf> ) your agency prepared an Environmental Assessment for the proposed Londonderry 20-inch Replacement Project through the towns of Dracut, Pelham, Windham, Hudson into Londonderry, to expand the capacity of the Concord Lateral. That was in 2000. According to this document again from 2000: <http://www.nhsec.nh.gov/projects/2000-01/documents/decision.pdf> the 20-inch Replacement Project was also approved by the New Hampshire Site Evaluation Committee and was, as we understand, placed into service.

I'm bringing attention to the 20-inch diameter Concord Lateral line because I find it concerning that Kinder Morgan has it marked as a 16-inch diameter pipe in Windham on their July filed Resource Reports.

There are too many discrepancies such as this, within these filings to respond appropriately or to move forward with this project. If the company continues this process of filing with so much erroneous information, the Federal Energy Regulatory Commission must use its leverage to ask the company to freeze the initial project design and restart the entire pre-filing process with all the updates and corrections. Otherwise, the FERC must NOT approve this project as it is being presented.

I would also request a much more thorough examination of the Concord Lateral pipeline system in the state of New Hampshire. An upgrade to certain sections that may count as bottlenecks along this EXISTING system could be an alternative to the Northeast Energy Direct Project and I would request that it is evaluated as such. We have been told by company reps that the Concord Lateral is not presently running at capacity. If this is the case, we would first like to be given a solid number for the capacity on the Concord Lateral as well as the flow rate or psi, and second, if necessary, we would rather see actual incremental upgrades for natural gas along the Concord Lateral –such as a storage facility beside the Granite Ridge power plant in Londonderry as an example, to ensure that the Concord Lateral is being properly and fully utilized, rather than to see the excessive build-out of a brand new pipeline through the region.

In closing, I would request that Kinder Morgan or Tennessee Gas be required to complete and make public through this docket, a thorough analysis and report, subject to independent expert checks for accuracy, on Concord Lateral bottlenecks or restrictions, mitigation of any such bottlenecks or restrictions, and the environmental impacts and costs of doing that versus the large environmental impacts and costs of building the Northeast Energy Direct. The same analysis should be made for smaller improvements to any of the existing lateral lines where flow restrictions exist. If these improvements were made, gas requirements in the New England region could be met with the NO-BUILD option for Northeast Energy Direct.

**20150812-5040**

*{11 pages}* skip to end of 20150812-5040

**LEGACY ENVIRONMENTAL GROUP**  
Michael Hootstein, Principal Hydrogeologist  
PO Box 158  
Shutesbury, MA 01072

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission (“FERC”)  
888 First Street NE, Room 1A  
Washington, DC 20426

August 10, 2015

Dear Secretary Bose,

I have reviewed proponents' July 24, 2015 Draft Resource Reports that refer to mapping data compiled and catalogued by Massachusetts Geographic Information System ("GIS") and the United States Geological Survey ("USGS"). The Massachusetts state legislature established "MassGIS" as the official state agency assigned to the collection, storage and dissemination of state geographic data. It is the single best collection of geographic, geological, and environmental data in Massachusetts.

The Northeast Energy Direct Project proposal to dredge, horizontally drill, and blast an west-east trending tunnel (large enough to contain a 30" diameter pipe), would perforate and hydraulically connect sixty-four (64) miles of north-south trending Massachusetts sand aquifers, aquitards, streams, wetlands and water-yielding bedrock strata. The dredging/drilling/blasting of such an extremely large manmade preferential groundwater pathway for contaminant transport is likely to cause a foreseeable harmful impact to drinking water and human health, and "Damage to the Environment" as defined by Massachusetts Environmental Policy Act ("MEPA") regulations (310 CMR 11:02):

"Any destruction or impairment ... , actual or probable, to any of the natural resources of the Commonwealth including, but not limited to... water pollution ... reduction of groundwater levels, impairment of water quality... [of] rivers, streams, flood plains, lakes, ponds or other surface or subsurface water resources... wetlands, natural areas, parks."

Therefore, it is essential that the EIS include comprehensive scientific assessment of foreseeable (direct, indirect and cumulative) pipeline and compressor station impacts to drinking water, human health and the environment. Scientific assessment should transparently incorporate essential Massachusetts GIS and USGS mapping data. Given the heterogeneous (nonhomogeneous) variable nature of the surficial (glacial) geology and deformed bedrock underlying all of Massachusetts, the proponents should be required to construct individual threedimensional conceptual models for each individual town, of the extremely large manmade preferential groundwater pathway for contaminant transport that would be located in each individual town.

The attached Indiana Technical Guidance Document, "Investigation of Manmade Preferential Pathways for Contaminant Transport" defines "preferential groundwater pathway" ([http://www.in.gov/idemlfiles/remediation\\_tech\\_guidance\\_investigation\\_mpp.pdf](http://www.in.gov/idemlfiles/remediation_tech_guidance_investigation_mpp.pdf)) as:

"The route of least resistance for fluid flow, or a more permeable feature than the surrounding materials. The pathway may extend vertically or horizontally and be derived naturally or by human activities. The feature may also be oriented such that fluid flow could go in an unexpected direction. Generally, they are limited in width from microscopic to a few tens of feet but are often extensive in length. Examples include sediment grain size changes from fine to coarse; buried stream channels; fractured or dissolved bedrock; desiccation fractures in sediments; improperly sealed wells ... buried utility lines ... If the regional and local geology is known, then the potential effects of these ... [preferred] pathways can be explained during site investigation ... Once subsurface materials have been disturbed, they are usually more permeable than naturally deposited sediments ... Manmade preferential pathways can transmit contaminants tens to hundreds of feet away from the release point as pure product, in a vapor phase, or dissolved in water ... Vapors may move great distances through porous conduits and backfill ... In addition, preferential pathways can provide a vertical migration route to deeper levels in the aquifer by intersecting and breaching so-called confining layers."

Proposed pipeline risk assessments should be performed in accordance with the Energy Policy Act of 2005 Title XIV Subtitle A, Section 1401 Amendment "Sense of Congress on Risk Assessments":

"Federal Agencies conducting assessments of risks to human health and the environment from energy technology ... transport, transmission, distribution ... shall [writer's emphasis] use sound and objective scientific practices in assessing such risks, shall consider the best available science (including peer-re-

viewed studies), and shall include a description of the weight of the scientific evidence concerning such risks.”

Disturbingly, the proposed pipeline project defies the National Environmental Policy Act (“NEPA”), 42 USC §4331 Sec. 101 “Congressional Intent”:

“(a) The Congress recognize[s] the profound impact of man’s activity on the interrelations of all components of the natural environment, particularly the profound influences of ... resource exploitation ... recognizing further the critical importance of restoring and maintaining environmental quality to the overall welfare and development of man, declares that it is the continuing policy of the Federal Government, in cooperation with State and local governments ... to use all practicable means and measures ... in a manner calculated to foster and promote the general welfare, to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans.”

“(b) In order to carry out the policy set forth in this Act, it is the continuing responsibility of the Federal Government to use all practicable means [to] ... fulfill the responsibilities of each generation as trustee of the environment for succeeding generations ... [and] assure for all Americans safe, healthful, productive, and aesthetically and culturally pleasing degradation, risk to health or safety, or other undesirable and unintended consequences.”

The proposed pipeline project, if constructed, would violate Massachusetts citizens’ human and civil rights granted by the Massachusetts Constitution, Declaration of Rights Article XCVII (97):

“The people shall have the right to clean air and water, freedom from excessive and unnecessary noise, and the natural, scenic, historic, and esthetic qualities of their environment; and the protection of the people in their right to the conservation, development and utilization of the agricultural, mineral, forest, water, air and other natural resources is hereby declared to be a public purpose.”

“Best available” scientific inquiry requires the proponents to provide, individually for each Massachusetts town, a series of same-scale Massachusetts GIS and USGS data layer maps and a corresponding same-scale proposed pipeline CROSS-SECTION (three-dimensional conceptual model) for each town delineating: 1) surface elevations and locations of compressor stations; and 2) depth below grade and thickness of: a) surficial (glacial) strata; b) bedrock strata; c) aquifers or aquitards; d) naturally occurring or manmade contaminants; and e) proposed pipeline trenches/tunnels (denoting where trenched, drilled or blasted).

“Best available” scientific inquiry requires the proponents to provide, individually for each Massachusetts town, a series of the following same-scale Massachusetts GIS and USGS data layer maps upon which the proposed pipeline route through each town, and compressor stations, is/are unambiguously delineated:

- Topographic Contours w/Rivers/Streams/Lakes/Access Roads, Etc.
- Soils
- Surficial (Glacial) Geology
- Bedrock Lithology
- Public & Private Water Supplies & Wells
- Assessor Parcels Denoting Individual Private Residences & Wells
- Parcels protected under Massachusetts Constitution Article 97
- Watersheds
- Wetlands
- Aquifers, Water Availability & Yield of Bedrock Wells
- Hydrography Water Features
- Water Quality
- USGS Study Maps by Town: “Probability of Exceeding the Arsenic Drinking Water Standards in Pri-

vate Drinking Water Wells” ([www.mass.gov/eealdocs/dep/water/drinking!aulautownmaps.pdf](http://www.mass.gov/eealdocs/dep/water/drinking!aulautownmaps.pdf))

- USGS Study Maps by Town: “Probability of Exceeding the Uranium Drinking Water Standards in Private Drinking Water Wells” ([www.mass.gov/eea/docs/dep/water/drinking!aulautownmaps.pdf](http://www.mass.gov/eea/docs/dep/water/drinking!aulautownmaps.pdf))
- Protected and Recreational Open Space & Town Forests
- Areas of Critical Environmental Concern
- Massachusetts DEP Oil and/or Hazardous Material Sites with Activity and Use Limitations (AUL)
- Massachusetts DEP Tier Classified Chapter 21E Sites
- Massachusetts DEP Wellhead Protection Areas (Zone IIs, IWPA)
- Surface Water Supply Protection Areas (Zones A, B, C)
- Title 5 Setback Areas
- Underground Storage Tank Locations
- FEMA National Flood Hazard Layer
- BioMap2
- NHESP Priority Habitats of Rare Species
- NHESP Estimated Habitats of Rare Wildlife
- NHESP Certified Vernal Pools
- NHESP Potential Vernal Pools
- NHESP Natural Communities
- MHC Historic Inventory

In conclusion, it is essential that the EIS include comprehensive scientific assessment of foreseeable (direct, indirect and cumulative) pipeline and compressor station impacts, to drinking water, human health and the environment, that transparently incorporates essential Massachusetts GIS and USGS mapping data.

The Northeast Energy Direct Project proposal to dredge, horizontally drill, and blast an west-east trending tunnel (large enough to contain a 30” diameter pipe), would perforate and hydraulically connect sixty-four (64) miles of north-south trending Massachusetts sand aquifers, aquitards, streams, wetlands and water-yielding bedrock strata. The dredging/drilling/blasting of such an extremely large manmade preferential groundwater pathway for contaminant transport is likely to cause a foreseeable harmful impact to drinking water and human health, and “Damage to the Environment” as defined by Massachusetts Environmental Policy Act (“MEPA”) regulations (310 CMR 11:02).

Please consider alternatives to this dangerously proposed pipeline project, especially the “no action alternative” under which the project is not permitted. Thanks for your consideration.

Respectfully submitted,

Michael Hootstein

TECHNICAL GUIDANCE DOCUMENT  
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

**Investigation of Manmade Preferential  
Pathways for Contaminant Transport**

[www.idem.IN.gov](http://www.idem.IN.gov)

Mitchell E. Daniels, Jr.  
Governor

Thomas W Easterly  
Commissioner

100 N. Senate Ave., Indianapolis, IN 46204  
Toll Free: (800) 451-6027

## **Background**

The following facts, observations, and examples are based on multiple scenarios encountered by IDEM in which manmade conduits have greatly influenced the ground water hydraulics and/or the distribution and extent of subsurface contamination. This listing does not cover every potential scenario or investigative technique. It is intended for informative purposes only.

Preferential Pathway: The route of least resistance for fluid flow, or a more permeable feature than the surrounding materials. The pathway may extend vertically or horizontally and be derived naturally or by human activities. The feature may also be oriented such that fluid flow could go in an unexpected direction. Generally, they are limited in width from microscopic to a few tens of feet but are often extensive in length. Examples include sediment grain size changes from fine to coarse; buried stream channels; fractured or dissolved bedrock; desiccation fractures in sediments; improperly sealed wells; field tiles; buried utility lines; and building foundations.

Variability exists in all natural materials. Perfectly regular grain size, distribution, and shape rarely occur in naturally deposited sediments. Thus paths of lesser resistance for movement of fluids naturally exist in almost every geological environment. These pathways range from the intuitively obvious to the very subtle. Well known natural preferential pathways include such features as karst, fractured bedrock, and lithologic changes. More subtle kinds of pathways include vertical fractures in clay soils, angled bedding planes in sands, and millimeter thick silts in clay-rich glacial tills. Natural pathways can range in size from tens of feet (abandoned stream channels), to less than an inch (fractures in clay tills), to microscopic (changes in grain orientation or shape). Most of these heterogeneities can be addressed with a clear conceptual geologic site model and/or a well-designed remedial strategy. If the regional and local geology is known, then the potential effects of these natural pathways can be explained during site investigation and compensated for in remedial action.

Unfortunately, most remediation sites are also located in developed areas where the original subsurface environment has been altered. Even areas that do not appear to be developed have often been changed by human activity. Soils in these areas may have been disturbed by drainage improvements, subsurface utilities, leveling of the ground surface, or excavation for building. Often these features are completely unknown to the investigator.

### **Why are Manmade Preferential Pathways Important?**

Once subsurface materials have been disturbed, they are usually more permeable than naturally deposited sediments, regardless of their composition and grain size. For example, sand used for fill is more permeable than naturally-deposited sand because fill is simply poured into a void rather than sorted by water or compacted by glaciation. Textbook porosity and permeability values assume that materials are uniform and compacted, and these values cannot be used to estimate the nature of backfill.

Manmade preferential pathways can transmit contaminants tens to hundreds of feet away from the release point as pure product, in a vapor phase, or dissolved in water. This movement can often be in directions up-gradient or cross-gradient of a release. Manmade pathways can be an issue regardless of depth to ground water. In areas where ground water is deeper than a pathway, vapors may move great distances through porous conduits and backfill. Where shallow ground water is present, product and dissolved phase plumes can travel quickly and without attenuation beyond the property boundary. In addition, preferential pathways can provide a vertical migration route to deeper levels in the aquifer by intersecting and breaching so-called confining layers.

Manmade preferential pathways can act as both a conduit and a barrier to migration. For example: Borings are placed on both sides of a conduit. The up-gradient area is contaminated but the down-gradient area is not. The initial conclusion is that the site characterization is complete. This is not necessarily accurate. If the backfill is transmissive, the contaminant may have just taken a turn and becomes a very long, narrow plume

moving along the conduit. If the backfill is finer grained than the surrounding soils (which can happen) or a subsurface structure is present, the obstacle may deflect or be a barrier to contaminant transport, and contaminants may pool behind the barrier until they find a release point.

As part of the conceptual site model, it is not enough to know only that manmade preferential pathways may exist. It is also imperative to know where they are located horizontally, vertically, and with respect to the release area. The conceptual site model should also seek to understand how preferential pathways may affect the hydraulic properties of the subsurface. This preferential pathway survey typically involves a more comprehensive view of the site layout, the site's surroundings, the local and regional geology and topography, and the degree and age of urbanization in the area.

### **Identification of Preferential Pathways**

Identification and evaluation of preferential pathways should begin before or run concurrently with the investigation of a release. Often, an investigation proceeds forward with delineation from a 'source' but considers neither the mechanism of the release nor the property's characteristics or prior history. This can lead to wasted effort by misinterpreting the distribution of contamination. In order to prevent this from happening, the investigator should step back from examination of the release, and view the site as a whole.

The purpose of this section is to present a list of the common, subsurface elements which can influence soil source geometry, vapor intrusion, and contaminated ground water flow. One or more of these elements are present at nearly every site.

1. **Storm/Sanitary Sewers**: These are the most common preferential pathways associated with subsurface releases of contaminants. Sometimes, they are the actual source area, because wastes have been poured down a drain or the storm sewer has received run-off from a surface spill. Storm sewers and some older sanitary lines are designed to allow leakage into the subsurface as they move water away. Lines installed prior to the 1980s are usually vitrified clay tile and are prone to breakage and cracking. Sewers should always be at least initially assessed, as they are present at nearly all sites. Not only should the main line(s) be identified, but the lateral(s) into the site buildings need to be located. If there are floor drains within buildings, they need to be diagrammed as well.

Even if the overall ground water table is below the sewer lines, the sewer may still be influencing contaminant distribution. Vapors can travel along conduits and create indoor air issues. Additionally, localized perched aquifers may be associated with the lines, and in some areas sewer main lines can be as much as 30 feet deep. So, it is not enough to know where the sewer is located; the depth is also vitally important. The sewer should be shown, to scale, on cross sections. In addition, it is very important to understand what direction the sewer flows and if it flows constantly or intermittently (i.e. near a lift station) as the conduit can move contaminants in directions different from the ground water gradient.

Although sewers are the feature most commonly associated with manmade preferential pathway flow, there are other kinds of subsurface conduits which may affect contaminant distribution:

2. **Energized subsurface utility lines** (Gas, Water, Electric, Fiber Optic, etc.): These subsurface features are usually not primary pathways because they are usually not as large, not buried as deeply, and are not designed to leak as sewers are. However, they are still surrounded by porous backfill which can intercept contaminants. Sometimes they are located in the same trench as the sewer lines, which can complicate an investigation. Depending on the size, depth, and location of the lines, they may explain contaminant distribution. The investigator should determine the locations of energized or pressurized lines in order to safely drill at a location (or use a water or air knife, see below).

3. **Septic Systems and other localized wastewater management systems**: These have many names including "concrete vaults", "dry wells", "oil/water separators" or "water distribution pits." Much like sewer lines in urban areas, these are common pathways noted in rural or semi-rural areas. At most sites which have these, the researcher can assume that they are at least a partial source of contamination. Recently

urbanized or suburban areas may still have the structure in place even if it is not currently being used for wastewater management. They are handy locations to pour other wastes, especially waste oil and waste solvent.

4. Field Tiles and French Drains: These are a system of clay pipes (tiles) or gravel-filled trenches (drains) typically installed from the late 1700s to present day that are intended to lower the water table of an area to make it amenable for development or farming. In many cases, these intercept or directly connect to the existing storm sewer lines or nearby streams. Tank vaults and other structures can also intersect these features. In older buildings, floor drains may be connected into these instead of a sewer or septic system. These are usually not a factor at small sites or in heavily urbanized areas but historical drainage improvements can cause problems at large urban, suburban, or rural facilities that do not realize the history of the area.

Almost all soils of glacial origin in Indiana have been extensively field-tiled or ditched to allow drainage for building. In rural and suburban areas, the county surveyor's office might be able to provide some information on the type and density of tiles. A review of the county soil surveys will also list the natural depth to saturation, and thus the probability of drainage lines.

5. Large Areas of Fill: Almost all sites have been cut or filled to make a level surface. All disturbed areas tend to transmit water, vapors, and contamination more readily than natural soils. Large areas of fill can be a source of contamination or control ground water hydraulics. Estimating the distribution and nature of fill around a site takes a more wide-ranging investigation. Boring logs are sometimes not enough. A thorough Phase I investigation can be invaluable. Reviewing the topographic maps for the area can be a great help, as can current and historical aerial photographs. If they are available, Sanborn maps provide an excellent description of historical structures and property usage. Sometimes intermittent drainage ways have been filled in. Sometimes, perennial streams have been channelized under urban development and there is no surface expression. Slopes along creek valleys might have been filled to grade. Many cities in Indiana were originally connected by a canal system. Research may find that the "Water Street" next to the site used to actually be the canal.

How much fill material affects the contaminant plume depends mostly on the following:

- a. The contrast between the fill and the native materials. If there is sand fill adjacent to coarse-grained or poorly sorted sand, the pathway is less pronounced. However, well-sorted, fine-grained sands (i.e. dunes) are much more resistant to flow than poured-in backfill. The interface between sandy fill and clayey soils is often an obvious, primary pathway. There can be a large amount of source material present in the gravel sub-base of parking lots, storage areas, and buildings.
- b. The location of the sources of contamination with respect to the fill.

Contamination released into the fill tends to want to stay in the fill. Surface releases are much more susceptible to this. Contamination released into natural soil may then collect in areas of fill down-gradient of the source.

- c. The distribution and thickness of fill across the site. If the whole site is covered with fill, the investigation is simpler than if only portions of the site are covered with fill. Typically, if only portions of the site are covered, it is to fill in low spots or to make high spots, and these create pools and drainage pathways for contaminants.

6. Existing Foundations: Existing subsurface structures are typically affected by contamination in the fill material surrounding the walls and floor. Most commonly the sub-base is contaminated by seepage through concrete floors in process and storage areas. Thorough site investigation can characterize their effect on contaminant distribution. The existing foundation sub-base, often in concert with interconnected utility lines, is a primary source of vapor intrusion in commercial facilities.

7. Abandoned Foundations, Basements, and Cisterns: These can act as pathways or barriers to migration.

- a. As a barrier: Outside the source area, abandoned basements and subsurface structures can act as islands of clean(er) soil/ground water. Borings placed within or directly down-gradient of these areas may lead to misidentifying the extent of contamination.
- b. As a pathway: These can act as pools of continuing source from a process or disposal area which has been long abandoned.

8. Improperly abandoned or installed wells (water, oil, or gas): This includes monitoring wells. Improperly abandoned or installed wells are usually discovered when contamination shows up in a deeper zone unexpectedly. If an investigator is lucky, historical research and a thorough site walk through may turn up such information as an abandoned pump house, neighbors with wells, or pipes present at the surface. The Department of Natural Resources should be notified when abandoned wells are found (312 IAC 13-10-2).

## **Investigation of Preferential Pathways**

### **General Subsurface Characterization**

As described in the identification section, every developed site may contain manmade alterations which could influence the distribution and migration of contamination.

However, not every site needs to evaluate their property beyond basic identification and mapping of subsurface utilities (including the depth).

At the majority of sites with subsurface contamination, a properly completed preferential pathway survey would likely consist only of on-site utility location, a thorough site and vicinity walk through, and (potentially) a telephone call to the municipal department of public works.

Basic preferential pathway information should be presented on site maps and discussed briefly in the characterization report as a part of the elimination of potential exposure pathways for closure.

The need for further study is initially based these factors:

- The location of the source with respect to known sewer main lines and laterals: Active sewer lines and laterals are usually obvious, but their hydrologic effects are often ignored. If the contaminant source is adjacent to the sewer or directly discharges to the sewer, an investigation of the lines and backfill for source material (regardless of the depth to ground water) is needed. If heavily contaminated ground water flows toward a sewer line which is below the water table, the backfill around the sewer trench should be investigated to determine if it is directing dissolved or vapor phase contaminants off-site.
- Irregular distribution of contamination: Contaminant transport through a porous media creates a plume of a generally predictable size, shape, and concentration gradient based on the hydraulic conductivity and ground water gradient. If contamination is much more widespread than the known geology would tend to allow, contamination suddenly “disappears”, the magnitude of contamination is disproportionate to known source, or heavily contaminated soil, ground water, or vapors are detected in unexpected places, there is a possibility that a preferential pathway could be influencing contaminant travel.
- The development and operational history of the site: If the property has changed usage, added and/or removed buildings, or relocated process areas, it is possible that the historic subsurface alterations and drainage may still be in place. For example, sites which were originally residential may still have sewer laterals, cisterns, and water wells left in place. There may have been pre-development dumping at the site. The site may lie in an area of historic sand and gravel mining where pits were filled back in with waste. Additionally, if the site operations historically used contaminants in solution or had to store and dispose of chemicals once they were “spent,” the sewer or other on-site wastewater management areas need to be fully investigated.

Most of the listed preferential pathways are not obvious in the field and may be nearly impossible to detect with a traditional investigation consisting of soil boring methods. A thorough site walkthrough can some-

times find evidence of septic systems, drainage tiles, old foundations, and wells.

Sometimes there is simply no obvious surface expression at all. The site may be completely paved or altered beyond recognition, but areas of fill are found by chance during investigation or a pre-development clay tile is penetrated during boring. The development history of the site and the vicinity become very important at this point in the investigation.

Historical research is the key to finding abandoned subsurface structures. Careful review of aerial photographs and historic maps of the property can be very helpful. An assessment of the building construction may find built-on areas and added parcels. These features are common at industrial facilities where processes have changed or moved and in areas which were previously residential prior to commercial development. A telephone call to the department of public works may provide both historic and current utility locations. If those desktop methods are not sufficient, or they cannot satisfactorily explain what is happening, then a non-invasive investigation of the subsurface may help determine whether there are manmade disturbances influencing contaminant travel.

Geophysical surveys are generally the most reliable way to find disturbed areas and subsurface pathways without excavating the entire site. Two types of surveys are commonly used to find and map non-metallic subsurface features.

- Ground Penetrating Radar (GPR): This technique is better for finding subsurface structures such as tanks, wells, and foundations but can find most features. It is also more suited to smaller areas and locations with surface obstructions.
- Resistivity/Conductivity: This technique is better for finding changes in soil structure and composition such as trenches and filled areas but can find most features. This method is better suited to large open areas.

If large areas of the site are covered by concrete with rebar, most geophysical methods are unlikely to be successful.

If unexpected pipes or tiles are found during the investigation, there are several methods available to determine if these features need further investigation.

- Smoke Tests: Smoke testing will show where air flows through a pipe. It is especially useful for finding open drain traps and near-surface breaks. Usually the fire department and nearby neighbors need to be informed before completing a smoke test.
- Vacuum Tests: Vacuum tests are useful if there are multiple conduits which may or may not be connected to a nearby source or receptor.
- Dye Traces: Dyes can determine if water entering a drain is connected to sanitary or storm sewers.
- Sewer cameras: These are useful if the line is completely filled with water, a break in the line is a suspected source, or if trying to precisely locate where an active or inactive line goes.

#### Invasive Site Investigation \*

\*This discussion is limited to active utility lines because the most difficult part about investigating the other kinds of preferential pathways is actually finding them!

Typically, a well-researched site conceptual model, combined with thoughtfully placed soil borings and monitoring wells, can indirectly explain how a manmade preferential pathway affects contaminant distribution. However, it is sometimes necessary to physically sample the subsurface vapors, soils, and ground water adjacent to active utility lines. When this becomes necessary depends on the nature of the release, the objectives of the investigation, and the closure strategy. Common reasons to directly sample within an active conduit include:

- Determination of source area concentrations for site characterization and risk assessment.
- Determination of soil and ground water quality to complete a pathway elimination assessment.
- Measurement of soil gas concentrations moving along a conduit.

Investigating around sewer lines is complicated by the slight risk of encountering an active line. Often, multiple utilities are located in the same trench. If there are known active water, sewer, or gas line trenches that need to be investigated, the municipality will need to be informed. City utility workers can be an excellent source of information about location and construction of active utilities. Private utility locators will show only the location of subsurface lines, but tell nothing about depth, construction, or quality of the conduits. Options which pose little risk to the lines themselves are readily available. The methods listed below are not typically part of a standard drilling program. Common tools include:

- Hand auguring: This drilling tool is turned into the ground by muscle power. They have a maximum depth of about 20 feet, depending on soil type. They may not be effective if the utility backfill is very coarse or heterogeneous.

The other two methods require a mobilization with a separate drilling machine. This nearly guarantees that the lines will not be harmed. If there are multiple areas that need to be investigated, this is often the fastest way to investigate and requires the least physical effort.

- Water knife: This machine is similar to a power washer and uses high pressure water to remove unconsolidated material. However, the addition of water can leach adsorbed contamination into the ground water. For this reason, these tools are not very commonly used at contaminated sites.
- Air knife: This machine works almost exactly like a water knife, but uses high pressure air to remove soil. The loose sediment is collected with a vacuum on the back of the truck. However, they might not be as effective in tightly compacted or heterogeneous backfill. Also, they may not be effective in cold weather when shallow sediments or fill material may be frozen. There is a large amount of waste soil generated by an air knife, and this may be a consideration if the corridor is suspected to be highly contaminated. The investigator also needs to account for potential VOC loss due to the high pressure air.

Occasionally, it is simply not possible to directly sample due to factors such as fragile water lines, high pressure gas lines, high voltage lines, or interstate pipelines. It may be difficult or impossible to acquire a right of way access permit from a municipality or individual. Situations like this are handled on a case by case basis.

#### Examples of the Influence of Preferential Pathways on Contaminant Transport

Contamination source in sewer pipe or utility trench backfill: This scenario occurs at sites where wastes were poured down the drain either as pure product disposal or as a result of poor housekeeping. Sewer disposal often leads to disconnected, high concentration contaminant source areas with very small source footprints. Once on-site investigation has shown there is source material in and around drains, the evaluation needs to continue in the flow direction of the pipe. Pure product can travel some distance through competent pipes, so common disconnected source locations are at T and L junctions, nearby lift stations, and any saddles in the gradient. Once dissolved or adsorbed contamination has been found in the conduit, an investigation of potential ground water receptors and the potential for vapor intrusion is needed in the vicinity of each source area.

Dissolved contamination intercepted by utility trench: This scenario occurs when a release into the subsurface travels down-gradient with ground water flow until it intercepts disturbed soils in contact with the water. This situation leads to plumes which apparently ‘end’ on-site despite having high concentrations near the property line. In order to confirm the extent of contamination, the investigator may need to drill directly adjacent to the trench in the down-gradient direction of flow within the preferential pathway (this is not necessarily the same direction as ground water flow). If investigation shows that contamination is traveling along the trench, there is the potential for discharge of contaminated ground water or vapor intrusion at nearby receptors.

Utilities that control ground water hydraulics: This scenario is probable in urban areas with shallow ground water, low ground water gradient and large diameter sewer lines. It is particularly notable in areas with fine-grained subsurface materials. Common indicators of utility-influenced hydrology include unexplained low

or high water levels in wells next to the utility trench, and wells off-site and outside the utility corridor that dramatically change on-site ground water flow direction.

Fill creates ephemeral water table for contaminant movement: Although the perennial water table may be well below filled areas, the contrast in materials' permeability tends to allow for horizontal fluid transport until there is sufficient head pressure to drive it downwards. If there is an above ground release, this mechanism spreads the source material outward and increases the footprint of the contamination. This is a probable cause when there is a very small contaminant source (i.e. sink sized degreaser) but a horizontally extensive shallow soil source. In this scenario, depending on the contrast between native and manmade materials, ground water contaminant concentrations may be low to moderate, while vapor contamination is extremely high. This is a primary concern in buildings with large areas of interconnected, coarse grained sub-base.

Contamination source or transport in drain tiles: Unlike other pathways, drainage tiles usually discharge to nearby perennial or ephemeral surface water features. Once contaminated drainage tiles are found on a site, there needs to be an evaluation of surface drainage areas for contaminated sediments or contamination discharging into surface waters.

Cross-contamination due to wells: This scenario usually occurs at large industrial facilities with multiple production wells. Typical cross-contamination problems come from wells installed prior to current DNR grouting and abandonment requirements outlined in 312 IAC 13. Properly installed wells will not allow cross-contamination.

### **Closure Strategies**

This guide is not intended to be a comprehensive discussion of remedial or closure methods. Not every site will need a specific remedy to remove the risk from contamination in preferential pathways. However, if preferential pathways are significantly affecting the ground water hydraulics or vapor flow, they can create difficulties for both active and passive closure strategies. A good investigation using the principles noted above should determine if and how pathways might be affecting the contaminants. Sometimes, the pathways can make remediation easier, because contamination has been contained within a structure or is being funneled to a single discharge point. Some of the more common difficulties with remediation of preferential pathways are listed below:

#### How do contaminated pathways affect cleanup and closure strategy?

- Overestimation of radius of influence: This is one of the most common issues caused by preferential pathway flow and is a typical reason active remedial systems can fail. Things to monitor during pilot testing are:
  - o One or more distant observation points show a much greater effect than points nearby.
  - o All extraction influence is concentrated in one direction.
  - o Testing is performed only in areas of disturbed soil or backfill rather than native materials.
- Short circuiting: This will show up as nearly instant vacuum or drawdown in a well. Also, unusually rapid arrival of injectate in distant wells for in-situ remedies is a sign of a conduit.
- Underestimation of source area:
  - o Removal of a known source such as USTs or a septic tank is planned. During excavation, contaminated clay tiles or a building foundation are discovered and have to be removed.
  - o A remediation system is installed, without understanding the distribution of high contaminant levels in the on-site sewers. After several years of operations, contaminant levels remain much higher than predicted because the source has not been effectively treated. Additional operation and possibly a different corrective action are necessary.

Both these scenarios equate to a large, unexpected expense. It is much less costly to know what is going on before starting remediation.

- Vapor intrusion: The existence of a direct conduit into a building invalidates vapor intrusion models or

attenuation factors which assume that contaminants rise through a porous media. Borings around a site can indicate low conductivity soils but do not account for manmade alterations. A common way which vapors can affect buildings is through sewer lines and drains. The presence of coarse-grained fill under and around buildings can also lead to underestimation of risk.

- **Plume stability:** Continued flow of water through a conduit can destabilize contamination. The presence of conduits can also influence the accuracy of perimeter of compliance wells. If the contamination is leaving the site through a preferential pathway rather than through down-gradient flow, then the pathway is where monitoring needs to be concentrated.
- **Fate and transport models:** The assumptions for uniform, homogenous subsurface conditions rapidly break down in the presence of conduit flow. If they are not taken into account, the risk can be underestimated.

#### How is remediation of a preferential pathway accomplished?

As previously noted, many times specific remediation of a preferential pathway is not necessary to achieve closure. The conduit may be simply directing residual ground water contamination, and once the source is addressed, it will attenuate without additional measures. However, if the conduit is allowing contamination to discharge to a receptor at an unacceptable risk level, it needs to be included in the remedial strategy. As an example, at a site where the tail of a contaminant plume intersects a sewer, the sewer would not specifically need to be addressed unless vapors above acceptable risk levels were present in nearby structures or contaminated water was discharging to the surface. The remediation of pathways can be as simple as adjusting the location of a few extraction wells/injection points or as complex as a separate, specifically designed remediation system for the conduits. Usually, contaminated pathways not associated with active utility systems are most effectively remediated by targeted removal.

#### **Resources**

IDNR Well Rule 312 IAC 13 <http://www.in.gov/legislative/iacIT03120/A00130.PDF>?

State Coalition for the Remediation of Dry Cleaners, 2010: Conducting Contamination Assessment at Dry-cleaning Sites; <http://www.drycleancoalition.org/download/assessment.pdf>

Sewer Smoke Testing: [http://ci.santa-rosa.ca.us/departments/utilities/sewer\\_wastewater/Pages/testing.aspx](http://ci.santa-rosa.ca.us/departments/utilities/sewer_wastewater/Pages/testing.aspx)

Video Sewer Inspections: [www.fairfield-city.org/utilities/videoinspections.cfm](http://www.fairfield-city.org/utilities/videoinspections.cfm) [www.ci.sunnyside.we.us/services/public\\_works/sewer\\_abc/video\\_inspect.php](http://www.ci.sunnyside.we.us/services/public_works/sewer_abc/video_inspect.php)

Wisconsin Department of Natural Resources, 2000: Guidance for Documenting the Investigation of Utility Corridors; PUBL-RR-649, 9 pages.

USEPA, 1997: Expedited Site Assessment Tools For Underground Storage Tank Sites: A Guide For Regulators: Chapter 3 Surface Geophysical Methods, (EPA 510-B-97-001). <http://www.epa.gov/OUST/pubs/esach3.pdf>

#### **Further Information**

If you have any additional information regarding this technology or any questions about the evaluation, please contact Geological Services at (317) 234-0991. This technical guidance document will be updated periodically or if new information is acquired. {end of 20150812-5040}

#### **20150812-5042**

Cheryl A. Barret, Dracut, MA.

August 11, 2015

Federal Energy Regulatory Commission

Re: Negative environmental impacts of Kinder Morgan , TGP, NED project

Ms. Bose,

I would like someone to hear my comments on the TGP project. Not simply as a formality in your process but because you are seriously trying to determine if the adverse consequences of this project outweigh any benefit. Because you are taking the public comments into consideration in making a determination and not just pushing the project along.

My name is Cheryl Barret, I live at 80 Pelczar Road in Dracut, MA. My property is one of many in Dracut that has an easement by the power company. The energy corridor runs down the entire length of Pelczar Rd from Parker Rd. to just beyond 85 Pelczar Rd. and then turns up through many properties on Sesame street and beyond. Trout Brook also runs through my property in close proximity to the existing power lines. We get our drinking water from a well on the property less than 40 feet from Trout Brook .

We have wood turtles that nest on my property, which according to National Heritage, have a state status of "Species of Special Concern". They overwinter in Trout Brook on my property. In addition we have deer, wild turkey, and salamanders, and many other species of wildlife. It is my understanding that it will be necessary for TGP, during their construction period, to clear 50-100 feet of land next to the existing power lines. This would put them within "feet " of Trout Brook or in Trout Brook and necessitate clearing many 100 year old trees from my property. These trees are my sightline to my side and backyard. TGP promises to repair or restore the premises to its original state after they're done with their construction. How can they replace 100 year old trees? How can they assure they will not contaminate the brook and my well, the source of my drinking water ? How can they restore the wildlife habitat they will be destroying? Will they get a baseline test on my well prior to beginning construction and multiple times after their construction ? Who will be financially responsible if my well should become contaminated from the installation of the pipeline? Will they pay to relocate us while we wait to be hooked up to a water supply? Will they pay to have us connected to the town water supply? Last summer the power company contacted me prior to doing their maintenance to determine if there was a well on the property and whether or not they could use herbicides. They did not. Will TGP continue to monitor the impact they will have on my property ?

There is a quarry close to me whose call list I am on. They notify me prior to blasting since their blasting shakes my house , actually knocking things from the walls. How will TGP protect their pipeline against this and does this put the pipeline at greater risk of fracture and possible leaks, or worse, explosion ?

TGP'S answer to this is that they allow for sway in their pipes. This is not very consoling when my home will be mere feet from their pipeline.

Who is holding TGP responsible for their existing pipelines, which if maintained and repaired would increase the current capacity? If they cannot be responsible for existing pipeline, why would they be allowed to build new pipeline?

There are currently three other projects of lesser magnitude that could be considered to resolve the lack of gas capacity noted on very few days of the year.

There are many current reports available about the true need for additional natural gas capacity. We don't need an infrastructure project this oversized. The following is from research done by R. Cowan, another member of Dracut Pipeline awareness: " PIPELINE USAGE CHARTS FROM THE SPECTRA ENERGY WEBSITE prove that all existing pipelines are not at maximum capacity. The existing pipeline coming into Dracut from the north had at least 300 million cubic feet of spare pipeline capacity on all but 8 days of winter 2014 - 2015. Spare pipeline capacity exists in Westbrook , Maine ( which goes all the way to Dracut and Beverly, Ma) and could be supplied more gas from PNGTS. "

If I can access these reports, surely FERC is aware of these statistics.

The planned route of this Mega infrastructure is going through densely populated residential areas, farmlands, church property, and the very center of our town. Isn't it your responsibility to protect the public interest or does FERC just condemn property for public use.

Another area of concern is the fact that our one small town will be overburdened with not only the pipeline but a huge compressor station and 3 metering stations whose emissions threaten the health and wellbeing of our population. In addition to hundreds of homes and businesses, our fire department and police station are in the 1/2 mile radius of the compressor station. In the event of any accident who will respond?

We should be stewards of this earth, not destroyers for the sole benefit of Kinder Morgan and their pending licenses to export natural gas to other countries. Licenses now pending at the DOE office of fossil energy for Downeast LNG, in Maine, and Goldboro LNG in Nova Scotia. Both terminals would be served by the Canadian Maritimes pipeline from Dracut.

My comments represent just one of hundreds of homeowners with the same or greater concerns who are in Dracut in the direct path, abutters, on this current route of a pipeline that is of much greater capacity than we need. Please consider the other alternatives that are out there now and underutilized or currently under construction.

The consequences of the Kinder Morgan project to the environment, to human life, far outweigh any of the benefits. Please deny this project.

Respectfully,

Cheryl Barret

**20150812-5084**

Alice Spatz, Lanesborough, MA.  
Project docket number PF14-22

August 12, 2015

Alice Spatz  
56 Bridge St., P.O. 324  
Lanesborough, MA 01237  
413-4442-2969  
spatzlarryalice@verizon.net

Please extend the scoping period for the Kinder Morgan project (PF14-22) and look into the legitimacy of the need for more natural gas. This issue is vitally important if we are serious about reducing CO2 emissions.

Shrouded in secrecy, the New England States Committee on Electricity (NESCOE) undertook efforts that were poised to tax electric customers to pay for bringing massive new gas pipelines into the region. Studies commissioned by NESCOE showed that if current levels of state energy efficiency programs continue, there is no need for additional natural gas infrastructure even with economic growth taken into account. Now the New England Governors are stepping away from a high-risk gamble with air pollution and electric customers' money.

"NESCOE "New England Gas-Electric Focus Group Final Report" of March 28, 2014, the gas/electric industry analyst firm concluded and recommended, among other things, that, "No long-term infrastructure solutions are necessary under the Low Demand Scenario", and, "Further analysis would be required to determine whether policies that would result in a Low Demand Scenario are cost-competitive with infrastructure investments."

-Berkshire the edge newsletter June 11, 2015

The need for more capacity has been cited as peak demand during cold weather when gas for heating and gas for electric generation compete for existing pipeline capacity. These conditions only happen for a few hours a day, about 10-27 days a year, and it has never led to a dip into our electric generation buffer (the extra electric capacity ISO-NE likes to keep on hand), let alone actual electric demand. ISO New England actually issues "Minimum Generation Emergency Warnings." These are times when consumers were using so little electricity that the grid operator had to ask power plants to NOT generate electricity. (ISO NEWS-

WIRE – 12/2010)

Instead of building an enormous pipeline designed for export, and that doesn't supply gas to new local customers, a good place to start is by making wise use of our existing pipelines. We can make sure the pipeline capacity that we already have is being well utilized before leaping to build expensive new pipelines. This starts with fixing leaks and increasing storage facilities to address the few hours of a few days of high demand in the winter.

“Rather than more investments in fossil fuel-based energy, then, let's instead invest wisely in energy efficiency and long-term contracts for renewable energy. And where the use of natural gas is currently necessary, let's use LNG to supplement natural gas supply during periods of peak usage. Expanding our natural gas pipelines and our reliance on this carbon intensive and price volatile fuel should be New England's last resort.”

- Caitlin Peale Sloan, Constitution Law Foundation, May 15, 2015

The Council of Scientific Society Presidents—which represents 1.4 million scientists from more than 150 scientific disciplines - reported to the Obama administration: “some energy bridges that are currently encouraged in the transition from GHG-emitting fossil energy systems have received inadequate scientific analysis before implementation, and these may have greater GHG emissions and environmental costs than often appreciated.” The development of unconventional gas from shale deposits, the Council warns, is an “example where policy has preceded adequate scientific study.”

Building new and massive infrastructure for fracked gas is not in the best interest of the country. There are dangers inherent in the technology that threaten air, water and soil quality, as well as the quality of all life on this planet. There are alternative, renewable energy sources that, in conjunction with conservation measures, can meet our energy needs.

Sincerely, Alice Spatz

## 20150812-5088

Reba-Jean Shaw-Pichette, Deerfield, MA.

Dear FERC -

After being present at the FERC hearing in Greenfield for 7+ hours, (with the final hour not televised), I am writing concerning the (one would hope) as yet “To Be Determined” plan presented by Kinder Morgan, the Parent Company to TGP.

Kinder Morgan should not be permitted to operate its own studies to determine the land that they intend to use. This is a conflict of interest and much like asking a big sugar cane farm if sugar is good for us. They are sending letters to residents and land-owners that are worded to sound as if these ‘studies’ are to be done on our behalf but they do not use third parties that are disinterested to decide whether our land is wetland/archaeologically important or whether their activity will hurt our wells, etc. These studies done by them on their behalf should be considered null and void regardless of whether they obtained the landowners permission through coercion.

The plan is woefully incomplete and those of us who have served on planning/zoning boards recognize that much pertinent information has been omitted or avoided (indeed, they have omitted required information of private individuals or companies that do not have powerful lobbyists). The amount of land to be taken for the project is continuously misrepresented with the acreage of trees to be permanently removed in constant flux as are the numbers, placement, and size of access roads (always these are TBD). The presented information is frightening in its inaccuracies and borders on fraud.

And now, From the Lorax:

The present estimate of 6000+ acres of trees to be permanently removed is a crime against our part of the state for character, health and economic reasons.

These are mostly located along the ridges along powerlines - helping to shield the powerlines from view

while simultaneously protecting the land from erosion, baking, washout into our river and washout of the roads that are currently protected.

Further - the clear-cutting of these trees opens us to further invasion by invasive species that are endangering the native plants (such as the purple loosestrife that is obliterating cat-tails (the supermarket of the swamp) and milkweed (and so the monarch).

Our neighbor, Patricia Kelly, whose land includes much of the powerlines, and so has had personal visits from KM representatives, recently clear cut the wetland and it is now full of loosestrife. Invasive species wipe out our local edibles - necessary for animals and for humans. It is native edibles that saved the lives of many during the Great Depression. We have planted and encouraged the local native plants within our own garden to help with this depletion and to be there for the variety of healthy frogs and salamanders that regularly appear.

The removal of the trees severely depletes the fresh air, the cooling of temperatures, and the cleaning of our water that these guardians of the earth perform and it also changes the landscape away from the appeal that draws tourists to "leaf peep" in New England

There is no mention of where these trees will go - who will take the profit from our lands of thousands of acres of renewable energy, good cordwood, good protection for - and here I mention only the life that I have seen (and filmed) in my yard that comes out of the trees in the incineration zone: Canada lynx, bobcat, wolf, moose, turkey, deer, coyote, fox, bear with three cubs, and a multitude of others that we should be speaking out for as this is their home as well!

And, finally: Water - the word which continues to arise in many discussions. Fracking contaminates aquifers and wells and ground water. This is a recognized fact. Yet KM does not offer chemical or contaminate benchmarks to study our water. There is already war over water in parts of the world and even in our western states droughts have become the norm and communities are fighting over water access and there is even theft of clean water. NOTHING - no bottom line of a corporation, no perceived 'fuel need' should be considered that threatens clean water. WATER is a necessity of life - not fossil fuels - not money - not electricity. Water trumps them all. TO disturb or threaten the good and plentiful water that is available in one of the last parts of the country not over-paved is a crime not just against our part of Massachusetts but against humanity, the earth, the future.

"Plant trees" J. Sterling Morton

"The Wonder is that we can see these trees and not wonder more" Ralph Waldo Emerson

"Between every two pines is a doorway to a new world" John Muir

"I contribute to Peace when I respect Nature and preserve it for generations to come." The Rosicrucian Order

sincerely ("we are here, we are here, we are here!" - Dr. Seuss),

From the Incineration Zone:

Reba-Jean Shaw-Pichette

Chair, Deerfield Cultural Council

Museum Educator, Pocumtuck Valley Memorial Association

40 Old Albany Rd

(The site of the original Boston to Albany Stagecoach Inn)

Deerfield MA 01342

**20150812-5097**

**Pennsylvania  
Department of Conservation  
and Natural Resources  
BUREAU OF FORESTRY**

August 12, 2015

PNDI Number: 22412

Kimberly D. Bose  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

Re: Tennessee Gas Pipeline Company – Northeast Energy Direct Project  
Bradford and Susquehanna Counties, PA

Dear Ms. Bose,

Thank you for the submission of the Pennsylvania Natural Diversity Inventory (PNDI) Environmental Review Receipt Number 22412 for review (formerly 22378). PA Department of Conservation and Natural Resources screened this project for potential impacts to species and resources under DCNR's responsibility, which includes plants, terrestrial invertebrates, natural communities, and geologic features only.

This project was reviewed on February 13, 2015. A Potential Impact was anticipated and a botanical survey was requested. A copy of this correspondence is attached for your information.

Should you have any questions or concerns, please contact Jason Ryndock, Ecological Information Specialist, by phone (717-705-2822) or via email (c-jryndock@pa.gov).

Sincerely

Greg Podniesinski, Section Chief  
Natural Heritage Section

conserve sustain enjoy

P.O. Box 8552, Harrisburg, PA 17015-8552 717-787-3444 (fax) 717-772-0271

-----  
13 February 2015

PNDI Number: 22412

Timothy O'Sullivan  
AECOM

Email: tim.osullivan@aecom.com (hard copy will NOT follow)

Re: Tennessee Gas Pipeline Company, LLC  
Northeast Energy Direct Proposed Pipeline Request #2; Update of 22378  
Bradford and Susquehanna Counties, PA

Dear Mr. O'Sullivan,

Thank you for the submission of the Pennsylvania Natural Diversity Inventory (PNDI) Environmental Review Receipt Number 22412 for review. PA Department of Conservation and Natural Resources screened this project for potential impacts to species and resources under DCNR's responsibility, which includes plants, terrestrial invertebrates, natural communities, and geologic features only.

### **Potential Impact Anticipated**

PNDI records indicate species or resources under DCNR's jurisdiction are located in the project vicinity. Based on a detailed PNDI review, DCNR determined potential impacts to the following threatened or endangered species or species of special concern.

### **Survey Request**

There are species known nearby that use habitat type may be present on the site; therefore, we are requesting a qualified botanist conduct a survey for the species in the attached chart at the appropriate time of year and then submitted to our office for review. In the attached pdf files "22412\_NortheastEnergyDirect\_ResourcesLists," "Species Targets by Municipality" lists all resources in project vicinity and can be sorted by resource or township. The "Plant and Lepidoptera Info" pdf provides habitat and flowering time information

from The Plants of Pennsylvania, 2nd Edition, by Rhoads and Block and information about Lepidoptera gathered from the internet. Plant community information can be found under the “Community Info” pdf. Please note that the Lepidoptera species and communities noted are listed for informational purposes and are not targets for a survey.

- A survey for the above species should be conducted by a qualified botanist at the appropriate time of year and then submitted to our office for review. Your botanist should carefully review the new DCNR Botanical Survey Protocols available at <http://www.gis.dcnr.state.pa.us/hgis-er/Login.aspx>. These protocols are recommended to ensure that the all necessary information is collected and that survey reports are prepared properly. It is the expectation of DCNR that these protocols will be followed when conducting surveys for species under our jurisdiction.
- Your botanist should fill out the field survey form while performing their survey: [http://www.gis.dcnr.state.pa.us/hgiser/hgis/Internet%20Field%20Survey%20Form\\_2007.pdf](http://www.gis.dcnr.state.pa.us/hgiser/hgis/Internet%20Field%20Survey%20Form_2007.pdf). Contact our office prior to the survey for detailed information about the species, or for a list of qualified surveyors.
- Any target and non-target state-listed species found during the site visit should be reported to our office. Mitigation measures and monitoring may be requested if species or communities of special concern are found on or adjacent to site.
- If the land type(s) does not exist on site, a survey may not be necessary; please submit a habitat assessment report which describes the current land cover, habitat types, and species found on site.

This response represents the most up-to-date review of the PNDI data files and is valid for two (2) years only. If project plans change or more information on listed or proposed species becomes available, our determination may be reconsidered. For PNDI project updates, please see the PNHP website at [www.naturalheritage.state.pa.us](http://www.naturalheritage.state.pa.us) for guidance. As a reminder, this finding applies to potential impacts under DCNR’s jurisdiction only. Visit the PNHP website for directions on contacting the Commonwealth’s other resource agencies for environmental review.

Should you have any questions or concerns, please contact Su Ann Shupp, Ecological Information Specialist, by phone (717-783-7990) or via email ([c-sushupp@pa.gov](mailto:c-sushupp@pa.gov)).

Sincerely,

Rebecca H. Bowen, Section Chief  
 Bureau of Forestry, Ecological Services Section  
 Pennsylvania Natural Heritage Program

**Resources in the vicinity of the Northeast Energy Direct project,**

PNDI # 22378.

Species Name	Common Name	Current Status	Proposed Status
<i>Andromeda polifolia</i>	Bog-rosemary	PR	PR
<i>Astragalus canadensis</i>	Canadian Milkvetch	N	TU
<i>Carex disperma</i>	Soft-leaved Sedge	PR	PR
<i>Carex lasiocarpa</i>	Slender Sedge	PR	PR
<i>Elatine americana</i>	Long-stemmed Water-wort	PX	PE
<i>Eleocharis robbinsii</i>	Robbins’ Spike-rush	PT	PT
<i>Galium trifidum</i>	Marsh Bedstraw	N	PR
<i>Phragmites australis</i> ssp. <i>americanus</i>		N	PE
<i>Ribes triste</i>	Red Currant	PT	PT
<i>Schoenoplectus subterminalis</i>	Water Bulrush	N	PR
<i>Stellaria borealis</i>	Mountain Starwort	N	TU
<i>Utricularia cornuta</i>	Horned Bladderwort	N	PT
<i>Utricularia intermedia</i>	Flat-leaved Bladderwort	PT	PT

Viola renifolia	Kidney-leaved White Violet	TU	PE
Viola selkirkii	Great-spurred Violet	N	PR
Carterocephalus palaemon mandan *	Arctic Skipper	n/a	n/a
Euphyes dion *	Dion Skipper	n/a	n/a
Leatherleaf – bog rosemary peatland *		S2S3	
Leatherleaf – sedge wetland *		S3	

\* Please note that the Lepidoptera species and communities noted are listed for informational purposes and are not targets for a survey.

**20150812-5167**

Tennessee Gas Pipeline  
Northeast Energy Direct Project

Federal Energy Regulatory Commission  
Tennessee Gas Pipeline Company’s  
Northeast Energy Direct Project  
Docket No. PF14-22-000

Regarding: FERC docket Number PF14-22

I urge the Federal Energy Regulatory Commission to adopt a not approved position on the above mentioned project.

As a resident of Dracut Ma., and a homeowner near the proposed site of the Kinder-Morgan 23,000 horse-power compressor station, I feel strongly that the pipeline and its associated impacts to the environment, property, public safety, and possible accident danger far outweigh any short term energy benefits possibly received from this pipeline.

It can be shown that current energy needs can be met through a combination of conservation efforts, and the development and deployment of a number of renewal energy alternatives.

The science and manufacturing of alternative renewal energy sources like bio-mass, solar, hydro, and wind have developed to the point where each is feasible, and in total, could provide abundant clean energy for this area into the foreseeable future.

People speak of an increase in jobs as a potential benefit of the pipeline, but jobs created by the development, deployment, and maintenance of all the above mentioned renewal energy alternatives could more than offset the short term jobs created by the pipeline.

For these reasons I urge the Federal Energy Regulatory Commission take a bold stance to reject this project. A stance that will drive the future of this areas’ energy needs away from the use of the ever dwindling and dirty fossil fuels and towards unending and substantially cleaner renewable energy.

Thank You:

Bruce R. Cote  
107 Lexington Rd.  
Dracut, Ma. 01826

**20150813-0016**

Sarah McKinley

From: Payne, John <John\_H\_Payne@who.eop.gov>  
Sent: Wednesday, August 12, 2015 2:49 PM  
To: OEA Customer  
Subject: WH 20150706-05758510—Amy Glowacki  
Attachments: Amy Glowacki.pdf

The Office of Presidential Correspondence received the enclosed letter to President Obama, which appears to fall within the jurisdiction of your agency. The White House has no view on the merits of the request presented by the letter. We encourage you to respond to the letter within 30 days, if a response is appropriate under your standard policies. If your agency does respond, please indicate in the response that the letter to the President was forwarded by the White House to your agency. In addition, please send an informational copy of the response for our records to AaencvResoonse(@who.eoo.aov. If your agency chooses not to respond, please email AaencvResoonsewho.eoo.aov indicating that decision for recordkeeping purposes.

Agency representatives may contact Lacey Higley at the White House Office of Presidential Correspondence by email at LHialevwho.eoo.aov or phone at (202) 456-5176.

CASE: WH 20150706-05758510-Amy Glowacki

Please let us know if you need anything else regarding this case.

-----  
From: Amy Glowacki

Submitted: 7/6/2015 7:57PM EDT

Email: amy.glowacki2@gmail.com

Phone:

Address: 660 Sand Pit Road, Mason, New Hampshire 03048 “”.:,:.i

Subject: A White House Office

Message: FERC is broken and not working for the tax payers. NH is subject to a major natural gas pipeline project from the Tennessee Gas -Kinder Morgan pipeline pmject. 17 NH towns will be majorly impacted by this project. Towns have requested Scoping meetings and FERC denied these requests and is only offering a few county meetings. This project is opposed in large numbers by NH impacted property owners. We deserve to be heard in a proper forum. FERC is not meeting the needs of all. FIX FERC and stop dumping on the tax payers and forcing private projects on us in the make of public gain. We deserve to be heard. FERC is broken. Please fix it.

-----  
THE FEDERAL ENERGY REGULATORY COMMISSION

August 13, 2015

Ms. Amy Glowacki

660 Sand Pit Road

Mason, New Hampshire 03048

Re: Northeast Energy Direct

Docket Number PF14-22-000

Dear Ms. Glowacki:

The White House forwarded correspondence from you regarding the Northeast Energy Direct Project (Docket No. PF14-22-000), whose pre-filing for a natural gas pipeline is currently before the Federal Energy Regulatory Commission.

Although our Commission was not able to hold as many scoping meetings in New Hampshire as you would have liked, anyone can file comments in the docket and those comments will carry the same weight as any statement made of those public meetings. We would encourage you to file your comments. Please be assured that I have entered this correspondence into the official record for this proceeding on your behalf.

Sincerely,

Sarah McKinley

Office of External Affairs

888 First Street NE, Washington, DC 20426

**20150813-0028**

Michelle and Jeff Cross  
115 China Hill Road  
Nassau, NY 12123  
Hoofandrailfarm@gmail.com

Cell (518)858-4337  
Tel: (518) 766-4282

July 7, 2015

Tennessee Gas Pipeline Company, LLC  
Kinder Morgan  
1615 Suffield Street  
Agawam, MA 01001

VIA: Certified Mail, Return Receipt Requested

Re: Denial of access to my property; Docket FP14-22

As the owner of property located at

115 China Hill Road, Nassau, NY 12123  
Tax Map: 181.-1-61.11

I hereby deny to Kinder Morgan and its subsidiaries and affiliated entities, including with limitation Tennessee Gas Pipeline Company and its subsidiaries and related entities, as well as NYSEG, National Grid or other electric utility company with whom any of them co-locate or propose to co-locate any pipeline, and their respective employees, agents, representatives and contractors, permission to enter my property identified above, to perform surveys or for any other purpose (other than access by my utility company directly related to the supply of electricity to my property) without prior written notice specifying the purpose of such access and my express consent.

Any entry on my property without my consent will be considered unauthorized and treated as trespass.

Michelle and Jeff Cross

Cc:

Town Board of the Town of Nassau  
Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426  
National Grid  
NYSEG

**20150813-0029**

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Room 1A  
Washington, DC 20426

Date: August 3, 2015

Via Certified Mail, Return Receipt Requested

Re: Denying property access: PF 14-22-000

As the owner of the property located at:

27 Huse Road, New Ipswich, NH

I am denying permission to the Tennessee Gas Pipeline Company, LLC (a Kinder Morgan Company), its representatives, contractors, sub-contractors, or associates to enter my land or to perform surveys, or for any other purpose. Any physical entry onto my property will be considered unauthorized, and treated as trespass.  
Virginia Harnder

**20150813-0030**

Hand written card, D. Kangas, 144 Old Tenney Rd, New Ipswich, NH, opposing

**20150813-0031**

July 27, 2015

David G. Drouin  
85 Old New Ipswich Rd.  
Rindge, NH 03461

Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426  
Attn: Kimberly D. Bose, Secretary

Docket: PF14-22-000

Dear Commission,

The above referenced project appears to be grossly oversized for the projected energy needs of New Hampshire and New England in general. With New Hampshire a net exporter of electricity, gains in efficiency and renewable energy production growing, the real need for this pipeline appears to be less about access to gas and more about reaching export markets. What will be the net benefit to the rate payers and gas consumers if the pipeline is built? Will this be another Seabrook Power Plant gone over budget that the ratepayers got stuck with the bills

The projected route is through many conservation and sensitive areas, but with all the To Be Determined's in the Tennessee Gas draft application, how can private, local, state and federal entities analyze the impacts to avoid, minimize or mitigate them? Please study the route and a 500 R buffer along each side to determine the impact on water, air, vegetative and natural species.

What will be the end impact of such a major large scale construction through a pristine New England landscape that depends on its natural beauty and preserved history as a base for a healthy tourist and retirement business sector? What will be the economic loss to the area in general as the pipeline decreases the desirability of people visiting or relocating here?

Thank you for your consideration.

David G. Drouin

**20150813-0032**

Tennessee Gas Pipeline Company, LLC: Docket No.PF14-22-000  
Northeast Energy Direct Project, Scoping for Environmental Impact Statement by June Varner  
August 7, 2015

US Federal Energy Regulatory commission  
888 First Street, NE  
Washington, DC 20426

Re: Tennessee Gas Pipeline Company, L.L.C: Docket No PF14 22 000

Northeast Energy Direct Project (the Project), Scoping for Environmental Impact Statement

Ladies and Gentlemen:

I am June Varner, 393 Coldwater Tavern Road, East Nassau, NY 12062. I moved from Minnesota to Nassau Township, New York in August 2012. I am 77 years old, a retired farmer, a widow living on my retirement and the income I get from a rental property I bought five years ago at 117 Firetower Road, Stephentown, NY, which is in the northeast corner of Nassau Township. This property lies less than a thousand feet from the proposed pipeline. When I became aware of the change in the route of the pipeline along the National Grid R/W, my first thought was that the fracked gas will have to be pushed over the mountain and the compressor station would be located on or near Firetower Road. Since the current site at Clarks Chapel Road and Burden Lake Road is only a proposal, perhaps the site may change to where it is closer to the crest of Firetower Mountain.

### **IS THERE A NEED FOR THIS PIPELINE**

While it might not be appropriate at this time to address whether the Project is in the public convenience and necessity, I believe in view of the current market conditions, there is no need for any pipeline and “No Build” should be your decision.

<http://www.washingtonpost.com/news/energy-environment/wp/2015/03/20/obama-administration-tightens-federal-rules-on-all-gas-fracking/> Obama administration tightens federal rules on all-gas fracking By Jaby Warrick March 20. Energy industry groups immediately filed suit to block the measures. The Independent Petroleum Association of America and Western Energy Alliance called the rules a “reaction to unsubstantiated concerns,” and warned that the U.S. natural gas boom could fizzle..... Barry Russell, the IAA president, said in a statement. Is the Industry at the beginning of a ‘fizzle’

See also <http://gva.wibloarnberg.net/sudden-drop-in-crude-all-prices-rolls-u-s-energy-firms-rebound-2/> and <http://www.all-price.net/en/articles/falling-all-price-slows-us-fracking.php>

In “Interstate Pipeline Forum For Local Officials” a powerpoint presentation by Rebecca F. Zachas of BCK Law, P.C., FERC Application: Standard of Review, she states that the Threshold question to find the project to be in the public convenience and necessity, “it must be financially prepared to stand on its own without subsidies from existing customers.” Also that the project must meet the Balancing Test: “Do overall public benefits outweigh adverse impacts.” <http://nashobatrust.org/what-is-it/> what is the ‘Northeast Energy Direct’ pipeline project? It states: “At this time, a state tariff is being discussed that would pass the cost of this proposed \$2.7+ billion project on to Massachusetts residents — ISO NE-Tariff. This is an unprecedented move to request ratepayers to fund a privately-owned company’s infrastructure project. National Grid and other regional energy suppliers have agreed that this strategy should be used. (see: EDC Letter Reanal Infrastructure 22 April 2014)”

### **IS THE PROJECT FISCALLY WISE**

The New York State Utilities Code Chapter 37, Subchapter B. Electric Utilities, Sec. 37.051, (e) states: before granting a certificate under this section, the commission must find, after notice and hearing, that: (1) the applicant has the technical ability, financial ability, and sufficient resources in this state to own, operate and maintain reliable transmission facilities.’

In a financial analysis on Kinder Morgan Energy Partners LLP (KMP), owner of Tennessee Gas Pipeline Company, Analyst JOS L. BuStamante, in Fall 2013 states: “In addition to the concerns with governance, in mid-2013 analyst inquiries arose with regard to insufficient maintenance of infrastructure, or sustaining capital expenditures. Critics claim that KMP allows current infrastructure to deteriorate. The aim is to replace dilapidated pipeline with higher capacity pipeline and classify it as expansion. The practice directly increases quarterly distributions since sustaining cap-ex is a subtraction in the distribution (dividend formula, while expansion cap-ex has no effect (see Appendix Ij).

If allegations of insufficient maintenance prove accurate, then significant threats can arise from litigation, governmental fines, civil lawsuits and cleanup costs associated with under-maintained pipeline and storage facilities. In addition to threats from insufficient maintenance, adversities caused by uncontrollable factors, such as weather and natural disasters, can result in leaks of pipelines and storage terminals. Leaks pose

significant operational disruptions in addition to potential punitive repercussions. Investors must realize that KMP is responsible for its organically grown infrastructure and any legacy and future issues that arise from acquired operations.”

Having lived through an era where public subsidy bailouts of ultra-large corporate entities have become commonplace, it appears there is additional risk that KMP will be financially unable to operate and maintain the Project.

Analyst Jose L. Bustamante, also states “Lastly, potential leaks and mechanical problems could lead to environmental pollution, impairment of operations, loss of human life and property damage. Such risks can lead to punitive fines and civil lawsuits, which could result in considerable financial losses. Risks present themselves from natural disasters and from recently scrutinized controllable factors such as maintenance, monitoring and protection against terrorism.” This indicates that the Project will have a significant adverse impact on the public environmental safety which should be addressed in the EIS.

## **ENVIRONMENTAL IMPACT**

FERC needs to take a hard look at the environmental risks of this project. I understand that FERC has never turned down a project although some of them have been withdrawn which is what I believe that should happen with this Project. However, if a pipeline is approved regardless of where it is sited, improvements can and should be made to eliminate the risks

The industry acknowledges the high risk of fire and explosion.

<http://www.ofexsystems.com/Industries/oil-gas-energy/?gelid=Clr2mIDigscCFdySHwodXBOFmQ DII>, GAS A ENERGY Protect Your Frac Pumps, Slenders, and Diesel Gensets The physical layout of the average hydraulic fracturing spread or drilling operation is a logistical nightmare when it comes to fire. The vehicles operating side-by-side with little room between them create an environment where fire can easily spread and access for fire fighting is nonexistent. Frac pumps, blender units, and diesel generator sets all present a significant fire risk and a fire on a single machine can rapidly spread and burn through the millions invested in the site. Thankfully, there is already an established way to combat fire on heavy equipment. AFEX fire suppression systems are a proven safety and productivity product that stand ready to fight a vehicle or genset fire at a moment's notice, attacking the source of the flames before they have a chance to become established and spread to your other machines. Safeguard your personnel and the environment, protect your investment, and keep your profits flowing by investing in AFEX fire suppression systems today.

## **THE METHANE RISK**

Much of the fire and explosion risk comes from the flammable gasses such as methane that leak from the pipeline. These are due to poor installation, degradation of the system, negligent maintenance, all of which are acknowledged failures of KMP, who has proposed this Project.

<http://www.nytimes.com/2015/08/05/science/methane-leaks-may-greatly-exceed-estimates-report-soys.html> Methane Leaks May Greatly Exceed Estimates, Report Says By JOHN SCHWARTZ AUG. 4, 2015 “Mr. Howard found that under some conditions, unless the sampler is carefully and frequently recalibrated, the switchover from the first sampler to the second can fail. When that occurs, the device does not measure the amount of methane that the second sensor would capture, and so it underrecords methane leakage rates.” “Complicating the issue, he wrote, is that when the device malfunctions, “there is no way to determine the magnitude” of the error without independent measurement at the time, so the missed emissions could be extremely high — perhaps tenfold to a hundredfold for a particularly large leak, he said. Researchers have found that a relatively small number of leaks produce most escaped methane, he wrote, so an instrument that underreports large leaks might skew official assessments like the EPA’s overall methane inventory. Mistakenly low leak readings could also create safety issues in industrial settings, he noted.”

Methane is the main component of natural gas, and the expansion of techniques such as hydraulic fracturing, known as fracking, has greatly increased the amount of natural gas being extracted, sold and transported around the country.”

The pipeline regulations were revised in 2002 because of tragic incidents that were occurring and certain oversights in the existing law. In one of these incidents twelve campers were incinerated when the gas pipeline exploded, they were camped 675 feet away.

Carol M. Parker, Lead Articles Editor, Natural Resources Journal; Winter 2004 reviews the 2002 pipeline regulations in The Pipeline Industry Meets Grief Unavoidable: Congress Reacts with the Pipeline Safety Improvement Act of 2002. In Parker's review Page 271, 'The Department of Transportation's Research and Special Programs Administration (RSPA) issued a final rule defining "high consequence areas" on August 6, 2002. The managers strongly support RSPA's regulation defining high consequence areas, although recognize that the definition could be subject to alteration by future regulatory action by RSPA...In...July 2002...RSPA made clear its intent to include in its definition known areas where people gather, such as the Pecos River pipeline crossing near Corlsbad, New Mexico which was commonly used by campers and fishermen and was the location of a pipeline rupture in August 2000 that resulted in 12 fatalities. The managers support is expressed for this new definition of high consequence areas....229. This statement suggests that the conferees supported an interpretation of "high-density population area" that included remote areas where people were known to gather.'

KMP has stated that since the pipeline is going through a rural area they can use a lighter schedule pipe. In some places the pipeline is within 150 feet of a family dwelling which defines them as being in a "high consequence" area. If this Project is approved, regardless of where it is located, at a minimum, the strongest schedule pipe must be used.

## **LOCAL CONTROL**

In addition this Act gave greater authority to individual states. Since this pipeline stops within New York and will be commingled with other sourced fracked gas, it should come under the authority of the NY PUC where it should be heard and decided. In Natural Resources Journal; Winter 2004 on page 249, reference 51. Reauthorization of Dep't. of Transp. office of pipeline Safety: Before the Subcomm. on Highways and Transit of the House Transp. Comm. (Feb. 13, 2002) (statement by Chuck Mosher, Chairman, Washington State Citizens Committee on Pipeline Safety, "We believe it is critical that OPS be directed in law to establish partnerships with willing states and delegate to these states authority to oversee interstate pipelines. This is our number one priority.").

In response to a Wall Street Journal article in 2011, "Pipeline Soils Put Safeouards Under scrutiny" (front page, sept. 10) RAY LBHQD, secretary of Transportation wrote: "while the Pipeline and Hazardous Materials Safety Administration, part of the Department of Transportation, directly regulates most hazardous liquid pipelines in the nation, states take over when it comes to intrastate natural gas pipelines." Is the 36" to 42" diameter of this pipeline a way to store fracked gas without meeting the New York State requirements for storage facilities?

## **CONTROL THE COMPRESSOR**

The proposed site of the compressor station is also a few hundred feet from several families. Since there is a considerably higher risk of explosion and a continual discharge of effluent from the burnoff, this site poses an even greater risk to the environment and personal safety. In Cedar Rapids I lived near a corn processing plant. When the management learned that there was off-site drift of particulate from a stack, they installed air scrubbers to eliminate the problem.

Regardless of where a compressor station is sited, a contained return of the gasses should be used and scrubbers in every stack must be installed. There is no reason why any particulate and the accompanying health hazards should leave the site. In addition, the noise from the motors must be baffled so it is eliminated. Driving by a compressor station should be no more hazardous than a walk in the park. The technology is available and the environment should not be sacrificed for maximizing profits.

## **AVOID ADVERSE ENVIRONMENTAL IMPACT**

At the July 15th FERC Scoping hearing a couple of young ladies mentioned the impact that particulate from the compressor station would have when it fell on the pastures where their families' cattle grazed, that it would pose a risk to the animals and their farm operation. New York State Department of Environmental Conservation 6NYCRR211.1 states: plus regulation requires that no person shall cause or allow emissions or air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of property. Clearly compressor stations in the Project violate this law. This is a critical point.

### **ENOUGH ABUSE**

Nassau Township already has a superfund site, there are household wells with water too hazardous to drink. You cannot swim in or eat the fish from Nassau Lake. Do not kill our Town or any other. Under 1500PSI, with 42" pipe, the "high consequence area where everything would be incinerated, including people, would be at least 1200'. Find that the environmental impact of this Project is too great a risk.

Respectfully submitted,

Jane Varner

393 Coldwater Tavern Road

East Nassau, NY 12062

Phone: 518-766-0024, email jrose12@fairpoint.net

CC: Governor Andrew Cuomo, New York State Capitol Building, Albany, NY 12224

Acting Commissioner Mare Gerstman, NYSDEC, 625 Broadway, Albany, NY 12233

Senator Kirsten Gillebrand, 478 Russell Senate Office Building, Washington, DC 20510

Senator Charles Schumer, 322 Hart Office Building, Washington, DC 20510

Representative Chris Gibson, 19 District, 502 Cannon House Office Building, Washington, DC 20515

Senator Kathleen Marchione, Legislative Office Building, 188 State Street, Room 306, Albany, NY 12247

Assemblyman Steven McLaughlin, 258 Hoosick St, Troy, NY 12180

Rep. Alex Shannon, Rensselaer County Legislator, 1600 Seventh Avenue, Troy, NY 12180

Mr. David Fleming, Supervisor, Nassau Township, Phillip Street, Nassau, NY 12123

### **20150813-0033**

Kimberly D. Bose, Secretary

Federal Energy Regulatory Commission

888 First Street, NE

Room 1A

Washington, DC 20426

Date: Aug 8, 2015

Via Certified Mail, Return Receipt Requested

Re: Opposition to the proposed Tennessee Gas Pipeline natural gas pipeline and compressor installation in New Hampshire

As the owner of the property located at:

1 Page Hill Rd

New Ipswich, NH 03071

I am opposed to the proposed Tennessee Gas Pipeline natural gas pipeline compressor installation in my community.

*{hand written text stating strong opposition}* See attached

I am writing to ask FERC to plan a Scoping Meeting in my Southern New Hampshire town of New Ipswich

Paula J. Gribus

Stephen R. Gnibus

-----

I am appalled with the Kinder Morgan plan for a gas pipeline and transfer station in the eastern Monadnock region. The plan totally disregards the effects the pipeline and transfer station will have on the several small towns along the New Hampshire border. The Kinder Morgan plan is being presented to the area residences as being good for the economy. Whose economy is it going to benefit? It will not benefit the town's people who live along pipelines route. A lot of the local economy is derived from the natural resources in the area. Income is supported by visitors to the many parks and recreation activities such as mountain climbing, hiking, cross country skiing, irma and resturants. People have chosen to live here as a way of life. They come for the peace and quiet. We are very conscientious in the way we treat our environment and our resources.

The proposed pipeline is slated to run through several wetlands, watershed land, conservation lands, streams in addition to three mountains. The ground waters will be disrupted; destroying wells and has the possibility of contamination of the drinking water.

The proposed transfer station planned for New Ipswich is within walking distance of a convent, several homes, a densely populated area and two miles &om of two town centers. The transfer station is located two miles &om a middle school in New Ipswich and the town playground, pool, library, stores, gas station, and a church. The center of the town of Temple is located two miles on the other side of the transfer station and of critical concern the planned transfer station borders the back yard of Temple Elementary School The Kinder Morgan Project will adversely change lives and environment of these picturesque small towns

The promise of financial benefits is hollow at best. There is no amount of money that would compensate for the losses~ifthe proposed pipeline becomes a reality.

The residents of the town that are affected have chosen to live here because of the way of life and the natural beauty of the areL It is a devastating thought of the possibility our way of life will come to an end.

The callousness with which decisions are being made show that Kinder Morgan has no regard for the communities and way life being totally destroyed. The construction will be destructive and threatening the delicate ecosystem. The mind set is this is a rural area so not many people will be affected. The same attitude was recently stated after a report was published about the tremendous increase in earth tremors in the areas where bucking was being used; the area was sparsely populated so it did not matter.

This plan has all the~of political pressure from our Siends in Texas. Our suspicions are raised by the plan that resulted by the purchase of PSNH by Eversource and Eversource selling all of it's power plants. To whom are they being sold'? There is a gas line in Fitchburg; Unitil purchases their natural gas from Kinder Morgan. We have been down this road before with the promise of lower electric rate, remember Seabrook Power Plant? The New Hampshire customers paid to have the plant built, we were promised lower rates that never happened. It should also be noted that our electric bills is paid to a Texas address.

I am sure that Kinder Morgan has made assurance of safety. Their track record is shaky at best. Accidents do occur, unfortunately for this project any accident spells death to our community. I implore you to disapprove the Kinder Morgan or any other gas pipeline project. It is interesting to note not one of our government represcetatives have attended any of the town meetings.

Hopefully,

Paula and Stephen Gnibus  
1 Page Hill Rd, PO Box 195  
New Ipswich, New Hampshire

**20150813-0034**

Jean Tandy cntandyesover.neb 9

To: Jean Tandy

Comments to the official record: Docket Number PF14 22/ Fwd We request the Cheshire FAIRGROUNDS

ARENA for the FEF, 'i rr

Scoping sessions

To: Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE Room 1A  
Washington, DC 20428

Please find enclosed my "Comments" for placement of a Scoping session in Cheshire County, NH, Included is my reply from Sarah McKinley, a member of FERC. Please consider my request and file same in the named Docket Number PF14-22.

Thank You,

Jean Tandy  
PO Box 2, Winchester, NH 03470-0002  
(residence, Richmond, NH)

Begin forwarded message.

From: Sarah McKinley csrua i kl,".!~&..iewwh .: inv&  
Subject: RE: We request the Cheshire FAIRGROUNDS ARENA for the FERC Scoping  
Date: August 3, 2015 2:12:43PM EDT  
To: Jean Tandy &orient IEw ax

Thanks for your suggestion for a meeting site. Our staff is working on this.

I would recommend that you forward your comments to the official record, under Docket Number PF14-22. If you need help making a filing online please call our support line at 1-866-208-3676.

Best wishes,

Sarah McKinley  
External Affairs

From: Jean Tandy [mailto:ntandyO: r,i::C C!]  
Sent: Monday, August 03, 2015 1:52 PM  
To: Eric Tomasi  
Cc: Sarah McKinley  
Subject: Fwd: We request the Cheshire FAIRGROUNDS ARENA for the FERC Scoping sessions

Begin forwarded message:

From: Jean Tandy &ntandv@sover.net  
Subject: We request the Cheshire FAIRGROUNDS ARENA for the FERC Scoping sessions  
Date: August 3, 2015 1:34:50PM EDT  
To: ErjcTomasi@ferc.oov  
Cc: SarakMcKjnlevfere.aov

Dear Sarah McKinley and Eric Tomasi,

The planned KinderMorgan/IN(J project &vill affect not only the wilderness I'ores&a, rivers, the native animals and rare plants existing here, but will completely alter the lives of more than 100,000 residents living within this 71 mile arena of la&mes. I'arms, mountains, lakes, rivers, schools and seclusion (when desired). The people living here request the opportunity to speak & to listen: to publicly share their personal experiences ...of the inordinate dangers to their lives, their ecosystems and the future for their/our children and wildlife.

It is too obvious an act of favoritism for the KMfrN(i Project to hold PFRC's Scoping sessions in VERC chosen arenas, far distant from the people who already are being impacted by the workings/pressures of this pipeline-project. Our people need a fair chance to speak publicly.

I and others are requesting that the CHESHIRE FAIRGROUNDS ARENA be assigned as the location for the premier FERC Scoping Session in this area, for southern NH towns targeted for this project. This location will be an easy place to access for several thousand affected landowners. Above all. This choice will show FERC's honorable intent to Act in A Fair way with our affected southern NH people. Thank You,

Jean Tandy  
Richmond NH

#### **20150813-4001**

From: Dennis McCann <dmccann2@nycap.rr.com>  
Date: August 12, 2015 at 8:07:56 PM EDT  
To: "tony.clark@ferc.gov" <tony.clark@ferc.gov>  
Subject: Nassau Gas Compression Station

Dear Mr. Clark,

I am contacting you to ask for your support in opposing the construction of a gas compression station in Nassau, New York. The station will be a major intrusion on the residents of Nassau and surrounding communities. It will be tremendously noisy, constantly lite up like a major league ball park, and will pose air, water and ground environmental issues leading to potential health problems for residents. Thank you.

Dennis McCann  
Albany, NY

#### **20150813-4002**

From: family1291@aol.com  
Date: August 11, 2015 at 11:21:16 PM EDT  
To:  
Subject: Stop the proposed gas compressor station in Nassau, NY  
Federal Energy Regulatory Commission

My name is Meg Parascandola. I reside at 1291 Burden Lake Rd., Averill Park, NY 12018. I live there with my husband, two children, pets, and egg laying chickens. The proposed compressor station would be within four miles of my home. My home is downhill from the site. This compressor station would greatly affect property values, which will also impact our schools and funding. There is risk for harm to our lake ecology, local farms, and forests.

On behalf of my family we are petitioning the town, county, and state officials to take action to stop any construction of a gas compression station in Rensselaer County.

Your support of this petition is greatly appreciated.

Sincerely,

Meg Parascandola  
1291 Burden Lake Rd.  
Averill Park, NY 12018  
518.703.1713  
family1291@aol.com

#### **20150813-5003**

Dennis Ryan, Averill Park, NY.

In its letter of July 24, 2015 to FERC, Tennessee Gas Pipeline stated the pipe size for this project would be reduced from 36" to 30", and the compressor station in Nassau would be reduced from 90,000hp to 41,000hp. However, in this same letter, the applicant states "Tennessee will continue to evaluate the needs of

the market and reserves the right to amend the Project scope...”

Given this open-ended reservation, what assurance does the Public have that the pipeline will ultimately be downsized, and the compressor station reduced by more than 50% of its original proposed size. We do not believe it is possible to evaluate the environmental impact of this project when such important design decisions apparently have not been actually finalized. Given the applicant’s documented history of manipulating the “process”, we request this very important decision on pipeline/compressor station capacity be finalized prior to any approval actions on the part of FERC.

#### **20150813-5005**

Richard Crane, Groton, MA.

We are writing regarding the recent notice sent to impacted landowners regarding the intent to prepare an environmental study.

<http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=13917801>

Our property is located at 95 Overlook Drive, Groton, MA. We received a notice that we were impacted by the previously planned route back in October 2014 from the Tennessee Gas Pipeline company. Since then we have not heard anything from Kinder Morgan or the Tennessee Gas Pipeline company. It is our understanding that they changed the route.

We had hoped to continue to receive notices so that we can voice our concerns regarding the devastating impact that this project will have on the environmental and our communities. We have not received any notices since October 2014 from Kinder Morgan or the Tennessee Gas Pipeline.

Just this past week we were made aware of an environmental meeting that FERC is conducting in Lunenburg, MA. This is the first we have heard about this meeting. We never received any notices even though we were listed as an abutter on the previous route. We can only assume that the previous route is no longer a viable option and that the current route is preferred. We agree that the route that runs along and/or coincides with existing utility easements is a much better route. It minimizes the impact to the environment and goes over already disturbed land. It is a much better choice.

However, given that we were previously identified as an abutter on the original route, we would expect that we would continue to receive notices. We have not!

So you know, we have grave concerns over the wetlands, pond (Wattles Pond) and vernal pools in the conservation land located behind our house. We also have storm drainage from our neighborhood that drains into an area behind our property. If the pipeline were to use the original route, not only would it destroy tons of forest that is surrounded by neighborhoods, but a pond and wetlands. All of these properties are conservation land protected by Massachusetts law.

Again, we ask that you not approve this project. We don’t think it is in the benefit of anyone in New England. Instead, we see this as a way to export natural gas overseas which will drive up the cost of natural gas here at home. What we have also seen is a ton of political manipulation to increase the fuel mix here in Massachusetts to predominately natural gas. Two years ago we had a healthy mix of hydro, nuclear, coal, natural gas and renewables. No one energy source was dominant. Today I looked on the ISO-NE website and saw that our natural gas percentage is 61%.

Please, please, please stop this project. We don’t need more natural gas when there are already other natural gas projects that will bring more than enough natural gas to the region. We don’t need our environment and our communities decimated by this project.

#### **20150813-5012**

Marilynn Acker Ezell, Temple, NH.

I have been blessed to live on Mountain View Rd. in Temple, NH for 34 years. The only reason I got the opportunity to live here was that my land is considered too sensitive for certain uses. The dairy farmer who had

his cows grazing here was told that he had to close the dairy because it was too close to the Tobey Reservoir and the manure could pollute the water. So the land became available for sale and my husband and I bought it, with the understanding that we could never have farm animals here. No problem. We designed and built our dream home here. Over the years we have established 5 gardens here, which we maintain organically. We have a 17' deep dug well with pure water in it. We've always been careful with the land, knowing that anything we put on the land could end up not only in our well, but also in the drinking water supply for the Temple Elementary School and the town of Greenville, served by the Tobey Reservoir. We have no problem with the fact that the town is not allowed to put salt on the road here because that too could end up in the same places. We know that protecting the reservoir serves to protect us too.

Does this sound like an appropriate place to put a compressor station? Well, that's where Kinder Morgan/TGP want to put it, just 1000' uphill to our south, on the same watershed. So a place that is too dangerous for manure and salt, is OK for radon-222, lead, and polonium? I think this sounds very unwise. If our well is polluted, who will pay for us to buy water for drinking, washing, watering our gardens?

## **20150813-5049**

We represent four voices from Franklin County testifying to specific ways that the fabric of our society would be destroyed by the proposed pipeline. It's inevitable upheaval and destruction would affect every member of our community gravely. We beg you to take the comments below seriously because we deserve to be heard.

We want to speak personally about Woolman Hill in Deerfield – a location where the powerlines are yards away and are slated to be used for the pipeline. This decades-old conference center would no longer be able to function. Renters include local colleges, social service agencies, and ourselves. We are counselors at a summer program there called Journey Camp that runs each summer. Woolman Hill has become a safe haven for many people in our community, especially children, and a pipeline would be extremely invasive. We want to testify on behalf of all the children who would be personally affected by this construction. How do you expect us to tell the children we work with that the place of learning, nature, and safety--the only place where some of them feel safe, a place where they find support and comfort--the place they return to summer after summer, will be desiccated by the pipeline? The world needs more educational places and programs for children, and this pipeline would put some of them in jeopardy. One of us also works at a program that rents the space at Woolman Hill, Wolfree Programs. Wolfree is a nature based education program that through nature connection works to cultivate children's strengths, confidence and passions as leaders and stewards of their communities. Both Journey Camp and Wolfree programs, in addition to other valuable and innovative educational programs would be destroyed by the proposed pipeline, and this is a very grave concern for us.

The people of Franklin County have been working for decades to preserve the land here. There is a lot of conserved territory and protected marshland that should not be disturbed. It is vital that we continue to guard this land because it is an important tourist attraction that fuels the economy, and our county is one of the few places left on earth with clean drinking water and fertile farmland. Agriculture is central to our community, and a pipeline would be devastating to the farmers here. Please don't destroy the farms that have taken decades to build. We grew up believing in democracy and are outraged that a wealthy company owner could trump the needs of citizens. So many towns have voted against the pipeline, and yet somehow it is acceptable to you that their votes don't matter. What is the purpose of democracy if the people's voices aren't heard?

There is a strong collective voice speaking out against this pipeline. We are just four of the many people who care deeply about this land and this community. Each of us has a personal connection to this area. We speak on behalf of the children of our programs, of the land we call home, of the farms that sustain us, of the cleaning drinking water that is vital to us, of land that has been protected and unharmed for hundreds of years, and of all the people whose lives will be devastated by this pipeline. Massachusetts as a state would be thrown into inconsolable grief, unnecessary loss and travail. Every landowner whose land is used or whose land is near by would have their life upended. The decision to install a pipeline would damage our

program and organization, our homes, our land, our economy, our community, our stability, and our safety. Do not ignore us any longer.

**20150813-5052**

### **FERC – Help Me Out Here, I Just Don’t Get It**

I don’t believe that the NED pipeline is needed. If approved by FERC, the pipeline will likely become part of a massive overbuild of natural gas pipeline capacity in New England - one that will surely lead to the export of gas from the region. And export sales will then put upward pressure on our local natural gas prices. But Kinder Morgan may convince FERC that New England needs this pipeline. Why is that? Because when FERC considers a pipeline proposal, they use only a market-based definition of need. If an energy company can produce long-term contracts for a portion of the capacity of a pipeline, that’s all FERC requires when determining need.

For many reasons, I believe that this is a faulty definition of need. It doesn’t take into account the many other natural gas pipelines being proposed for New England. It doesn’t take into account the corporate ties between the pipeline company and the gas companies willing to sign these contracts. And it doesn’t take into account renewable energy options, additional peak shaving, increased conservation and many other possibilities that could help to meet our New England energy needs.

But for the moment, I’m going to set aside my objections and accept FERC’s distorted definition of need. So, for the next couple of minutes, I’ll agree with FERC that signed contracts equals need for a pipeline.

And with this definition of need in mind, let’s now turn our attention to the so-called Fitchburg lateral. Can someone at FERC please explain to me the need for this lateral? There is no apparent demand for any of the gas the lateral might supply. The local gas distribution company at the end of the lateral has stated that they do not need additional capacity. No gas utility has approached the DPU with the required notification that they are interested in any of this gas. So please, FERC - explain it to me. Why is it that when we get to this lateral, your definition of need suddenly evaporates?

If a market-based definition of need is used to justify the construction of the main NED pipeline, despite all of the damage and downsides that that pipeline will bring with it - how can Kinder Morgan then be allowed to simply add laterals to that pipeline willy-nilly, without there being a clear need for them? When FERC gets to Mason on the pipeline map, why do they suddenly abandon their market-based definition of need?

Let’s imagine for a minute that the Fitchburg lateral was a separate, standalone pipeline proposal. Because it runs from New Hampshire into Massachusetts, it would still be an interstate pipeline, under FERC’s control. But the project would not be in the pre-filing stage and there would not be any scoping meetings such as the one we’re attending here tonight. And why not? Because Kinder Morgan would never have applied to FERC for a certificate just for the Fitchburg lateral. The pipeline company knows that this lateral would simply not meet FERC’s definition of need. The project would be a non-starter.

So again, I am asking FERC to please help me out here. Explain the need for this lateral and exactly how you determined that need. Because even when I try to play by your own rules, I just don’t get it.

Nick Miller Groton, MA

**20150813-5085**

Carol Hammond, Townsend, MA.

I attended the FERC scoping meeting in Lunenburg last night and I agree 100% with those speakers opposing the project. You make decisions that affect people’s physical well being. You make decisions based on the facts that are presented to you from experts and well documented materials. Those facts show that the environment would be adversely affected, water supplies contaminated, landscapes destroyed, protected species even more endangered. Your decisions have meant that honest, hard working people have and will be forced to have their homes stolen from them. For WHAT???? Gas they will never see??? Private profit...

that's all it is. It's well know how FERC is funded. There is no gas shortage...please look at the numbers more carefully...Please let human lives matter

Carol Hammond

## **20150813-5086**

Russell C Bennett, Averill Park, NY.

Re: Scoping Notice; Tennessee Gas Pipeline Company, L.L.C., Docket No. PF14-22-000  
Northeast Energy Direct Project

I am submitting these comments for purposes of scoping in relation to the proposed Northeast Direct Pipeline.

Hudson River crossing. The Hudson River is a Superfund site for two hundred miles from Fort Edward south to NYC. The crossing at Coeyman's Landing and Schodack is just 20 miles south of the Troy dam, where General Electric has performed an expensive dredging and cleanup operation of PCB deposits in the sediments to prevent their further downstream migration. The river is over 1400 feet wide at the proposed crossing point. It should be determined whether and how Kinder-Morgan's river crossing method will disturb and re-suspend PCB deposits at the crossing site. FERC should study the effect on downstream communities such as Rhinebeck and Poughkeepsie which use the Hudson River for drinking water. Additionally, the Town of Bethlehem uses wells adjacent to the Hudson at its Clapper Road treatment facility, in very close proximity to the proposed pipeline crossing. The Hudson is an estuary river which changes its direction of flow four times per day. The danger to the public water supply requires a hard look.

Nassau compressor station (Market Path Mid Station 1). The proposed 90,000hp compressor station is just 2800 feet from the southern tip of Burden Lake in an area that is otherwise extremely quiet. Portions of the lake are within the half-mile buffer from the compressor. Once sound reaches the lake, there is no topographical barrier to attenuate the noise or prevent its travel over the water. The extremely loud sounds produced by blow downs will be carried far further than in other locations, particularly since the prevailing winds are from the south and running directly to the lake. As pointed out in NYSDEC's SGEIS on the Oil, Gas and Solution Mining Regulatory Program in New York State, even a six decibel increase in sound pressure can be annoying against existing rural background levels of only thirty decibels. (See Final SGEIS, May 2015, Vol. 1, page 6-301.) FERC should study the effect on the sound impact of the topography, prevailing winds and quiet background.

Burden Lake hosts a children's summer camp and Wounded Warriors events for recreation and recovery of severely disabled veterans. It is inconceivable that we would subject these veterans, many of whom may be suffering from post-traumatic stress syndrome or traumatic brain injury, to constant, sudden and extreme noises or to force them to find another host site after forging a strong community connection for so many years here in an ideal site.

Aside from hosting a nesting population of bald eagles and numerous osprey, Burden Lake is a regular stopover for migratory waterfowl in the spring and fall. These include large numbers of Canada geese, bufflehead ducks, mergansers, loons, wild swans, and mallards, etc. FERC should study the impact of the compressor station on resident and migratory birds.

The sound from the compressor station could be mitigated by employing a number of smaller stations with electric motors instead of natural gas engines, installing silencers and mufflers, erecting sound containment structures, moving the facility to a less sensitive location, or, preferably eliminating it altogether.

Pipeline compressor stations typically employ stadium type lighting for security purposes, despite the fact that these stations are generally hidden from view by the topography and are unattended. Lighting of the sort contemplated would pollute the night sky, preventing any view of the stars from Burden Lake and unnecessarily interfering with activities of night animals such as bats and owls. FERC should study these impacts and whether there is a reason why night vision security cameras could not be employed as a mitigation measure. There is no reason why the facility cannot meet Dark Sky guidelines for shielding of glare.

The proposed compressor station is 9,000 feet from Eastfield Village, a collection of colonial buildings in an historically authentic setting, used for educational and study purposes at 104 Mud Pond Road in East Nassau. The constant sound would be incongruous with the site's mission and purpose.

The pipeline would run just north of the former Dewey Loeffel landfill, a Superfund site. FERC should study the compound effect on the affected lands and the waters of Nassau Lake of a potential leak from the pipeline flowing through the landfill area.

Rensselaer Plateau. The pipeline would bisect the 105,000 acre Rensselaer Plateau, one of the largest and most ecologically intact native habitats in New York State. The pipeline would isolate and fragment wildlife on either side of the line, defeating the goals of the Rensselaer Plateau Alliance's conservation plan, recently ranked #5 nationally by the U.S. Forest Service Legacy Program. Running the pipeline adjacent to existing electric power easements exacerbates the problem by widening the gap separating contiguous habitats. The impact on the Plateau's animal and plant life should be closely studied. Consideration should be given to burying the pipeline deep enough to permit reforestation.

The Plateau is characterized by steep topography. Construction across such areas creates a potential for flash flooding, affecting lakes and streams at lower elevations. Glass Lake and Crooked Lake are particularly vulnerable to flows from higher elevations in high volume storm events. The dams along Wynantskill Creek are not capable of withstanding additional loads. Catastrophic collapse would threaten communities as far away as the City of Troy.

Thank you for the opportunity to comment.

Sincerely,

Russell Bennett

#### **20150813-5101**

To: Patty Quinn

Percheron Field Services, LLC

Right of Way Agent for Tennessee Gas Pipeline Company, L. L. C.

603-303-9731

I am in receipt of your letter dated August 2015 where you and/or KM and/or TGP appear to remain in confusion, where you state:

“We understand that you do now wish to allow survey..”

Although you have been informed several times in no uncertain terms you absolutely do not nor will EVER have access to my land, you choose to ignore this prohibition, state contrived falsehoods, and continue to harass me with pro-survey propaganda and futile attempts to subvert this standing prohibition.

Once again anyone associated with Kinder Morgan and/or Tennessee Gas Pipeline is and has been denied any an all access to Lot K-10-1, Jackson Road, Mason NH 03048 for any purpose whatsoever.

Violating this Prohibition of Access to the stated property will be treated as willful acts of both criminal trespass and vandalism, and will be prosecuted to the fullest extent of the law.

The Mason Police are hereby notified of your persistent intent to violate the law and your continued harassment has been recorded in FERC case PF14-22-000.

Regards,

John Cooper

437 Jackson Road

Mason, NH 03048

cc: Sgt. Kevin R. Maxwell, Mason Police Department

cc: Attached to FERC PF14-22-000

----- Original Message -----

Subject:Fwd: Denial of Property Access

Date:Mon, 09 Feb 2015 09:02:05 -0500

From:no-mason-pipeline <no-mason-pipeline@third-harmonic.com>

Reply-To:no-mason-pipeline@third-harmonic.com

To:rob@robnaramore.com, nedinfo@kindermorgan.com, rn@robnaramore.com

CC:Jackson Road <google@third-harmonic.com>, kmaxell@masonpolice.org

To: Robert Naramore

Percheron LLC

Contract Land Agent to Tennessee Gas Pipeline Company

(413) 821-2070 / (802) 673-9325 (cell)

The Denial of Property Access below was sent to nedinfo@kindermorgan.com on 1/16/2015 and again on 1/28/2015. To date it has not been acknowledged by Kinder Morgan. As such this notice is being forwarded to you as the stated "Contract Land Agent to Tennessee Gas Pipeline Company", to inform you any and all access to LOT K-10-1, 437 Jackson Road, Mason NH 03048 has been denied as of Jan 15th 2015 as stated below. Furthermore under your declared role as Contract Land Agent to Tennessee Gas Pipeline Company, you are hereby engaged in your fiduciary responsibility to inform both Kinder Morgan and Tennessee Gas Pipeline Company of the property access prohibition which has been in effect since Jan 1, 2015.

Note carefully this Denial of Property Access is definitive and final, is not subject to your interpretation, and is not open for negotiation nor further discussion whatsoever. As such the Mason Police are hereby informed of the stated prohibition denying Kinder Morgan, its representatives, contractors, sub-contractors, or associates land access, and that entry to the associated land in violation of this prohibition shall be treated as criminal trespass.

Regards,

John Cooper

437 Jackson Road

Mason, NH 03048

cc: Sgt. Kevin R. Maxwell, Mason Police Department

----- Original Message -----

Subject:Denial of Property Access

Date:Fri, 16 Jan 2015 15:48:14 -0500

From:john cooper <john.cooper@third-harmonic.com>

To:nedinfo@kingermorgan.com

CC:customer@ferc.gov, no-mason-pipeline@third-harmonic.com,

senator@ayotte.senate.gov, kevin@avard4nh.com,

senator@shaheen.senate.gov, info@maggiehassan.com

437 Jackson Road

Mason, NH 03048

January 15th, 2015

Tennessee Gas Pipeline Company, LLC

1615 Suffield Street

Agawam, MA 01001

Re: Denying Property Access

As the owner of the property located at LOT K-10-1, 437 Jackson Road, Mason NH 03048, after careful consideration and upon legal consultation I hereby DENY ACCESS TO MY PROPERTY and furthermore declare my opposition to the Northeast Energy Direct Project, Docket No. PF14-22-000, which Tennessee Gas Pipeline Company, L.L.C. proposes to extend into my property. I oppose this intrusion onto my prop-

erty for (but not limited to) the following reasons:

Natural gas transmission pipelines pose a very serious risk due to possible explosion and fire with potential injury and loss of life.

A natural gas transmission pipeline is considered storage of hazardous material and would violate provisions in my mortgage, put me in default and expose me to foreclosure.

A natural gas transmission pipeline is considered storage of hazardous materials and would violate the terms of my homeowners insurance agreement and expose me to litigation risks due to the previously mentioned fire hazard.

The existence of a natural gas transmission pipeline on my property, based on real estate value assessments from similar properties with similar easements, poses a demonstrable loss of property value, which would be unrecoverable.

The existence of a natural gas transmission pipeline on my property could prevent sale or sub-division of the property due to the potential inability of the buyer to obtain a mortgage.

Based on the facts and obligations stated above, I am denying permission to the Tennessee Gas Pipeline Company, LLC (a Kinder Morgan Company), its representatives, contractors, sub-contractors, or associates to enter my land or to perform surveys, or for any other purpose in furtherance of a pipeline infrastructure project. Any such physical entry onto my property from the date of this letter forward will be considered unauthorized, and treated as trespass.

John Cooper

no-mason-pipeline@third-harmonic.com

cc :

Governor Maggie Hassan  
State House  
107 North Main Street  
Concord, NH 03301

US Senator Jeanne Shaheen  
60 Main Street  
Nashua, NH 03060

US Senator Kelly Ayotte  
19 Pleasant Street, Suite 13B  
Nashua, NH 03060

Representative Ann Kuster  
70 East Pearl Street  
Nashua, NH 03060

Senator Kevin Avard  
State House  
Room 105-A  
107 North Main Street  
Concord, NH 03301

### **20150813-5113**

Marilyn Learner, Hollis, NH.

There is a NEED for additional Scoping meetings for the NED project. At the Lunenburg scoping meeting, Project Manager Eric Tomasi stated FERC holds scoping meetings to learn. He related that he learned about concerns he had never considered before. I would suggest FERC has a responsibility to ensure that learning about a massive invasive infrastructure project also occurs for the impacted public.

CITIZENS learn at Scoping meetings too. Many people, particularly residents just learning they will be impacted by NED and those who do not have consistent internet access don't even know what they don't know.

Hearing others voice their concerns enables people to learn from each other. Many left Scoping meetings better informed and more able to articulate and write their concerns after listening to fellow citizens. Not scheduling more Scoping meetings, and justifying that by saying that citizens can write and send concerns, deprives citizens of the opportunity to listen, consider, and learn collectively.

Mr. Tomasi stated that Scoping meetings are not town meetings. FERC ought to value the educational and deliberative process that town meetings facilitate, and schedule additional scoping meetings.

## **20150813-5119**

Joann Donnelly, Northfield, MA.

I am writing to you to express my grave concern regarding the proposed NED Project. To begin, there are many procedural challenges that I take issue with and some examples include: the disallowance of full intervenor status by the DPU for our legislators, e.g. Stephen Kulick, and organizations which represent us, the refusal by the FERC to respond to multiple requests by citizens, legislators and Attorney General, Maura Healy to slow the process to allow for time to complete a needs analysis for electricity and fuel which includes review of all available resources which may address this issue as well as allow for a regional plan which meets the needs and is in compliance with federal, state and local initiatives to reduce reliance on fossil fuels in order to promote more "green" and sustainable practices( due in October 2015), the fact that Kinder Morgan has submitted a pre-filing environmental impact document which was sorely lacking in information and was submitted 5 days before the FERC hearing leaving insufficient time for review. The document had thousands of TBDs ("to be determined") and there was no information regarding: the plan for horizontal drilling across the Connecticut River, Deerfield River nor Millers River. It also gave no information regarding whether the proposed compressor station in Northfield, Ma was going to be manned or remotely controlled. In the event of an "incident", the nearest Kinder Morgan Office is in Agawam,MA - more than an hour away. This is noteworthy because in the event of an incident my local emergency responders would be prohibited from entering the property until a Kinder Morgan employee arrives.

A major concern regarding this project is that Kinder Morgan has yet to demonstrate sufficient need. To date they have obtained approximately 30% of projected customer commitments. The size and scope of this project, even with the modified smaller capacity-scaled back from proposed 86 horsepower to 41 horsepower compressor station, still far exceeds regional need. Clearly the majority of this gas is headed for export. Kinder Morgan says natural gas is needed to meet domestic needs and to keep prices down. However, we know from past history with liquid gas, once traded on the world market, prices rose domestically. There is no reason to believe it would be any different with natural gas. I take issue with the prospect of the FERC granting Kinder Morgan the opportunity to take property by eminent domain for the profits of a private company for "goods" being sold abroad. I do believe it exceeds the scope of the FERC and is morally and politically abhorrent. How does this serve the public? ...And to then possibly impose a tariff for citizens to pay for this private venture is more than outrageous. Kinder Morgan has submitted plans for two segmented parts of the plan—NED and Connecticut Expansion Project. These plans should be reviewed together given that they are part of the same project. When considered together, Kinder Morgan has even less than 30% of customer commitments. FERC please take note. Kinder Morgan has not demonstrated the need.

I urge you to advocate that the FERC cease and desist this process pending the results of a study ( expected in October 2015) sponsored by Attorney General, Maura Healy which is assessing the electricity and fuel needs for Massachusetts and is looking at all options to meet the need which include, repairing and expanding existing pipelines and leaks, use of conservation measures and renewables, liquid gas and natural gas options. I do believe when making decisions about regional needs one must look at not only all the potential resources and options but also consider other proposals on the docket. Spectra has a proposal on the Docket for retro- fitting existing pipeline along the southern tier of Massachusetts. It seems a far better option to

repair and expand along existing pathways than taking additional lands. This should be factored in to any decision making regarding regional needs. Authorizing both the NED and the Spectra project would further over build infrastructure....Why and how does this serve the public? All proposals should be considered in concert as an answer to the regional need and not as independent projects devoid of cumulative effect on air, water, habitat, safety, economy, culture, etc.

### **20150813-5120**

Joann Donnelly, Northfield, MA.

As a resident of Northfield, I live a mile from the proposed compressor station. I am touched with grief and fury on behalf of my neighbors who live a 1/2 mile closer for they have received letters from Kinder Morgan advising them they were in the “zone” and were encouraged to consider selling their houses to Kinder Morgan or face losing them by eminent domain should FERC approve the proposal. We who live up here on the hill have done so by choice. Regardless of political beliefs, myself and my neighbors all choose to live here because we love the beauty, wild life and history of this place. We do so at great inconvenience...no cell service, frequent power outages, steep terrain which can make travel in bad weather dangerous –generally an exercise in getting stuck at home rather than stuck at the bottom of the hill. There are few means of egress. It was not until November 2014 that Cable service became available to residents on the hill. We live here in spite of these challenges because we love this area. Now these challenges may become true dangers should this proposed compressor station be built. The implications and questions are already delineated in documents submitted by the Select Board of Northfield, Ma. As much as I have sympathy for my neighbors I am beginning to think that those who live within the 1/2 of the proposed compressor station may in some respects be “luckier”. At least they may have the opportunity to sell their house and leave. Once this proposal becomes “real”, who would buy my house ( 1 mile from a compressor station)? Would I really get a tax abatement given the possibility of declining property values? That’s not been the experience of residents of towns where existing compressor stations reside. Indeed there have been increases in need for police, emergency preparedness etc. What would I and my livestock drink should the private water supply be shifted or poisoned as a result of nearby blasting or contamination associated with the building, ongoing use of the pipeline and compressor station or “accidents”? Who and how will the atmosphere be “restored” given the constant addition of methane by this proposed compression station? There are only 2 means of egress from my home, left or right. Should there be an “incident”-defined by minimally \$50,000.00 loss, would I even be able to get out? I submit to you that fracked gas and all of it’s associated businesses represent the “Gold Rush” of this 21st century with none of its’ profits and few benefits going to the public. Please stop the “Feeding frenzy” and say, ”NO” to this project. Please advocate for a perhaps boring, less “sexy” but more measured and thoughtful plan for meeting energy needs, while transitioning away from fossil fuels. Climate change is here. Don’t make it worse.

Joann Donnelly  
616 Gulf Rd  
Northfield, Ma 01360

### **20150813-5130**

Christine N. Turner, Montague, MA.

The proposed TGP/Kinder Morgan pipeline would travel through, dramatically disrupt and potentially destroy my town and surrounding environs. I cherish my and my neighbors’ quality of life. I strongly oppose this project for safety, economic, protection of natural resources and cultural reasons. This project smells of corporate greed at the expense of democratic principles and local welfare. Please prove me wrong.

### **20150813-5131**

Joann Donnelly, Northfield, MA.

As a citizen in Northfield, Ma who lives approximately a mile from a proposed compressor station there are

numerous environmental, economic and cultural concerns—please see document submitted by Northfield Select Board. I have additional concerns to add when considering the document submitted by Northfield Select Board. The EPA states,” “ Pound for pound, the comparative impact of methane (CH4) on climate change is 25 times greater than carbon dioxide (CO2) over a 100 year period.” The EPA also states, “Upgrading the equipment used to produce, store and transport oil and gas can reduce many of the leaks that contribute to methane(CH4) emissions”. Taken from [www.EPA.gov.climatechange/ghgemissions](http://www.EPA.gov.climatechange/ghgemissions)

Kinder Morgan voluntarily participates in the Natural Gas Star Program of the EPA. The Program Manager from the EPA assigned to Kinder Morgan is Jerome Blackman( [Jerome.Blackman@erg.com](mailto:Jerome.Blackman@erg.com)) and the Customer Service Representative assigned to Kinder Morgan is Allison Berkowitz ([Allison.Berkowitz@erg.com](mailto:Allison.Berkowitz@erg.com)). The EPA Star Program has outlined a number of strategies to reduce and recoup methane emissions from compressor stations. What strategies is Kinder Morgan going to implement to recoup methane emissions, reduce methane emissions and monitor both planned and incidental emissions at the proposed compressor station in Northfield, MA and where in the proposal to FERC is that delineated? Given that Kinder Morgan voluntarily participates in the Star Program does that include voluntarily participating in EPA or other independent monitoring of methane emissions? How often will that be monitored? How will ongoing-incidental emissions, and “Blowdowns” ( planned emissions) be monitored and by whom? How will that information be made public and how often? Given their participation to date, to what extent has Kinder Morgan met any existing targeted goals regarding reduction of methane emissions? I urge you to advocate that the FERC mandates Kinder Morgan to clearly delineate a response to these questions regarding methane emissions and that in addition to any monitoring provided by Kinder Morgan that an independent evaluator ( paid for by Kinder Morgan) be determined to assess on an ongoing basis, minimally on a quarterly basis.

## 20150813-5137

Marilyn Learner, Hollis, NH.

I request that FERC endorse the NO ACTION alternative. Kinder Morgan’s (and their NH LDC partner, Liberty Utilities) track record regarding complete, truthful information is tainted. If there really is a valid need for additional gas in NH, less invasive alternatives to NED can be considered.

Although KM’s recent Resource Report suggests otherwise (Resource Report section 10.1), the NHPUC has yet to decide on the merit of the 20 year Precedent Agreement contract between KM and Liberty Utilities, the sole LDC in NH attempting to contract with NED. (Liberty Utilities is a wholly owned subsidiary of Algonquin Power and Utilities, a partner with Kinder Morgan in setting up Northeast Expansion LLC, an investor in NED. While this relationship and investment entity are legal, questions of bias and conflict of interest are legitimate.)

On August 15, 2000 on Docket CP00-48-000 FERC approved a 19.3 mile expansion of the Concord Lateral (owned by TGP) from Dracut MA to Londonderry NH. This project collocated a 20” pipeline with necessary appurtenances with a 12” pipeline. Liberty Utilities, which completed its purchase of Energy North in 2012, in concert with TGP, owned by Kinder Morgan since 2012, now asserts that the Concord Lateral is constricted/bottlenecked and must be supplanted and/or supplemented by NED. KM’s numbers regarding the Concord Lateral are confusing at best, deliberately inaccurate at worst, and mostly absent.

What is the maximum capacity of the Concord Lateral? What is the optimal capacity and how is this determined? When/how often is capacity stressed? When/how often is capacity underutilized? Where is the so-called bottleneck? How big is the bottleneck? How often does it occur? When does it occur? Why can it not be addressed in place? Can small routing loops mitigate the bottleneck? Do population increases around the expanded pipeline corridor require the pipeline to run at lower capacity? If so, how can a building massive pipeline through the same growing area be considered? The option and data are missing and need to be considered as part of alternatives to NED.

Kinder Morgan does not list remediation of the Concord Lateral in its list of Alternatives in Resource Re-

port, section 10. That is an interesting omission, as Liberty Utilities was required to address that option in the Precedent Agreement hearing NHPUC Docket 14-380. Liberty Utilities, the sole NH LDC claiming pipeline constriction, and thus the sole provider of the “need/20 year firm transportation contract” justification for NED via FERC’s definition of need, summarily dismissed that option. Kinder Morgan apparently informed Liberty and Liberty informed the PUC that Concord Lateral remediation was “too costly.” The question is, “Too costly for who?”

Given the 71 miles of greenfield construction required for NED in NH vs the already existing pipeline corridor from Dracut MA to Concord NH, I request a full environmental impact analysis of options based on remediating “constricted” sections of the Concord Lateral vs the environmental impacts of constructing NED, and a comprehensive comparison of the environmental impacts of each project. Additionally, a cost benefit analysis of each project including CSS costs to assure that climate goals are met should be completed.

Liberty Utilities proposes to MORE THAN DOUBLE its present contracted capacity, from 50Dth/day to 115Dth/day, with 65Dth/day being incremental. That is clearly a speculative venture designed to jucreTe, then justify “need” for NED in NH. While some increase in gas capacity might help assure reliability, natural gas usage is considered a “bridging” measure; the ultimate goal being a total phase out. 71 miles of greenfield construction fosters permanent reliance on a fossil fuel and creates a permanent scar across NH. If some additional gas is truly needed, remediation of parts of Concord Lateral make more sense than a super pipeline. Liberty Utilities has contracts in place from Dracut now, and additional gas will be coming into Dracut from various projects. Liberty is not without contractual options for additional gas. Liberty Utilities has an indirect, but clear, financial allegiance to Kinder Morgan, but that is insufficient reason to justify blasting and trenching through NH to serve Kinder Morgan’s corporate goals. Less invasive options must be thoroughly investigated and considered in comparison to the environmental impact of NED. FERC would be negligent not to require KM and Liberty Utilities to do so.

## **20150813-5195**

John Seakwood, Hancock, MA.

Re: Docket # PF14-22-000, Northeast Energy Direct Proposed Pipeline

I am a resident of Hancock, MA, and a citizen who has followed energy issues closely for many years, including serving for a time on the Berkshire Renewable Energy Collaborative at the invitation of my State Representative.

I join with the near unanimous majority of my fellow Hancock residents, and with the overwhelming majority of residents of neighboring towns in New York and Massachusetts, as evidenced by town meetings held and resolutions passed throughout the area, in standing in opposition to the Northeast Energy Direct Proposed Pipeline. We are joined by our State Representatives and Representatives in the US Senate and Congress in opposing this pipeline.

You have asked for the public’s input and you are receiving a clear message saying “NO”.

I attended the Scoping Session FERC held at Taconic High School in Pittsfield on July 28. In the 3+ hours I was there, I heard dozens of comments against the proposed pipeline, and only 2 speak in favor of it. I would have commented myself at that meeting, but drew number 57 for my turn. I left at about 10:30PM and there were still many scheduled to speak before me. So I am making my comments in writing now.

I believe that the pipeline is not necessary, because the energy needs of the region can be met by repairing the existing natural gas infrastructure, by increased energy efficiency and conservation (demand side management), and promoting increased reliance on clean, renewable energy sources such as solar, wind, geothermal, tidal and small scale hydro.

The future belongs to these new clean energy technologies, not with the extraction of fossil fuels with their concurrent negative effects on our climate and environment, and ultimately on our economic well being. I believe that prosperity will flow to those nations that embrace and pioneer these new clean technologies, and see great possibilities for new energy sector job growth (jobs that by their very nature cannot be ex-

ported overseas). I am not naive enough to believe that the transition to the new energy technologies will not be without their challenges, but the example of other industrial countries such as Germany, Denmark, etc, shows that it is possible, and that we have much to do to catch up or be left behind in the decades ahead.

As to the FERC process so far: the July 28 FERC Scoping Session was fundamentally flawed by Kinder Morgan's release on the previous Friday of a 6,500+ page, highly technical but still incomplete document about the proposed pipeline. There is no way that citizens can reasonably comment on the proposal with such a brief time period to absorb that "dump" of information.

For that reason, I strongly urge FERC to restart the Scoping process, giving the public time to respond intelligently. Anything less than starting over would make a mockery of the public comment process.

As to the scope of FERC's review of the proposed pipeline, I would urge FERC to consider the better alternatives for meeting our growing energy needs I outlined above; to take renewable energy's current and potential Distributed Generation into account when calculating the region's load forecast; to consider the impact to human residents, flora and fauna of the noise, air pollution, and disruption from the construction and operation of the pipeline, and of the threat to health and safety posed by leaks, gas releases at compressor stations, and the accidents that might occur over time.

The communities in this area are defined by their rural nature. It is why we, the residents of this area, live here, and it is something we treasure and are determined to protect. This rural character is also fundamental to our economy, since many people visit from nearby population centers to enjoy the natural beauty. Therefore, I further ask FERC to consider the effect on the economy, culture, and sense of community in our area from the industrialization the proposed pipeline represents, and from its literal bifurcation of our communities.

I am also especially concerned by the proposed pipeline's impact on sensitive lands in its path, including lands that have been put aside for preservation. Reversing such preservation efforts is an affront to our communities. I urge FERC to consider these impacts as well.

As a resident of a rural area, I also take exception to the thinner pipeline, the greater distance between shut-off valves, and the acceptance of small leaks that might be permitted here but not elsewhere. The well being of our lives and communities is no less important than those living in a more densely populated area.

I also stand in solidarity with those rural communities where fracking is occurring, where residents are subjected to serious degradation to their water supplies, their roads, and to the quiet enjoyment of their property. The rural areas of our nation are a source of clean food & water, a place where the natural world has a chance to recover and endure in a world facing mass species extinction. They are places worthy of protection, not sacrifice zones for industrialists to profit from.

My town, Hancock, MA, is in the path of the proposed pipeline. We have a population of 717 as per the 2010 census. We are already contributing to the energy needs of our state and nation: the Berkshire Wind Project, located here, is the second largest wind farm in Massachusetts. It can produce enough electricity to power 6,000 homes without threatening our water, air, and quality of life. That is the standard that energy development needs to meet. The proposed pipeline falls way short.

Listen to the people.

I stand in opposition to the Northeast Energy Direct Proposed Pipeline. Much better alternatives exist.

Out of simple fairness, I call upon FERC to restart the Scoping process.

**20150813-5218**

Sheila DS Foraker, Nassau, NY.

July 15, 2015

FERC

re: Docket Number PF14-22

## ENVIRONMENTAL IMPACT

I represent a non-profit religious organization incorporated in California. In 2005 we relocated from Napa, California to Nassau, NY at great cost and sacrifice. I donated nearly 40 acres of land that has been in my family for almost 100 years to build a center for our organization. The headquarters are located at 202 China Hill Road, Nassau, NY. The center is used by local, national and international members and non-members to come for retreats in a peaceful rural setting. It has been an ideal location with its contemplative environment offering a place for silence, serenity to meditate and pray. It has been a safe place. The air is pristine, the spring water is clean and pure, and the atmosphere is peaceful and quiet. We have an organic garden and we raise honeybees.

If a 90,000 horsepower compression station were to be built on Clarks Chapel Road, within walking distance of our property, all this would change. We would be bombarded by noise pollution 24 hours a day as the fracked gas aided by three Titan 250 gas turbines would be pushed along the pipeline, which is proposed to be on our property. The light and noise and off-gases periodically to regulate pressure will disrupt our peaceful environment 24 hours a day, a Public Nuisance. The compression station would pollute the air and the water. We would no longer be in a safe environment. The noise alone would inhibit our ability to practice our faith. The dangers that a pipeline in our backyard and a compression station very close to our property would make it an unsafe place to hold retreats, let alone to live.

We also protest the robbery of the community's wealth by Kinder Morgan through their proposed compression station and pipelines. As soon as they would be established all the property values will go down to nothing. After all who wants to live next to a pipeline and a compression station?

Would any of you members of FERC, members of our government, anyone from Kinder Morgan live in a place where there is a fracked gas pipeline and a compression station of 90,000 horse power in your backyard? I think not. Well, we don't want it in our backyard either. We want the same right to peaceful quietude as the decision makers. Please find another place that is not populated to put your fracked gas pipeline and your compression stations.

FERC, we know that you have never denied a pipeline application. But now you should for the first time deny Kinder Morgan's pipeline and compressor stations application. There is no place for them in our populated area. We know that the truth is hard to accept. But look at the truth, the scientific evidence, and the track record of safety of Kinder Morgan and other pipelines and compressor stations. You know that the pipeline and compressor stations will be devastating to our communities and it will destroy us. If we are to survive, then we must not be consumed by corporate greed, money, and power. You must make a decision that will be for the good of the people, for humanity, for the environment, for our government, which is of the people, for the people, by the people. After all as the Declaration of Independence says, "...we are endowed by the Creator with certain inalienable rights, that among these rights are life, liberty, and the pursuit of happiness." Do not take away our life, liberty or our ability to pursue happiness. Deny the application for the pipeline and compressor stations in our communities.

Humbly submitted by a peaceful homeowner and board member of our non-profit religious organization  
Sheila DS Foraker

### **20150813-5224**

Marla Hirsch, Lunenburg, MA.  
Docket No. PF14-22-000

Federal Energy Regulatory Commission,

We call on you to pursue clean renewable energy policies and prevent new natural-gas pipelines and new fossil-fuel infrastructure from being built in the Commonwealth.

In all considerations of energy policy, we must give top priority to the incalculable costs of climate disruption on our economy, our world, our children, and our grandchildren. We are deeply alarmed by the propos-

als to build new natural-gas infrastructure in our state, such as Kinder Morgan's proposed pipeline. You must prioritize clean/green/sustainable energy policies for Massachusetts that support healthy communities and protect the environment. To thrive, our communities need the local and regional economic growth that a clean-energy economy and energy-efficiency projects have already proven they can provide.

Specifically, the Kinder Morgan Tennessee Pipeline Northeast Energy Direct (NED) Project, Fitchburg Lateral is proposed to be installed through our property and will directly negatively affect us. Not only is the pipeline proposed to cut through protected conservation land, but it will also destroy the natural beauty of our privately wooded property that is home to a thriving wildlife population. The proposal will put the pipeline within a stone's throw of our shallow well, rendering it unsafe for continued use. Also, surrounded by wetland area and high ledge, a close underground installation may permanently and severely impact the natural drainage around our home, the effectiveness of our leach field septic system, and feasibility of well water in general.

Beyond the environmental impact of this pipeline, the increased health risks associated with natural gas pipelines, as well as natural gas wells and stations, are alarming. Please refer to the following information online for examples of such negative health and environmental impacts as well as alternatives to this natural gas pipeline:

<http://nhpipelineawareness.org/wp-content/uploads/2014/09/Northeast-Direct-White-Paper.pdf>

<https://pennsylvaniaallianceforcleanwaterandair.files.wordpress.com/2012/05/list-of-the-harmed63.pdf>

[http://www.ucsusa.org/clean\\_energy/our-energy-choices/coal-and-other-fossil-fuels/environmental-impacts-of-natural-gas.html](http://www.ucsusa.org/clean_energy/our-energy-choices/coal-and-other-fossil-fuels/environmental-impacts-of-natural-gas.html)

<http://documents.foodandwaterwatch.org/doc/NatGasPipelines.pdf>

Further, we are concerned about the increased liability and unknown safety risks, as well as decreased land and home value, that we are being forced to assume. The affect on property insurance rates, or even availability, remains uncertain. The resale value of our home and land will greatly decline. A main selling point of our property has always been its natural surrounding; installing a natural gas pipeline through it will most certainly turn away many prospective buyers and destroy our pride of ownership.

Thank you for your attention to this critical regional, state, and national energy, environmental, and safety issue.

Sincerely,

Marla and James Hirsch  
916 Northfield Rd  
Lunenburg, MA 01462  
978-582-9024

#### **20150813-5225**

Dennis McCann, Albany, NY.

I am contacting you to ask for your support in opposing the construction of a gas compression station in Nassau, New York. The station will be a major intrusion on the residents of Nassau and surrounding communities. It will be tremendously noisy, constantly lite up like a major league ball park, and will pose air, water and ground environmental issues leading to potential health problems for residents. Thank you.

#### **20150814-0011**

Hand written letter, 2 pages, Gail Abbott, Ashfield Lake, Ashfield, MA, opposing

#### **20150814-0012**

Hello,

I am a home owner on five acres of land located in New Ipswich New Hampshire.

I was notified by Kinder Morgan that they intend on invading and contaminating my home and property with the monster compressor station that will be located within a half mile of my home. Fittingly called the “incineration zone”

I am extremely opposed to the Pipeline Project in the state of New Hampshire!!!

I find the thought of complete strangers in Washington considering allowing a privately owned business with only its own monetary interests permission to “Occupy” property that my husband and I have over twenty years vested in, an outrage. How can ANYONE contaminate my land, force us to live in an extreme danger zone without any compensation? How can you at FERC expect us to not be compensated? This is totally illegal! If Kinder Morgan along with FERC find a need for my properties, then do the right thing, purchase it. Don’t steal it!!

I say “no build” to Project:PF14-22 Northeast Energy Direct.

Regards,

Katherine Belanger

PO Box 133

Greenville NH 83848

Resident: 168 Tobey Hwy, New Ipswich NH. 83871

#### **20150814-0023**

Hand written card, Cheryl & John Harris, 54 Davis Village Road, New Ipswich, NH, opposing & requesting Scoping Meeting in New Ipswich, NH

#### **20150814-0024**

Project Docket #PF14-22

Lawrence Spatz

56 Bridge St

Lanesborough MA 01237

413-442-2969

spatzlarryalice@verizon.net

This is the wrong project at the wrong time, in the wrong place and by the wrong company.

It is the wrong project at the wrong time because we have to realize right now that the realities of global warming dictate that we cannot continue to extract carbon (coal, gas, oil) from the earth nor make further investments in the infrastructure for moving these products around. We are in the midst of a global species extinction that threaten to be as massive as the extinction of the dinosaurs, with a major rise in sea level that will flood our cities (NYC, Boston). We are already experiencing record heat and drought in parts of the country that will compromise our ability to feed ourselves. These will only grow more intense if we do not curb our emissions of CO2 and methane. Building pipelines does only one thing: it permits the extractive industries to conduct their businesses more efficiently and profitably and does nothing to curtail global warming. The Roman emperor Nero is a figure of derision because he supposedly “fiddled while Rome burned”. If we do not take actions to limit carbon use we will all be like Nero, fiddling while the earth burns.

Natural gas has been proposed and defended as a “bridge” fuel that is cleaner than coal or oil but it is a bridge to nowhere. It is true that natural gas burns with higher efficiency than either coal or oil but this efficiency at the point of use is more than offset by the releases of methane (34X more potent than CO2 as a greenhouse gas) that inevitably occur at wellheads and from leaks in the distribution system (measurements of methane levels in the air in the Boston area show that 3-4% of the natural gas supply there is lost to leaks). If you look at the entire fuel cycle, natural gas is actually worse for global warming and the environment than coal. Nor does this take into account the large volumes of water that are injected into the earth

during fracking and that then return to the surface contaminated with the undisclosed witches' brew of chemicals that are required to make fracking possible (the exact mix of chemicals is unknown as it is information that the drilling companies choose not to divulge). Some of the chemicals remain underground to contaminate aquifers and poison wells. There is now conclusive evidence that the disruption of geologic strata by fracking increases the number of earthquakes with possible damage to buildings. "Natural" gas produced by fracking is in fact a misnomer as there is nothing natural about the process used to produce it. I propose that it be renamed unnatural gas.

Because of the potentially catastrophic effects of global warming, I urgently request that FERC consider in its deliberations on the pipeline the best estimates of our true energy needs in New England, what the pipeline's contribution to global warming will be and how our energy needs might be better met by renewable energy projects that do not contribute to global warming.

Because of its abysmal safety and environmental record, Kinder-Morgan is the wrong company to construct any pipeline anywhere. Below is a summary of some of the "problems" that have been encountered at their pipelines in the US and Canada.

**Kinder Morgan's subsidiary was convicted in California of six felony counts regarding the deaths of Javier Raulos, Isruel Jleruudez, Tae Chin, Victor Rodriguez and Miguel Reyes.**

**Kinder Morgan was cited by the Hazardous Materials Safety Administration for violating its regulations five times in 2011.**

In Texas, alone, from 2003 to 2014 Kinder Morgan experienced 36 "significant incidents" resulting in fatalities or hospitalization, fires, explosions or spills

**Kinder Morgan Has a Record of Bribery, Pollution, Fraud, Seams, Thefts, Deaths, Felonies, Environmental Disasters, Labor Violations, Unsafe Working Conditions, and Influence Buying.**

Kinder Morgan's operations in Portland, Oregon, have been home to pollution, law-breaking, and even bribery.

The Federal Bureau of Investigations determined that between 1997 and 2001 "Kinder Morgan systematically scammed some of its customers, including the Tennessee Valley Authority ('TVA'), a publicly owned provider of electricity in the mid-South".

The same federal investigation found that at its Grand River Terminal in Kentucky, Kinder Morgan officials took coal from a customer's stockpiles and resold nearly 259,000 tons.

In another case the US Environmental Protection Agency ("EPA") fined Kinder Morgan \$613,000 for violations of the Clean Air Act after "regulators discovered that the company had been illegally mixing an industrial solvent described as a 'cyclohexane mixture' into unleaded gasoline and diesel".

In 2010 the federal government fined Kinder Morgan \$1 million for repeatedly violating the Clean Air Act. The US Department of Justice found that "among other crimes" Kinder Morgan managers lied in permit applications, stating that the company would control its pollution when all the while they knew the control equipment was not being operated or even maintained properly.

Currently, Kinder Morgan is under investigation by the EPA for violating the federal Renewable Fuels Standard. Officials believe that Kinder Morgan purchased conventional fossil fuels while filing falsified documents certifying that the fuels came from renewable sources

**Kinder Morgan's Pipelines Have Endangered Lives in Many Communities across the United States and Canada**

In 2007 a Kinder Morgan pipeline ruptured in Burnaby, British Columbia, forcing 50 families to evacuate their homes as oil rained down on a residential neighborhood.

In January of 2012 a Kinder Morgan storage facility in British Columbia spilled roughly 29,000 gallons of crude oil into the community of Abbotsford.

In April of 2004 a long stretch of a Kinder Morgan corroded pipeline ruptured, spilling 123,000 gallons

of diesel fuel into a sensitive saltwater wetland on San Francisco Bay. Kinder Morgan pled guilty on four counts relating to that spill as well as an unrelated spill in Los Angeles Harbor.

In November of 2004 an oil pipeline of a Kinder Morgan subsidiary burst in the Mojave Desert, sending a jet of fuel 80 feet into the air. The break closed the nearby interstate highway and contaminated more than 10,000 tons of soil in the habitat of the federally endangered California Desert Tortoise.

In 2005 Kinder Morgan spilled 70,000 gallons of fuel into Oakland's inner harbor, and then 300 gallons into the Donner Lake watershed in Sierra Nevada And in 2007 the City of San Diego sued Kinder Morgan for falsifying records of the clean-up of a fuel leak that contaminated the aquifer.

In May of 2011 the US Pipeline and Hazardous Materials Safety Administration announced a proposed \$425,000 fine against Kinder Morgan for safety violations following a federal investigation into Kinder Morgan's having spilled 45,600 gallons of hazardous liquids in New Jersey.

In December of 2011 a two-year-old Kinder Morgan natural gas pipeline leaked in Ohio, spewing 127,000 cubic feet of natural gas and forcing residents to evacuate their homes.

The town of Deerfield, MA held a public hearing on September 9, 2014 at which all of the above were placed in the public record. Kinder-Morgan was notified about the meeting by email and by certified mail but declined to attend. They were then given a 15 day period after the meeting to comment on all matters and exhibits presented at the hearing. They failed to respond in time, but two days past the deadline, they sent a letter alleging that FERC "will be the government agency responsible for reviewing" the projected pipeline. They chose to ignore all the facts introduced into the record of the Board of Health hearing of Sept 9, 2014. The Deerfield Board of Health then ordered Kinder Morgan and any of its subsidiaries or affiliated companies to cease immediately all its activities in Deerfield related to construction of the proposed pipeline within the boundaries of the town, acting under the provision of Massachusetts state law that empowers local boards of health to order a cessation of all activities that are a threat or potential threat to the health and safety of its citizens.

Because of the above unrefuted facts in the public record, the Lanesborough Board of Health, of which I am a member, took the same action on June 8, 2015 and ordered Kinder Morgan and its subsidiaries or affiliates to cease all its activities within the boundaries of Lanesborough related to construction of the Northeast Direct Pipeline. Previous to this, at a Board of Selectmen meeting on May 18, 2015, the Selectmen voted to deny Kinder Morgan access to survey any town property for the proposed pipeline and at the Town Meeting on June 9, 2015, the town voted overwhelmingly to oppose the construction of the pipeline.

In its assessment of this project, I request that FERC consider Kinder Morgan's record: its many violations of environmental laws, its many leaking pipelines and many ethical failures, and that this assessment be given full weight as a grounds for rejecting the project. These failures call into question the company's ability to complete the project successfully and without mishap.

In addition to the above reasons for opposing this project I have specific concerns about the proposed path of the pipeline through Lanesborough: it transects the recharge area for the two wells that supply the Lanesborough Fire and Water District that provides water for most of the homes around Pontoosuc Lake and up and down Rte 7. These wells are not very deep (67 and 54 feet). There are also other private wells that draw from the same recharge area (including my own). My concern is that the pipeline, both during its construction and its ongoing operation, may cause contamination of this indispensable water source. At a minimum during construction, there is the potential for gas and oil leaks from the heavy equipment used and from the materials used in welding. Once installed there may be concerns about chemicals released from the anti-corrosion coating on the outside of the pipeline. And once the "unnatural" gas starts flowing there is the possibility of leaks from the pipeline itself. Since the wells are so shallow the distance contaminants have to travel to infiltrate the water is not very far. With leaks from the pipeline there is no way to know, without testing, what chemicals in addition to methane are present. There may be sulfur compounds both naturally occurring and added as odorants; there may also be residual chemicals from the fracking process; and methane itself can, under some conditions of temperature and pressure, form a hydrate (methane clathrate) that

then moves freely through water.

The safest way to avoid these problems is to not build the pipeline at all. If a decision is reached to construct it, then the path must be moved out of this critical recharge area by at least 5 miles either north or south. If this is not done and the present path is ~ the EIS must address these issues in detail. It must list all the possible contaminants that may arise during construction and operation and must detail testing methods of sufficient sensitivity to be used for assessing all of them in the ground water. The required testing should begin prior to any construction so that baseline levels are known and it must continue on a regular basis during the lifetime of the pipeline. In addition, the EIS should address what actions will be taken if contaminants exceed defined levels, what mitigation is possible for removal of contaminants and, if mitigation is not possible, there must be a robust plan in place to supply potable water to any affected households. The cost of all of this is to be borne by Kinder Morgan and a surety bond must be secured by Kinder Morgan and paid in full to insure that funds are available for these activities in the event that the company fails during the pipeline's lifetime.

In summary, I believe that building this pipeline is not in the best interests of my town or our country and that, because of global warming, we need to pursue renewable energy sources instead of creating a new piece of infrastructure for extracted energy. I believe that Kinder Morgan is a dangerous and unreliable company that should not be permitted to construct pipelines anywhere. If the decision is made to allow this proposed pipeline in spite of my objections, then, at the very least, the possible contamination of Lanesborough's major water supply by the pipeline must be addressed.

#### **20150814-0025**

Hand written card, Virginia D. Harnden?, 27 Huse Road, New Ipswich, NH, opposing

#### **20150814-0030**

Federal Energy Regulatory Commission  
Attn. Kimberly D. Bose, Secretary  
888 First Street, NE  
Washington, DC 20426

Aug 5th, 2015

John Yurka  
63 Cranberry Rd  
Dracut, MA 01826

Ref.: High Pressure Compression Station in Dracut, MA  
Tennessee Gas Pipeline Company, L.L.C./ Kinder Morgan  
NORTHEAST ENERGY DIRECT PROJECT

Good Morning

We attended the Dracut town meeting last night 8/3/2015 and was told to send a letter listing all our concerns and FERC will address all of them.

#### 1. Communication

- a. Communication must be better. The letter that we were told was sent to the Dracut residence - Myself and other people I talked to did not get this letter. Why? All of us live in the blast zone.
- b. Dracut's web site said nothing about this meeting, why?
- c. Dracut's portable signs around town said nothing about the meeting, why?
- d. Lowell Sun is a poor way to keep people informed. Most people in our area do not get the Lowell Sun.
- e. Why isn't there a single web site with all the information, meeting dates, deadline dates, proper addresses/phone numbers for us to contact, latest Kinder Morgan proposal, blast zone map, etc? This web

site should be mailed to all Dracut.

f. Why is Kinder Morgan being allowed to make so many changes and giving the people/town very little time to respond to the changes or is this part of Kinder Morgan plan to keep us all in the dark?

## 2. Kinder Morgan blast zone map

a. Has a number of errors. The police station was mis located on the map. Its actually in the blast zone.

b. Fire station is also mis located and is in the blast zone.

c. The other structures on Rt 113 are actually 40 to 60 town houses/homes

d. Approx. 50 to 100 homes are not shown that are behind the VFW

e. Blast zone map should note the number of homes, business's and people that live in the blast zone area so every one will easily know how many of us that could be blown up.

f. Shouldn't the wet lands also be pointed out on the map?

## 3. In the Blast zone

a. Police station are first responders and a center for communications.

b. Fire station also first responders, in the blast zone

c. Water pumping station on Rt 113 is also in the blast zone. Where will the water come from to put out the fires?

d. Cell tower is also in the blast zone that could also hamper communications.

e. Rt 113 is the main road through Dracut, in the blast zone

f. 200 to 500 homes in blast zone

g. Approx. 1000 people live in the blast zone

## 4. High Consequence Area (HCA)

a. Per a letter from the Geography Division U.S. Census Bureau says Dracut is a High Consequence Area (urbanized area) based on the 2010 census. 2010 to 2015 many more new homes (50 to 100) in the Regency Dr area & more in the process of being built. Most of those homes not shown on the blast zone map.

b. (from web) In 2009, the Pipeline and Hazardous Materials Safety Administration (PHMSA) cited Kinder Morgan for violating safety standards regarding the distance between a natural gas pipeline and a "high consequence area/urbanized areas" such as a school or hospital; the pipeline was too close for safe operation in case of a leak.

Ref <http://inquiries.srs.nrc.gov/Wo-content/hjolsdst2014/05/tender-Morosn-Accidents> odf

How is Dracut different?

c. The blast zone map should be corrected to show ALL the homes/police/fire/ wetlands/ etc that will be effected in a gas blast so the people and government can make their decision. Also list the area as a HCA before so everyone will know.

## 5. Tennessee Gas Pipeline Company, LLC./Kinder Morgan HISTORY

Kinder Morgan talks about the positive things the pipeline will be for the people. History is an excellent way of finding what is in store for Dracut. Please do the searches.

a. Google search; Kinder Morgan violations - safety record - explosions - violations

b. Google search; Tennessee Gas violations - safety record - explosions - violations

c. You will see a long list of violations, explosions both big and small, lawsuits, death, water pollution, air pollution, millions in property damage, decrease in property values, etc. from the Gulf coast to New England.

d. This is what faces Dracut. Why add Dracut to this long list?

## 6. Safety

- a. Who is going to train Dracut & surrounding towns to handle a huge gas blast?
- b. Does Dracut & surrounding towns have enough personal/equipment to handle a half mile radius high pressure gas fire?
- c. Is there enough water supply to handle a huge gas explosion. Keep in mind that most years Dracut is on a water band for months due to insufficient water supply. Also the water pump station on Rt 113 is in the blast zone.
- d. How does Kinder Morgan plan on evacuating the town in case of an explosion?
- e. Automating the High Pressure Compression Station is a potentially a life threatening error. Where hundreds of homes and 1000 or more lives are at stake - what happens if there is a electrical short - lightning strike - vandalism - wildlife get into the wires/ controls system - water leaks causing a short - storm damage - malfunction of a valve - lost of internet - back up generators fail to start - or a number of other real life problems that can happen? Having a computer totally in control of so many lives is wrong, very wrong.
- f. At the meeting people gave examples of actual gas explosions that took 1 to 5 hours to turn off the valves. How does Kinder Morgan plan to handle that?
- g. Kinder Morgan should be made to give a DETAILED emergency plan before they get a license to build. Very important that its a detailed not just generalization. List the actual resources etc.
- h. Kinder Morgan should supply actual noise and omission readings from existing same size plants that is independently verified. What are the actual gases and levels? Noise levels from next to the plant - 1/4 mile - 1/2 mile - 1 mile.
- i. (from web) Kinder Morgan has been cited by the U.S. government in 24 incidents which led to five federal enforcement actions from 2006 to 2014. Rel. [https:// en.wikloedia oro/wiki/Kinder Moroen](https://en.wikipedia.org/wiki/Kinder_Morgan) (from web) In 2011, PHMSA cited Kinder Morgan for these safety violations:
  - ~ failing to maintain update maps showing pipeline locations,
  - ~ failing to test pipeline safety devices,
  - ~ failing to maintain proper firefighting equipment,
  - ~ failing to inspect its pipelines as required, and [23]
  - ~ failing to adequately monitor pipes' orrosion levels

Rel [http I/hhoioelineawareness.org/Aa~ntent/ttloads/m4/05/Kinder-Moroan-Accidents.odf](http://hhoioelineawareness.org/Aa~ntent/ttloads/m4/05/Kinder-Moroan-Accidents.odf)

k. (from web) In 2013, the headline "Wall Street Worries About Kinder Morgan's Safety Record: BC pipeline operator slashes and defers maintenance spending" was a concern to anyone who lived or worked near a Kinder Morgan pipeline. Ref <http://hhoioelineawareness.org/orasa~ntent/uoloadsO014/05IKinder-Moroan-Accidents.odf>

I. (from web) By at least one measure, the Tennessee Gas Pipeline Co. has the worst safety record for its type of business, according to self-reported filings of significant incidents with a regulatory agency. Among pipeline transmission companies, Tennessee Gas reported more significant incidents to the Pipeline and Hazardous Materials Safety Administration than any other operator over the last decade, The Courier-Journal has found. See link for rest of article dated May 2015- [http I/wwwcourierjournal.com/story/tech/science/environment/2015/04/05/tennesseegas-pipeline-poor-safety-record/25543049/](http://www.courierjournal.com/story/tech/science/environment/2015/04/05/tennesseegas-pipeline-poor-safety-record/25543049/)

## 7. Environment

- a. History has shown that fracking/drilling when putting in the pipeline contaminates our wetland, water supplies, food supplies, ect. How does the company plan to handle that?
- b. Who will be the independent inspectors to verify all regulations are followed? A schedule list of inspections and check off points for both pipeline, material carts, and plant should be supplied.
- c. All the protection for wetland and protected areas should be enforced per the constitution.

## 8. Property Values and Insurance

- a. A detail list of expected property value drops should be given before the ok to build is give. This should be based on actual drops from other similar towns. It would not make sense for the people of Dracut to loose millions in property value.
- b. It mams that our home owner insurance premiums are going to up big time if we can get insurance at all. Kinder Morgan should provide proof we can insure our homes at the SAME rate/values we are currently paying.
- c. People with in the blast zone should have the option of having Kinder Morgan buying their home at current values not after the plant is built.

## 9. Disclosure Y

- a. Kinder Morgan should make public record any gifts/donations or anything of value to the town of Dracut or officials of Dracut. Kinder Morgan should be made to take out a bond to cover any explosions/contaminationl or any other items that may go wrong so Dracut or state federal tax payers do not have to pay for Kinder Morgan problems/errors/etc.

If property values decrease, will our taxes decrease?

### Comment

Please consider Kinder Morgan's past history of violations - explosions - lawsuits contaminations - death - safety and all the other things before giving them the ok to build a half mile radius blast zone plant among hundreds of homes.

John Yurka

cc: Barbara L'Italien, Senator, Energy Facilities Siting Board

### **20150814-0036**

Hand written card, Irene Sherburda, 73 Livingston Rd, New Ipswich, NH 03071, concerns about well and surface water contamination.

### **20150814-0037**

Hand written card, Kevin Squires, 116 Green Farm, New Ipswich, NH 03071, negative impact on property values & taxes

### **20150814-0038**

Hand written card, Deb Squires, 116 Green Farm Rd, New Ipswich, NH 03071, concerns about light pollution.

### **20150814-0039**

Hand written card, Cecilia Long, 73 North Rd, New Ipswich, NH 03071, opposing

### **20150814-0040**

Hand written card, Cheryl Harris, Davis Village Rd, New Ipswich, NH 03071, opposing

### **20150814-0041**

Hand written card, Steve Riggs, 201 Temple Rd, New Ipswich, NH 03071, opposing

### **20150814-0042**

Hand written card, Cecilia Long, 73 North Rd, New Ipswich, NH 03071, opposing

**20150814-0043**

Hand written card, Keri McDonough, Greenbriar Rd, New Ipswich, NH 03071, opposing

**20150814-0044**

Hand written card, Deb Squires, 116 Green Farm Rd, New Ipswich, NH 03071, opposing.

**20150814-0045**

Hand written card, Deb Squires, 116 Green Farm Rd, New Ipswich, NH 03071, opposing.

**20150814-0046**

Hand written card, Deborah Squires, 116 Green Farm Rd, New Ipswich, NH 03071, concerns about effects of blasting on wells.

**20150814-0047**

Hand written card, Deb Squires, 116 Green Farm Rd, New Ipswich, NH 03071, concerns about effects of blasting on wells.

**20150814-0048**

and written card, Deb Squires, 116 Green Farm Rd, New Ipswich, NH 03071, concerned about wetlands disturbances

**20150814-0049**

Hand written card, Kevin Squires, 116 Green Farm Rd, New Ipswich, NH 03071, concerns about Emergency Response Plan with volunteer Fire Department.

**20150814-0050**

Hand written card, Mary Nutting, 114 Marshfield Rd, Temple, NH 03084, opposing.

**20150814-0051**

Hand written card, Victor Sherburda, 73 Livingston Rd, Greenville, NH 03048, opposing.

**20150814-0052**

Hand written card, Mary L. Nutting, 114 Marshfield Rd, Temple, NH 03084, opposing.

**20150814-0053**

Hand written card, Norma Spiker, 44 Temple Rd, New Ipswich, NH 03071, opposing

**20150814-0054**

Hand written card, Lisa Derby Oden, 6 Upper Pratt Pond Rd, New Ipswich, NH 03071, what protective measures in software against hackers?

**20150814-0055**

Hand written card, Rick Bewersdorf, 14 Patricia Lane, Amherst NH 03031, opposing

**20150814-0056**

Hand written card, Kevin Squires, 116 Green Farm Rd, New Ipswich, NH 03071, concerns about impact of steep terrain on Emergency Response.

**20150814-0057**

Hand written card, Deb Squires, 116 Green Farm Rd, New Ipswich, NH 03071, concerns about noise pollution.

**20150814-0058**

Hand written card, Deb Squires, 116 Green Farm Rd, New Ipswich, NH 03071, concerned about emergency evacuation so close to Temple Elementary School. Volunteer emergency services here.

**20150814-0059**

Hand written card, Deb Squires, 116 Green Farm Rd, New Ipswich, NH 03071, concerns about gas leaks.

**20150814-0060**

Hand written card, Deb Squires, 116 Green Farm Rd, New Ipswich, NH 03071, concerns about impacts of pollution on organic farming & food.

**20150814-0061**

Hand written card, Kevin Squires, 116 Green Farm Rd, New Ipswich, NH 03071, no benefit to region.

**20150814-0062**

Hand written card, Deb Squires, 116 Green Farm Rd, New Ipswich, NH 03071, concerns about Kinder Morgan's history of 180 leaks.

**20150814-0063**

Hand written card, Deb Squires, 116 Green Farm Rd, New Ipswich, NH 03071, concerns pollution from blow-downs.

**20150814-0064**

Hand written card, Deb Squires, 116 Green Farm Rd, New Ipswich, NH 03071, concerned about pollution to New Ipswich playground and town pool.

**20150814-0065**

Hand written card, Kevin J. Squires, 116 Green Farm Rd, New Ipswich, NH 03071, concerns about endangered species - the Golden Eagle in the area.

**20150814-0066**

Hand written card, Deb Squires, 116 Green Farm Rd, New Ipswich, NH 03071, concerned about health issues from contaminated water and air

**20150814-0067**

Hand written card, Deb Squires, 116 Green Farm Rd, New Ipswich, NH 03071, concerned about public health issues from seepage from gas into soil

**20150814-0068**

Hand written card, Deb Squires, 116 Green Farm Rd, New Ipswich, NH 03071, concerns about private well and surface contamination from pipeline

**20150814-0069**

Hand written card, Kevin J. Squires, 116 Green Farm Rd, New Ipswich, NH 03071, concerns about endangered species - the marbled salamander

**20150814-0077**

John D. Angleman  
225 Smith Road  
PO Box 292  
Ashfield, MA 01330-0292

July 30, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

Submitted by: John D. Angleman  
225 Smith Road  
PO Box 292  
Ashfield, MA 01330-0292

RE: FERC Docket 1 PF14-22-000

**THIS IS TO REQUEST THAT FERC DENY THE KINDER MORGAN NED PIPELINE.**

I am a property owner directly affected by the proposed Kinder Morgan NED pipeline. I live in Ashfeld, Massachusetts. My home at 225 Smith Road (the only State designated Scenic Road in Ashfield) is over 200 years old and is registered in the MACRIS data base of Historic Massachusetts homes with the Commonwealth of Massachusetts Historical Commission. My home is a candidate eligible for listing on the National Register of Historic Places under Chapter 106 of the National Historic Preservation Act.

My property will be totally destroyed by the pipeline as it will pass about 50 to 75 feet from my door and require the following:

- extensive blasting-the entire area is solid rock ledge —horizontal drilling is not possible.
- removal of over 200 trees (500 cords of wood; over 13000 feet of linear lumber; many 300 year old maple trees)
- destruction of drinking well water supply —deep water artesian well within 100 feet of pipeline
- destruction of extensive in-ground septic system within 100 feet of proposed pipeline
- destruction of underground propane feeds and 1000 gal. tank
- removal of underground 400AMP electric service
- removal of underground 16 line phone service
- removal of distribution electric transformer
- destruction of drive to home making access impossible
- destruction of historic stone walls
- violation and contamination of wetlands (during construction alone not to mention gas contaminants) providing drinking water to Ashfield Town Wells and Ashfield Lake for Ashfield citizens
- destruction of wetlands themselves and vernal pool
- disruption of the unique ecosystem under power lines (where no pesticide spraying is currently permitted)

as documented by studies by the Audubon society

- destruction of road frontage along the only State designated Scenic Road in Ashfield
- violation of the Massachusetts Historic Trails corridor
- introduction of pesticides (currently prohibited under agreement with Northeast and Eversource electric utilities) on property aquifer feeding the Town of Ashfield and its lake
- termination of overhead 14000 volt electric distribution lines currently servicing the residents of Smith Road —these lines run perpendicular to the proposed pipeline route and they have fallen numerous times spontaneously and under adverse weather conditions- Northeast Utilities and Eversource has advised that such an event could trigger an explosive event- last incident April 2015.
- displacement and killing of wildlife on the property

Mitigation of damages is not an option for this property. I have officially served Tennessee Gas with a no trespass notice and am currently denying surveying on my property —see Exhibit 8.

I strongly endorse the following previous submissions to FERC by:

The Commonwealth of Massachusetts —Massachusetts Historical Commission letter dated November 5, 2014 RE:Tennessee Gas Pipeline Company LLC, a Kinder Morgan Company, Northeast Energy Direct Project, PA, MA, CT, NH. MHC 3RC. 56771. FERC Docket RPF14-22-000.

The Massachusetts Association of Conservations Commissions electronically filed letter dated February 6, 2015 RE: Tennessee Gas Pipeline Company., Docket No. PF14-22-000

The National Audubon Society and other members of the environmental community, conservation organizations, land trusts; etc.

The continuing efforts and prosecutions of the Conservation Law Foundation to deny this pipeline

All affected towns and citizens who have passed anti-pipeline resolutions

Elected Officials Including State Senators and Representatives and United States Senators and Representatives to numerous to mention but including the following notable comments:

*I oppose the current Kinder-Morgan proposal and share many of the concerns that have been raised by Massachusetts families, businesses, conversation commissions and towns about the pipeline's impact on their land and the environment. We must upgrade our energy infrastructure in ways that are consistent with Massachusetts' ommitment to environmental conservation, clean energy and energy efficiency.*  
—U.S. Senator Elizabeth Warren, July 30, 2014.

*I oppose this pipeline as it is now proposed because it raises serious questions about whetherit is too massive for Massachusetts'nergy needs, does not respect the rights and wishes of local residents, would worsen climate change, and could lead to the export of natural gas to foreign countries, raising prices for Massachusetts business and consumers.* —U.S. Senator Edward J. Markey, July 31,2014.

This is to request that you deny all applications/permits by Kinder Morgan/Tennessee Gas to build the proposed Northeast Energy Direct gas pipeline. To further insure that prior to any consideration whatsoever of any applications/permits this is to request that Kinder is in exhaustive compliance and agreement with the affected landowners, Towns, State of Massachusetts Laws/Regulations, Conservation Commissions, Historical Commissions, Army Corps of Engineers and public on all levels and prior to any further considerations:

1. They are to provide an extensive, detailed and more importantly complete EIS study, subject to timely review and comment by all interested parties, to include but not limited to:
  - a. Impacts on wetlands, vernal pools, native and endangered species habitats, construction impacts, safety considerations, displacement of historical stone walls, the harvesting of thousands of trees including 200 year old Massachusetts maple trees, destruction of historic byways and State Scenic Roads, impacts on telecommunications, propane and oil supplies to affected properties.
  - b. Impacts of construction on Town wells and public/private water supplies require review on an indi-

vidual basis. There is certainty in Westerns Massachusetts that construction which, will require extensive blasting, (these are not the flatlands of the Midwest) of heavy rock ridges and formations will render Town and private wells and water supplies, even with company professed mitigation, unusable in perpetuity. Towns will be trucking in water for their citizens. No potable water will remain. As far as lakes are concerned both fish and waterfowl will die and be displaced and the lake waters contaminated by construction waste, not to mention any additional pollution through periodic pigging operations, will be unusable for recreation. In addition, the possibility of pipe rupture and explosion due to rural class of pipe, icy winters, ground frost heaves, falling high-voltage power lines (collocation) and minor earthquakes can be devastating with extensive loss of property and life.

c. Impacts on State protected Conservation Properties protected by Chapter 97 of Massachusetts State Law.

d. On-site reviews with the Department of the Army Corps of Engineers on all town, individual landowner and ancillary property affected by the path of the proposed pipeline.

e. Impact on Historic Districts: The Massachusetts Historic Byway significantly compromised, the Congressionally designated/approved Silvio O. Conte conservation area, designated State Scenic Roads destroyed, landowner properties currently included/recognized a in the Massachusetts Historical Properties database and candidates for inclusion in the list of National Historic Properties under Chapter 106 of Federal National Historic Preservation Act. The latter requires reporting and discussion and property avoidance in coordination with Massachusetts Historical Commission, landowners and company official and will have significant effects on the routing of any proposed pipeline route. Impacts on the previously mentioned Congressionally approved Silvio O. Conte 7.2 million acre protected Northeast area, by themselves, should be enough to render a no vote for pipeline installation. In 1991 Congress passed the Silvio O. Conte National Fish and Wildlife Refuge Act (P.L 102-212). The Act authorized the U.S. Fish and Wildlife Service (Service) to establish a national fish and wildlife refuge to protect the diversity and abundance of native species within the fourstate Connecticut River watershed. The 7.2 million-acre watershed is contained within the states of New Hampshire, Vermont, Massachusetts and Connecticut. The Silvio O. Conte National Fish and Wildlife Refuge (Conte Refuge) is one of over 538 national wildlife refuges in the United States. The respect for this legislation and the effect that the Kinder Morgan NED will have on this designated area is of serious concern and moving against such legislation with the granting of Kinder Morgan applications/permits will be tantamount to nullifying an Act of Congress.

f. Direct impact on landowners. Notwithstanding arguments to the contrary, the threat of the Northeast Energy Direct Pipeline has already negatively affected property values and resulted so far in withdrawal of sales agreements for senior citizens properties, the inability of anyone to sell property at all, cancelled/foreclosed mortgages, cancelled property insurance coverage and the loss of total homeowner equity. With approval of a pipeline application and notwithstanding the misuse of eminent domain proceedings by a private corporation, homeowners will be forced to avail themselves of legal recourse to obtain value for property et al. Approval of Kinder Morgan NED will have a direct and devastating financial impact and loss of property value for over 250,000 U.S. Veterans and their families

g. Exhaustive examination of safety issues. Proximity and collocation to high tension power lines have already been proven in studies to represent a formula for disaster. Every landowner Is entitled to a property-by-property analysis In the EIS. To characterize Western Massachusetts with a broad brushstroke would be inappropriate and not thorough. No grant of application should be made without this thorough study.

2. The well-documented adoption and misuse of the US Department of Defense Counter Insurgency manual used in Iraq to disassemble the populations affected by the proposed pipeline need to be examined, exposed and prosecuted before any consideration can be given to approval of an application. Kinder Morgan remains empowered by their own prior and continued national behavior which has been historically characterized by above the law actions followed by reparations in the form of fines that they can easily afford. The Kinder

Morgan modus operandi asking for forgiveness rather than permission will result in environmental devastation, loss homeowner equity and threat to human life throughout the proposed pipeline corridor. Affected landowners are considered collateral damage in the wake of the Kinder Morgan juggernaut.

3. A thorough examination of the need for additional natural gas in the Northeast needs to be independently verified and, in any event, the delivery of any gas should not be for export (not in the public interest). Extensive comparative studies must be made of gas delivery from alternative supply routes including import facilities.
4. With the allocation of monies set aside for maintenance of pipeline facilities diverted from that purpose to satisfy investor perceptions the incidents of pipeline failures has been escalating. Close examination of corporate accounts and financial fiduciary responsibilities relative to the security of any pipeline must be demonstrated particularly with any pipeline being a high profile for terrorists as has been documented by the Department of Homeland Security.
5. Richard Kinder as former Enron executive placed the Enron Corporation on its infamous road to collapse. He has adopted the Enron accounting principles and techniques of Mark to Market and hired the former Enron Chief Financial Officer to orchestrate the same aura of deception as that which led to the failure of Enron throwing thousands of investors/shareholders into poverty. The accounting principles must be independently analyzed by the FERC to determine the integrity of Kinder Morgan prior to any granting of any pipeline applications.
6. The viability of fracking needs to be assessed on all levels, financial, environmental, necessity, and compliance with all legal and moral guidelines before any applications should be granted.
7. The timing/orchestration of the release of the 79 volume Environmental study in an attempt to confuse and confound affected states and landowners should be considered for what it is—a timing device to overwhelm those seeking reasonable answers and protections from a proposed pipeline program. In any event, it should be expected that all FERC commissioners be thoroughly conversant with the Kinder documents and public/private input presented before ruling on Kinder Morgan applications.
8. Requiring Kinder Morgan to be fully subscribed for gas volumes delivered to customers and demonstrating that those contracts are United States based, Arm and in good standing. Scaling back the size of the pipe and the amount gas throughput while retaining the right to return to scale up the operation to its original specifications at a later date is a subterfuge to gain FERC approval. Current contracts for Kinder gas as a percent of their original volume proposal Is too low to grant FERC application approval. Scaling back raises the percentage of same customer gas volume commitments to total gas throughput in an effort to provide window dressing to meet more acceptable benchmarks required for application approval. Many of the customer commitments are contrived to gain furtherance of the pipeline and their gas take away from the pipeline is not required to meet their long range plan objectives. (see for example, Berkshire Gas Long Range Plan in Western Massachusetts.)
9. The effects of methane (natural gas) release from compressor stations and from any pipeline leaks need to be highlighted and avoided. Methane has been proven to be more highly toxic to the environment than carbon dioxide and has been shown to cause and contribute to many health hazards. There are numerous independent studies reaching these conclusions. The impact on the environment and on human life must be considered In FERC decisions. There are no benefit to risk ratios acceptable where a certain percent of humanity (even one human life) is considered to be collateral damage sacrificed unwillingly to “the public interest”. To construct an unneeded pipeline for private profit injurious to citizens is to exercise the legal doctrine of “Depraved Heart”.
10. Kinder Morgan NED is designed to facilitate the export of LNG. Concerns about the dramatic increase of U.S exports of LNG and the impacts on citizens including but not limited to higher prices for natural gas are articulated in a letter signed by numerous U.S. Senators from the United States Senate to Secretary Ernest Moniz, United States Department of Energy, February 11,2015-copy of this letter is attached as Exhibit A. The need to rush to export LNG to Europe is contrived. Europe’s power depends 3096 on natural gas but

only 20% of that comes from Russia; hence, Europe relies on only 696 of natural gas from Russia. Russia is currently building a new pipeline structure to service the European community directly and not through the Ukraine. Kinder Morgan's proposed pipeline is designed to channel most of its natural gas as LNG for export through the Canadian Maritimes. This is not in our public interest and only in the Interest of profits and a larger agenda of world dominance of the energy sector. In that regard, focus and inquiry should be made regarding Iberdrola, the multibigion Spanish corporation. Iberdrola has operations in 30 countries and owns part or all of natural gas regasification facilities in Spain, UK and the Netherlands. It owns four underground natural gas storage facilities in the U.S. and Canada. This Spanish company owns 100%of six electric utilities in the Northeast: Central Maine Power, Maine Natural Gas, New York State Electric and Gas Corp, Rochester Gas and Electric, New Hampshire Gas Corp- and now Berkshire Gas. On June 2, 2015 FERC approved a merger enabling Iberdrola to Acquire Berkshire Gas, a player subscribing for delivery of natural gas from the proposed Kinder NED pipeline. Iberdrola has tentacles reaching into the US in the form of these acquisitions of companies subscribing to Kinder Morgan gas. Iberdrola is also a potential foreign customer of that gas—while supporting subscriptions in the US to the Kinder proposal they are also ensuring their purchases of that liquefied gas from Canada, a definite conflict of interest and one designed to ensure that Kinder has the right percentages of subscriptions for their gas to enable FERC to proceed with approval of Kinder applications/permits. The Kinder Morgan NED project is primarily for the profit of global players and their local supporters.

11. Further to the foreign need for gas and the need to comply with the laws of the United States In developing gas pipeline Infrastructure an approval of the Kinder Morgan NED proposal would signal FERC complicity in the furtherance of the Transatlantic Trade and Investment Partnership (TTIP), a secret EU/US trade agreement that puts the right to profit above all other rights. Like its cousin, the Trans Pacific Partnership, TTIP is being negotiated by trade officials and industry reps, without any oversight from elected legislators and without and participation by citizens'roups, environmental groups or labor groups. And like TPP, it is expected to arrive with Investor State Dispute Settlement provisions that allow offshore corporations to sue our government to overturn the democratically enacted environmental, labor and safety laws that undermine their profitability. FERC approval of the Kinder Morgan NED would further this agenda.

12. The movement toward renewal energy and away from fossil fuels needs to be supported by FERC actions now and in the future. FERCs support of such movement can be mirrored in the action to limit any marginal pipeline requests by companies such as Kinder Morgan. In the US international agreement to curb the use of fossil fuels and expand renewal energy projects, China announced that in 15 years it will be producing enough renewal energy to power the entire United States. We need to reflect this positive approach to renewals in all our actions and FERC must limit approvals for additional fossil fuel sourcing and transportation and enter an era providing a moratorium on all new fossil fuel infrastructure. Denying the Kinder Morgan NED pipeline is a logical and aggressive way to start.

13. FERC needs to deny application for Kinder Morgan NED pipeline by giving voice to organizations opposing it. These include but are not limited to organizations and elected representatives providing written objections to the pipeline: Conservation Law Foundation, Nolumbeka Sovereign Indian Nation, Massachusetts Conservation Commission, Massachusetts Historical Commission, Audubon Society, nofrackedgasin-mass.org, Franklin Land Trust, Mount Grace Land Trust, MassPlan.org, Rep. Kulik, Rep. Mark, Sen. Rosenberg, Congressman Sullivan, Rep O'Neal, Northeast Energy Solutions (NEES), the broad-based coalition Pipeline Awareness Network for the Northeast (Plan-NE) many others not to mention the resolutions of 54 Massachusetts towns rejecting the NED pipeline.

14. The Attorney General of Massachusetts has ordered an independent study to be made by the Barr Foundation to determine the need in the Northeast for additional natural gas. The study will be completed in the October/November timeframe. This study is paramount to FERC granting any applications/permits for additional pipeline infrastructure in Massachusetts on the basis of comparative analysis and the use of the Ansbacher Doctrine to determine appropriate supplier configurations if necessary. It may be concluded that the repair of existing leaks (of which there are currently over 22,000 in Boston alone,) the availability of im-

ported LNG (through but not limited to Distragas and GDF Suez), the better utilization of existing pipelines and compressors is all that is required to meet the public interest for current and future natural gas needs in Massachusetts.

15. At this time, and not limited to the following, Kinder Morgan proposes to bulldoze 110 Conversation parcels under Massachusetts Article 97, 15 conserved farms, Five State forests, five State Wildlife Management areas, five sections of National Scenic Trails and eight conserved drinking supply watersheds.

16. In addition, the Kinder Morgan NED proposal runs counter to the Federal Water Pollution Control Act (Clean Water Act), the 1986 Emergency Wetlands Resources Act, the International Ramsar Treaty, the National Environmental Policy Act (NEPA) and others.

17. Notwithstanding the 2008 “Halliburton Loophole” the composition of all gas shipped through the proposed pipeline should be fully disclosed flagging toxic elements including but not limited to the amount of radioactivity present in the frecked gas.

18. Over 250,000 U.S. Veterans will experience substantial loss of property value and, in many cases, loss of entire equity resulting in forced relocation.

**IN SUMMARY:** In addition to the above, at this time, and not limited to the following, Kinder Morgan proposes to bulldoze 110 Conversation parcels under Massachusetts Article 97, 15 conserved farms, Five State forests, five State Wildlife Management areas, five sections of National Scenic Trails and eight conserved drinking supply watersheds.

Finally, a word about civil liberties. Massachusetts was formed on the basis of civil liberties, including but not limited to, the right to security and liberty, the right to life, the right to own property, the right to defend oneself, the right to privacy and the Massachusetts Constitution provides the framework and content for the U.S. Federal Constitution. Massachusetts no longer wanted to be a colony of Great Britain. It certainly will not tolerate becoming a colony of Kinder Morgan. Despite what has become possibility through a labyrinth of legal machinations, it behooves FERC commissioners to see through the corporate influences that have shaped a landscape that enables a private company to usurp individual civil liberties and rights under the Constitution and to uphold their fiduciary responsibilities to citizens in denying the Kinder Morgan quest for this pipeline. As stipulated in Section 1 of Executive Order 13406 by the President of the United States: it is the policy of the United States to protect the rights of Americans to their private property, including by limiting the taking of private property by the Federal Government ....not for the purpose of advancing the economic interest of private parties to be given ownership or use of the property taken.

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## **EXHIBIT A**

**United States Senate**  
Washington, DC 20510

February 11, 2015

Secretary Ernest Moniz  
United States Department of Energy  
1000 Independence Avenue, SW  
Washington, DC 20585

Dear Secretary Moniz:

We are writing to express our concerns about the pace at which the United States Department of Energy (DOE) is approving large volumes of liquefied natural gas (LNG) exports. We are concerned that LNG exports will disproportionately benefit the natural gas industry, at the expense of households and industries that will suffer from higher natural gas and electricity prices. In addition, we do not believe enough consideration has been given to regional impacts, particularly for states that are not large producers of natural gas, rely heavily on natural gas intensive industries, or have limited access to natural gas. Given the potential for

long-term negative impacts on many regions and industries in the United States, we ask the DOE to address the following major concerns, and to reconsider the pace at which it is approving LNG exports to non-free trade agreement (FTA) countries.

To date, the DOE has issued final authorizations for four LNG export projects, and conditional authorizations for four additional projects. Approved export volumes for these projects include 10.56 billion cubic feet per day (bcf/d) to non-FTA countries, and an additional 1.63 bcf/d to FTA countries. The total approved exports for these projects represent 16.5 percent of our domestically produced natural gas, which will be sold overseas to countries such as South Korea and Japan, where LNG prices are three to four times higher than in the United States. Exporting to countries with higher LNG prices will drive up domestic prices, which should be a key consideration in your public interest determination. We commend the DOE for exploring this issue by commissioning two studies on the economic impacts of LNG exports, which were performed by the DOE's Energy Information Administration (EIA) and NERA Economic Consulting (NERA). But we are concerned with the conclusions you draw from these analyses, which we believe demonstrate that large volumes of LNG exports are not consistent with the public interest.

First, we are concerned that large volumes of LNG exports will hurt American industries. The DOE has argued that LNG exports are in the public interest because they will increase the net gross domestic product (GDP) of the United States. This argument is rooted in the analysis performed by NERA, but the same study found that LNG exports preferentially benefit natural gas property owners and producers, at the expense of other industries. For example, NERA states that the agricultural, electricity, and paper, pulp, and primary metal manufacturing sectors will suffer disproportionately negative economic impacts: output in these industries decreases in all export scenarios, and labor income across all industries could decline by up to \$25 billion in 2035.

We are also concerned that large volumes of LNG exports could hurt American families and households. According to the NERA and EIA studies, wage income decreases while the price of residential natural gas increases in all export scenarios. In the most extreme case, residential natural gas expenditures increased by 10 percent before 2025. Such a rapid and dramatic increase, coupled with a decrease in wage income, would be damaging, particularly for low-income households that rely on natural gas for heating and cooking.

EIA also expects supply prices to rise at the producer level, with a maximum predicted increase of 23 percent. This will translate to higher electricity prices for American households and industries, because natural gas currently accounts for more than 30 percent of electricity generation in the United States. Further, the Environmental Protection Agency's draft Clean Power Plan encourages the growth of natural gas-powered electricity, so the domestic demand for natural gas is likely to increase over the next 15 years. The combination of increased demand for natural gas in the electricity sector, and decreased domestic supply due to LNG exports, suggests that the cost to American consumers is likely even higher than predicted by EIA's analysis.

Finally, we urge you to consider the cumulative volume of approved natural gas exports as you finalize your decisions for pending LNG export applications. The maximum LNG export volume that is considered in detail in your commissioned economic studies is 20 bcf/d. But to date, nearly twice that amount has been proposed for LNG exports to non-FTA countries. While many of these projects may not ultimately be built, these LNG export volumes also do not include the large quantities of natural gas that have already been approved for export via pipeline. Moreover, NERA's analysis of unlimited LNG exports showed that the negative impacts described in this letter would grow with increasing volumes of LNG exports. Therefore, the burden on American households and industries could be even greater than we have described if you continue to approve LNG exports at such a rapid pace.

Given the long-term nature of your authorizations, which typically extend for twenty years, we believe that these predicted negative impacts on the majority of the American economy are too great a risk. Therefore, we ask that you reconsider the pace of your approval, in light of the following questions about the regional, sectoral, and social impacts of LNG exports:

1. How do you weigh the impact of the predicted widespread increase in consumer natural gas and elec-

tricity prices—particularly for low-income households and states that are not large producers of natural gas, rely heavily on natural gas-intensive industries, or have limited access to natural gas—against the concentrated economic benefits for the natural gas industry?

2. How do you balance the predicted widespread loss of manufacturing and jobs against the concentrated economic benefits for the natural gas industry?

3. How would your analysis and conclusions change if you took into account the growth in natural gas-powered electricity generation that is encouraged by the Environmental Protection Agency’s draft Clean Power Plan?

4. In your review of pending and future applications for LNG exports to non-FTA countries, do you plan to consider the cumulative volume of approved LNG exports, and the corresponding cumulative economic burden on American households and industries?

5. In order to ensure consistency in future reviews of LNG export applications, how should the definition of “public interest” be clarified? Do you think such a definition should consider the economic impacts on certain regions and sectors?

To summarize, we are concerned about the pace at which the DOE is approving large volumes of LNG exports. Your own commissioned studies have shown that LNG exports would disproportionately benefit the natural gas industry, while driving up natural gas prices, reducing labor compensation, and decreasing output in all other domestic industries. These negative regional, sectoral, and social impacts suggest to us that large volumes of LNG exports are not consistent with the public interest, so we ask that you address our major questions and concerns, and reconsider the pace at which you are approving LNG exports to non-FTA countries.

Thank you for your attention to this matter. We look forward to your responses to these important questions.

Sincerely,

Al Franken  
United States Senator

Angus S. King, Jr.  
United States Senator

Bernard Sanders  
United States Senator

Sheldon Whitehouse  
United States Senator

Elizabeth Warren  
United States Senator

Tammy Baldwin  
United States Senator

Garcy C. Peters  
United States Senator

Dianne Feinstein  
United States Senator

Debbie Stabenow  
United States Senator

Edward J. Markey  
United States Senator

Patrick Leahy  
United States Senator

Richard Blumenthal  
United States Senator

Jeanne Shaheen  
United States Senator

Sherrod Brown  
United States Senator

Jack Reed  
United States Senator

Barbara Boxer  
United States Senator

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*{poor OCR, summarized instead}*

Office of the Sheriff  
Hampden County  
95 Liberty Street  
P.O. Box 5005

**EXHIBIT B**

Springfield, ffA 01101-5005  
(413) 732-5772  
www.hampdencountysherity.com

Trespass Notice Given to:  
Tennessee Gas Pipeline Company, LLC (a Kinder Morgan Company), it direct or inderect representatives,  
contractors, sub-contractors or affiliates.  
1615 Suffield Street, Agawam, MA 01001  
Prohibited from entering or remaining upod the land or building owned by:  
John D. Angleman  
225 Smith Road, Ashfield, MA 01330

**20150814-0078**

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Room 1A  
Washington, DC 20426

Project Docket Number: PF14-22

Date: 8/7/15

Via Certified Mail, Return Receipt Requested

Re: **Rescinding property access**

As the owner ofthe property located at:

32 Burbank Rd.

Londonderry, NH 03053

I am **rescinding** permission previously granted to the Tennessee Gas Pipeline Company, LLC (a Kinder Morgan Company), its representatives, contractors, sub-contractors, or associates to enter my land to perform surveys, or for any other purpose. Any physical entry onto my property from the date of this letter forward will be considered unauthorized, and treated as trespass.

Mitchell Klutsch

**20150814-0079**

Hand written card, C? Ehler, 154 Temple Rd, New Ipswich, NH 03071, opposing

**20150814-0080**

Hand written card, Cynthia Carvill, 15 Sunny Love Road, Winchendon, MA 01475, opposing

**20150814-0081**

Hand written card, Lynn Ehler, 154 Temple Rd, New Ipswich, NH 03071, opposing

**20150814-0082**

Hand written card, D. Kangas, 144 Old Tenney Rd, New Ipswich, NH 03071, concerned about noise and air pollution from compressor

**20150814-0083**

Hand written card, Deb Squires, 116 Green Farm Rd, New Ipswich, NH 03071, concerned about digging and filling in wetlands.

**20150814-0084**

Hand written card, Deb Squires, 116 Green Farm Rd, New Ipswich, NH 03071, concerned about quality of pipe

**20150814-0085**

Hand written postcard, Linda Waterworth, 35 Swain St, Dracut, MA 01826, opposing

**20150814-0086**

Hand written card, Norma Spiker, 44 Temple Rd, New Ipswich, NH 03071, residents need to go to meetings and voice their opinions.

**20150814-0087**

Hand written card, Linda B. Tower, 31 Coot Bay Dr, Rindge, NH 03461, opposing

**20150814-0088**

Hand written card, Laura Gingras, 15 Treadwell Lane, Peterborough, NH 03458, change compressor location

**20150814-0089**

*{mis-filed, not PF14-22 related}*

**20150814-0090**

Hand written postcard, Virginia Maille, 34 Wheeler Rd, Dracut, MA 01826, opposing

**20150814-0091**

Hand written card, Scott & Kristen Campbel, 43 J? Dr, New Ipswich, NH 03071, opposing

**20150814-0092**

Hand written card, Lesley Finlayson, 167 Heald Rd, Wilton, NH 03086, opposing

**20150814-0093**

Hand written card, Cynthia Carvill, 15 Sunny Love Road, Winchendon, MA 01475, very concerned about 187 acres of wetland to be filled.

**20150814-0094**

Hand written card, Cynthia Carvill, 15 Sunny Love Road, Winchendon, MA 01475, concerned about endangered species along route - Blandings turtle, marbled salamanders & golden eagle all present.

**20150814-0095**

Hand written card, Deb Squires, 116 Green Farm Rd, New Ipswich, NH 03071, concerned about pollution effects on livestock and pets

**20150814-0096**

Hand written card, Deb Squires, 116 Green Farm Rd, New Ipswich, NH 03071, concerned use of thin wall pipe in rural areas

**20150814-0097**

Hand written card, Cecilia Long, 73 North Rd, New Ipswich, NH, opposing, no need

**20150814-0098**

Hand written card, Cecilia Long, 73 North Rd, New Ipswich, NH, opposing, poor quality & maint.

**20150814-0099**

Hand written card, France S. Riggs, 201 Temple Rd, New Ipswich, NH, opposing, severe health threat

**20150814-0100**

Hand written card, Steve Riggs, 201 Temple Rd, New Ipswich, NH 03071, opposing

**20150814-0101**

Hand written card, Steve Riggs, 201 Temple Rd, New Ipswich, NH 03071, opposing

**20150814-0102**

Hand written card, ??, opposing

**20150814-0103**

Hand written card, France S. Riggs, 201 Temple Rd, New Ipswich, NH, opposing, no need

**20150814-0104**

Hand written card, Cecilia Long, 73 North Rd, New Ipswich, NH, opposing, KM repeated lies & misrepresentations, also abhorrent safety and maintenance track record

**20150814-0105**

Hand written card, Deb Squires, 116 Green Farm Rd, New Ipswich, NH 03071, concerned about noise & pollution 1/2 mile from Temple Elementary School

**20150814-0106**

Hand written card, Kevin Squires, 116 Green Farm Rd, New Ipswich, NH 03071, concerned about Native American and religious site on pipeline path

**20150814-0107**

Hand written card, Deb Squires, 116 Green Farm Rd, New Ipswich, NH 03071, concerned about affect of noise on quiet rural community

**20150814-0108**

Hand written card, Deb Squires, 116 Green Farm Rd, New Ipswich, NH 03071, concerned about herbicide use along pipeline

**20150814-0109**

Hand written card, Deb Squires, 116 Green Farm Rd, New Ipswich, NH 03071, concerned about outdoor sports facilities close to compressor station

**20150814-0110**

Hand written card, Cecilia Long, 73 North Rd, New Ipswich, NH, opposing, property values dropping, won't be able to sell if needs to

**20150814-0111**

Hand written card, Kevin Squires, 116 Green Farm Rd, New Ipswich, NH 03071, concerned about damage to roads during construction and maintenance

**20150814-0112**

Hand written card, Kevin Squires, 116 Green Farm Rd, New Ipswich, NH 03071, concerned about conservation easements - 8 miles would be taken

**20150814-0113**

Hand written card, Deb Squires, 116 Green Farm Rd, New Ipswich, NH 03071, concerned about wetland disturbances

**20150814-0114**

Hand written card, D. Kangas, 144 Old Tenney Rd, New Ipswich, NH 03071, concerned about proximity of compressor station to schools, town parks and wells

**20150814-0115**

Hand written card, ? Mayor, 31 Appleton Rd, New Ipswich, NH 03071, concerned about security measures & strength of pipe. Frequent gunfire in area.

**20150814-0116**

Hand written card, Mary Wayman, 8 Philmart Dr, New Ipswich, NH 03071, concerned about wells

**20150814-0117**

Hand written card, Ariana Harris, 221 Poor Farm Rd, New Ipswich, NH 03071, opposing. As Wildlife Biologist knows the destruction that will result.

**20150814-0118**

Hand written card, Gregg S Wayman, 8 Philmart Dr, New Ipswich, NH 03071, opposing

**20150814-0119**

Hand written card, D. Kangas, 144 Old Tenney Rd, New Ipswich, NH 03071, concerned about ability of Emergency Services to handle pipeline emergency. Already over-worked and under-funded.

**20150814-0120**

Hand written card, Mary Wayman, 8 Philmart Dr, New Ipswich, NH 03071, concerned about safety issues

**20150814-5002**

SUSAN A DUHAMEL, NEW IPSWICH, NH.  
Air Pollution and Health Issues are my main concern.  
DENY THIS PROJECT !

**20150814-5003**

SUSAN A DUHAMEL, NEW IPSWICH, NH.  
My health is a concern.  
Deny this project.

**20150814-5004**

SUSAN A DUHAMEL, NEW IPSWICH, NH.  
I will not be able to stay in my house.  
I will not be able to sell my house.  
What do you suggest I do.  
You should deny this project.  
Why should NH pay for this ?

**20150814-5008**

Marilynn Acker Ezell, Temple, NH.  
My husband is an amateur astronomer. When he was in high school, he won the Westinghouse Science Talent Search award for the state of Washington for original astronomy research. When he went to MIT, he intended to study to be an astrophysicist until he found out that there were very few jobs available for astrophysicists at the time. Given how important the study of space is to him, you can understand why he wanted to live where we do. The skies are DARK at night. He built an observatory in our yard with a roof that opens to allow his telescope to record what he sees in the sky. Last night we watched the Perseids meteor shower. Now Kinder Morgan/TGP intends to build an enormous compressor station in New Ipswich, NH, less than a quarter of a mile to our south. I understand from seeing compressor station descriptions in other locations, they light them up like a city at night. This light pollution is completely unacceptable. No one else in the area is allowed to have lights that light up the sky. If they want to see what goes on at night on the site, why don't they use infrared cameras? Or, better yet, don't build this thing at all, since we expect to get nothing good from it, only bad!

**20150814-5012**

Mary S King, Orange, MA.  
Northeast Energy Direct Docket #PF14-22  
Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426

Dear Secretary Kimberly Bose,

The **Orange Revitalization**, (ORP) is non-profit organization concerned with the economic development of the town of Orange Massachusetts and the surrounding North Quabbin region. As a designated environmental justice community, the town of Orange has suffered more than it's share of decline due to past environmental problems. Our organization is dedicated to improving the social and economic well-being of residents and we view the preservation of habitat as one and the same mission. Since our years of incorporation,

ORP has contributed to efforts to restore ecology, support sustainable production of area resources (such as organic farming, and low intensive forestry) and promote the tourist industry that has become an essential part of the local economy.

These efforts have begun to pay off with an increase in visitors to our scenic trails, waterfalls, rivers, lakes and forests. We are seriously concerned that, should the proposed Northeast Energy Direct (NED) project be built, it will have lasting adverse affects on our environment and the economy that depends upon it. We were especially alarmed by former FERC Chairman Laffleur's comments, reported in the Worcester Telegram on October 14, 2014, suggesting that local opposition to the NED project is because residents don't want, "a pipeline running through your backyard or a transmission line going by your summer home." These words seem calculated to give the impression that residents are wealthy obstructionists whose primary concern is the view from their vacation property. Such statements raise doubts about the impartiality of the decision making involved in siting the project. We are asking FERC to conduct a full and transparent review process, including a thorough consideration of the following concerns that may disproportionately impact our low-income community.

The town of Orange is situated down-wind of the proposed Northfield compression station. We are asking for a full and complete, third-party evaluation examining the potential impact of exposure to chemical releases from the site on residents living in the vicinity. Furthermore, such an investigation needs to include consideration of the increased risk to those within the local population already suffering from elevated rates of lung disease, particularly children, elderly and the infirm. This requires a complete review of the affects of methane, benzene, sulfide, nitrogen oxides and other chemicals associated with fracking and compression station emissions, using the best available scientific data. Our population is particularly sensitive to adverse health effects, we therefore expect any investigation to apply strict and thorough procedures for examining potential impacts with an eye toward reducing risk. It is likely that new baseline data will need to be collected, since there has been an increase in the town's population and its health disparities since 2010.

We are expecting a full evaluation of the potential for water contamination, both during the construction phase and also during the proposed operation of the compression station. This includes pollution from emissions, spills or other avenues of release that may enter the groundwater. Many of our residents rely on well water. Moreover, the town of Orange relies on aquifers, town wells, streams and rivers for its water supply, the likes of which are recharged by sources that may be impacted by the pipeline construction / and or affected by contamination from releases in the neighboring towns. We are asking for a full review of potential threats to town water supplies.

Also in regard to water resources, a growing segment of the local economy relies upon tourism related to recreational water activities, such as fishing, boating, swimming and additional outdoor experiences conducted in the vicinity of water. Residents of Orange and the Greater North Quabbin take their stewardship roles very seriously. The area boasts one of the state's most active watershed councils, local citizens regularly engage in volunteer clean up tasks to preserve the integrity of the water supply. More specifically, residents rely upon clean water, even as local economic development is dependent on maintaining access to such a resource. We expect any proposed project to be in complete compliance with the Clean Water Act of 1972 and the Safe Drinking Water act of 1974 - during all phases of the project. If there is any question of compliance, FERC should render judgement based on the precautionary principle.

The future growth of our town and the surrounding region is contingent on the free utilization of common recreational and farming areas, commonly accessed forest lands and the continued viability of shared water resources. This relationship is complex and not easily discernible to outside observers. Many businesses, civic, community organizations, and individual households depend on ready access to commonly held resources. For example, organic farms hold partnership agreements with land trusts and state owned properties in order to produce and deliver agricultural products to residents throughout Western Massachusetts. There are a number of recreational businesses that rely upon the utilization of state forests, waterways and town lands. In addition, many households subsist on low intensive farming and procuring from shared foraging, fishing and hunting grounds. Low intensive harvesting methods include, small-scale forestry, mushrooming,

and the gathering of woodland materials for crafting, among other activities. A growing portion of population relies upon these subsistence activities (both for supplemental and primary household nutritional consumption and / or primary and supplemental household income). Many of the harvesting sites exist along the planned pipeline route or where compression stations are being proposed. It is important that access to such resources not be interrupted, destroyed, or restricted. Should such resources be jeopardized, it is necessary to know what manner of compensation exists for damages to communities and resources held in trust against potential accidents or incidents that might impair the town resident's means of self-sufficiency. A full economic impact review would consider such threats and should be part of any decision-making.

The Town of Orange Fire and Rescue Department is not set up to handle the scale of disaster posed by a serious natural gas incident. By municipal arrangement, Orange will be called to assist if a serious incident occurs in Northfield or one of the towns along the proposed pipeline route. As a low-income town, Orange lacks the resources to effectively handle such a situation. As with other area towns, Orange has a mostly volunteer force. First responders do not have specialized training to handle such emergencies and do not have the advanced equipment needed to address a catastrophic incident. Moreover, the town is situated fourteen miles from the proposed compression station, and the volunteer nature of force translates into a delayed response time. We expect a full review of the town's disaster response capabilities, and also a review of the adequacy of the compensation regime meant to address harm and losses stemming from a serious natural gas incident.

Last October, the town of Orange voted a resolution against the NED project by unanimous decision. Like all of the towns in Massachusetts that will be most affected, the resolution stated clearly that the risks of the project far outweigh the purported benefits. The members of our organization, the Orange Revitalization Partnership, have also been unanimous in opposing this project, deeming it unnecessary and of no economic benefit to our region. At the recent scoping hearing in Greenfield, MA on August 29th however, a number of union representatives spoke, giving the impression of support for the project. This is a misrepresentation, since the union speakers were from a different state. Local labor union members do not support the project, as evidenced by the over fifty town resolutions against the pipeline. Because ours is a poor town that relies greatly on its environment, the potential effects will disproportionately harm our town's ecology and economy. All we have is our land. We are expecting FERC to conduct a fastidious review of the economic and environmental impacts to Orange in accordance with Clean Water Act, Safe Drinking Water Act, Resource Conservation and Recovery Act and the Community Right to Know Act. We are confident that a thorough and impartial review will find that the Northeast Energy Direct Project is unnecessary and excessive. As the principal regulatory authority, we expect FERC to give the vulnerabilities more weight than the profit incentives of the company and its investors. Accordingly, we are counting on FERC to critically weigh the company's unproven economic claims against the very real health and economic risks this project will bring to the town of Orange if allowed to go forward.

Sincerely yours,

Dr. Mary Sterpka King, President  
Orange Revitalization Partnership

#### **20150814-5017**

D Arotsky, New Ipswich, NH.

The Tennessee Gas Pipeline company/Kinder Morgan/NED will file an Application for a Certificate of Public Convenience & Necessity with FERC.

I was at the FERC Scoping Meeting held in Nashua, NH on Wednesday, July 29, 2015

I was at the FERC Scoping held in Milford, NH on Thursday July 30, 2015

At the Nashua Scoping meeting there where about 28 elected officials speaking before the FERC members. Not one of these elected officials agreed that the TN Gas Pipeline/Kinder Morgan/NED project was necessary. I do not know how many private individuals spoke. I would guess that only 5 or 6 individuals spoke

for the pipeline to be built. These individuals were all union members who wanted union jobs. I am not anti union. I have been a member of my union since 1970. I am pro union. I am anti pipeline.

At the Milford Scoping meeting there were 28 elected officials speaking before the FERC members. Not one elected official spoke in favor of the pipeline. There were 43 private individuals who spoke at the Milford Scoping meeting. Not one of those private individuals was in favor of the pipeline project.

If the Federal Energy Regulatory Commission is not a “Rubber Stamp” for the fossil fuel companies when the Tennessee Gas Pipeline Company/Kinder Morgan/NED files an Application for a Certificate of Public Convenience & Necessity I request that FERC DENY this application from the TN Gas Pipeline Co/Kinder Morgan/NED.

This pipeline is NOT for “public convenience”. This pipeline is NOT for “necessity”. This pipeline is strictly for PROFIT by a private company.

There are three other pipelines that can transport this gas from the Marcellas Shale in Pennsylvania to/ through New England.

FERC’s own rules state that the public benefits of a pipeline must exceed the costs to society. The upgrades already in various planning stages to existing pipelines provide alternative gas infrastructure projects that have a smaller impact and costs to landowners, communities and the environment.

I urge FERC to just say no and DENY the Tennessee Gas Pipeline Company/Kinder Morgan/NED project slated to come through southern NH with a compressor station planned for New Ipswich, NH (Docket # PF14-22)

**20150814-5018**

SUSAN A DUHAMEL, NEW IPSWICH, NH.

it is quiet here right now. I would like it to stay that way. Deny this project.

do not build a compressor station one mile from my house.

**20150814-5019**

SUSAN A DUHAMEL, NEW IPSWICH, NH.

Do not build a compressor station near my house. Deny this project. I do not want my environment polluted.

Kinder Morgan should be put out of business.

**20150814-5052**

August 13, 2015

Kimberly D. Bose, Secretary

Federal Energy Regulatory Commission (FERC)

888 First Street, N.E.

Washington, DC 20426

RE: Environmental Impact Statement under FERC Docket No. PF14-22

Dear Secretary Bose,

Kinder Morgan has continually promoted “co-location” as the preferred route for the NED pipeline.

The FERC has conditionally approved the Constitution pipeline and already Kinder Morgan is proposing co-locating the NED pipeline in the Constitution pipeline right-of-way. Kinder Morgan claims they will restore the Constitution Pipeline construction area to a condition similar to what it was before construction yet they propose co-location construction for the Northeast Energy Direct (NED) in this regrowth area. Regrowth cannot be accomplished if the right-of-way would be considered for NED and future Kinder Morgan co-location. The environmental impact for NED must consider that this corridor may never be allowed to return to a condition close to what it was previously as it would always be Kinder Morgan’s preferred route

for future co-located pipelines.

1. Please investigate the cumulative environment impacts of co-location should a right-of-way undergo construction a 2nd, 3rd, or 4th time. a. Study the effects of multiple co-location constructions to all humans, wildlife, vegetation, and water resources.

b. Study the socioeconomic effects of multiple co-location constructions to towns with emphasis on population growth or loss, business growth or loss, recreational growth or loss, and tourism growth or loss.

2. Please investigate the cumulative environment impacts to humans, wildlife, vegetation, and water resources should right-of-ways sustain back-to-back co-location constructions lasting 2, 5, and 10 years.

a. Study the effects of prolonged co-location construction to all humans, wildlife, vegetation, and water resources.

b. Study the socioeconomic effects of prolonged co-location construction in towns with emphasis on population growth or loss, business growth or loss, recreational growth or loss, and tourism growth or loss.

Please weigh these environmental impacts against the No Build Alternative and help New England convince the Commission to deny the certificate of public convenience and necessity for NED.

Sincerely,

Rob Chesebrough

**20150814-5060**

David F Fleming, JR, Nassau, NY.

August 12, 2015

Hon. Kimberly D. Bose, Secretary

Federal Energy Regulatory Commission

888 First Street NE

Washington, DC 20426

Re: Matter of Tennessee Gas Pipeline Co., Northeast Direct Project

FERC Docket PF14-22

Filing by TGPL dated July 24, 2015

Dear Secretary Bose:

On July 24, 2015, Tennessee Gas Pipeline (TGPL) filed a massive update to the earlier draft Resource Reports and mapping files for the NED project, constituting thousands of pages of information and map sheets providing seemingly significant updates to previous submittals. The submitted files amount to over one gigabyte of electronic files that are publicly accessible, as well as hundreds of pages of text and maps that are not accessible due to TGPL claims of their containing "Critical Energy Infrastructure Information" not to be disclosed for public review. This information is of vital interest to and may have a dramatic impact on the community that I represent.

**INFORMATION PROVIDED IN THE TGPL JULY 24, 2015 SUBMITTAL TO FERC IS AN UPDATE TO PREVIOUS SUBMITTALS, BUT IS INCOMPLETE PENDING FURTHER UPDATES**

While the July 24, 2015 publicly accessible filing includes a large amount of new information, there are significant amounts of additional information either not yet provided, or inaccessible for public review, which include information essential for understanding the TGPL proposal for a major compressor station at Clarks Chapel Road in the Town of Nassau, New York. Information such as: a compressor station site layout plan; an indication of the location of the 30-inch pipeline to and from the station site from the mainline route; an indication of the proposed vehicular access

route to the compressor station from public roadways; location, external dimensions and finish materials of compressor station enclosure building, fence-line, emergency blow-down vent facility; location and extent of buffer areas around proposed compressor station facilities; and the location and extent of non-jurisdic-

tional infrastructure that may be subject to siting and site plan review by the Town of Nassau. Without access to much of this information, some of which is indicated on the 73 pages of “Responses to Comments” and “Responses to Letters” on Draft Resource Reports, dated May 15, 2015, the Town of Nassau cannot fully comment on the appropriate scope of studies appropriate for studying the proposed project, its impacts, alternatives and potential mitigation measures that should be evaluated in the Environmental Impact Statement.

Furthermore, the matrix of “Responses” is replete with indications of information that will be “provided in the October, 2015 filing” or “TBP in Final ER.” Examples of this information include: locations of HDD installations; specification of communication system and whether communication towers will be proposed to be sited and proposed locations of these towers; sensitive groundwater resources in relation to compressor station sites; fisheries resource protections and mitigation proposals; wetland delineations; groundwater aquifer information and details; sites of contaminated sediments; project operational effects on surface waters; interior forest ecological impacts; environmental justice information for aboveground facilities locations; seismic fault information; NYS § 480-a forest lands affected by the proposed facilities; visual resources information (including regarding any as-of-yet unidentified communications towers); emissions data from compressor stations, including methane and exhaust from compressor facility operations; and acoustical analysis of compressor station operations, including sound emissions and mitigation measures necessary.

#### REQUEST FOR EXTENSION OF THE SCOPING PHASE COMMENT PERIOD

The deadline for submitting comments on the Scope of Studies for preparation of an Environmental Impact Statement should be extended until after the CEII information is made available to Town of Nassau officials, and information to be provided by TGPL in the forecasted October environmental report is available for consideration.

Town officials and committee members are making great efforts to review the Resource Reports and associated information submitted at a late date in July, only a few weeks prior to the close of the Scoping Period. This is a huge undertaking for these officials, given the large amount of information that was provided. However, the large amounts of information not yet provided or only provided under protected status, make it infeasible for the Town of Nassau to provide a full evaluation of the information necessary to develop relevant Scoping Comments by the August 31 deadline. The listed incomplete or “to be provided” information includes many topics of specific concern to the Town of Nassau, given the proposal to site the large, 41,000 horsepower compressor station in a Rural Residential area, far from any similar industrial or major utility station use; and the pipeline traversing the rural landscape of northern Nassau. Additional time should be added to the Scoping Period schedule to provide a realistic opportunity for review of the Resource Reports, including information submitted by TGPL as Critical Energy Infrastructure Information, and for development of reasoned comments on the Scope of Studies appropriate to evaluate the proposed major transmission facility project.

Additional time will not represent a burden to the applicant, given that the Resource Reports as filed do not fully provide the requested baseline information as spelled out in many sections of the FERC GUIDANCE MANUAL FOR ENVIRONMENTAL REPORT PREPARATION, dated August 2002.

#### REQUEST FOR IMMEDIATE ACCESS TO CRITICAL ENERGY INFRASTRUCTURE INFORMATION

Pursuant to FERC’s Critical Energy Infrastructure Information (CEII) regulations at 18 CFR § 388.113(d)(4) the Town of Nassau, New York, requ

#### **20150814-5061**

David F Fleming, JR, Nassau, NY.

Completion of comments:

#### REQUEST FOR IMMEDIATE ACCESS TO CRITICAL ENERGY INFRASTRUCTURE INFORMATION

Pursuant to FERC’s Critical Energy Infrastructure Information (CEII) regulations at 18 CFR § 388.113(d)(4)

the Town of Nassau, New York, requests access to certain information submitted by TGPL on July 24, 2015, regarding the Northeast Direct Market Path Pipeline and Market Mid-station 1 Compressor Station proposed to be located within the Town of Nassau, Rensselaer County, New York. Town of Nassau officials should be provided access to the confidential files submitted BY TGPL on July 24, 2015, without reservation and on an expedited basis.

CEII submittals regarding details proposed for the Compressor Station site should be provided on a confidential basis for review and development of Scoping Comments by the Town and its representatives. The requested information includes:

- the Compressor Station site plan;
- compressor station facilities arrangement plans;
- ‘non-jurisdictional facilities’ to be located at the Compressor Station property.

The individuals to be granted access to this information would include the following:

David Fleming, Nassau Town Supervisor

Fred Nuffer, Chairman, Town of Nassau Natural Resources Committee

Lani Rafferty, Councilperson, Nassau Town Board

As identified above, the details of the proposed facilities currently hidden from public view are critical to the Town understanding the TGPL proposal within the Town of Nassau, and in developing reasoned comments and consideration of potential impacts on natural and cultural resources, land uses and most importantly on the health, safety and lives of residents within the impact zone around the proposed compressor station site. The Town asserts that this request is a legitimate request for access to information essential to the Town’s review of the NED Project proposal and

development of Scoping Comments for FERC’s pending development of a final Scope of Studies for the Environmental Impact Statement. The Town willingly will assent to execution of a non-disclosure agreement and take reasonable precautions to maintain security and integrity of any CEII information provided pursuant to this request.

In closing, the Town respectfully requests that the FERC immediately grant the relief requested herein.

Thank you in advance for your assistance in this matter.

Very truly yours,

David F. Fleming, Jr.

Town Supervisor

cc: Hon. Chuck Schumer, United States Senate  
Hon. Kirsten Gillibrand, United States Senate  
Hon. Chris Gibson, United State House of Representatives  
Hon. Kathy Jimino, Rensselaer County Executive  
Hon. Kathy Marchione, New York State Senate  
Hon. Steve McLaughlin, New York State Assembly  
Hon. Dennis Dowds, Schodack Town Supervisor  
Hon. Larry Eckhardt, Stephentown Town Supervisor  
Nassau Town Board  
Nassau Natural Resources Committee

Nassau Town Hall  
29 Church Street, Post Office Box 587  
Nassau, New York 12123  
518.766.3559 • supervisor@townofnassau.org

## 20150814-5079

Cathy Kristofferson, Ashby, MA.

The August 6th filing of the United States Forest Service to Docket PF14-22 remains broken a week later. I have emailed to notify but received no assistance. The 5,486 character FERC generated PDF is of the “File 30792003\_1.tif cannot be converted to PDF” variety, and the 17 individual .TIF files are unopenable once downloaded.

Please repair this filing so that we can all see what our US Forest Service has submitted.

On 8/6/2015, the following Filing was submitted to the Federal Energy Regulatory Commission (FERC), Washington D.C.:

Filer: FOREST SERVICE, UNITED STATES

Docket(s): PF14-22-000

Lead Applicant: Tennessee Gas Pipeline Company, L.L.C.

Filing Type: Government Agency Submittal

Comment on Filing

Description: U.S. Department of Agriculture, Forest Service submits comments re the Notice of Intent to Prepare an Environmental Impact Statement for the Northeast Energy Direct Project under PF14-22.

To view the document for this Filing, click here

[http://elibrary.FERC.gov/idmws/file\\_list.asp?accession\\_num=20150806-0025](http://elibrary.FERC.gov/idmws/file_list.asp?accession_num=20150806-0025)

## 20150814-5085

SUSAN A DUHAMEL, NEW IPSWICH, NH.

I really think you should stop this pipeline project that Kinder Morgan has proposed. You are ruining our lives. I would much rather be enjoying my summer than worrying about what my life is going to be like if this project gets approved. I already have some serious medical issues. This compressor station that they are planning on putting in down the road from my house is not something I can live next to. Even if someone doesn't have a problem they'll probably end up with at least one. I cannot afford to move. But even if I could I was here first. Kinder Morgan is not welcome in my town. They have absolutely no right to even think of coming through NH. They are not welcome in any of the towns this pipe is going through. You FERC should be ashamed of yourselves for even having to think about what to do. Just tell them no. The more I learn about all of this the more disgusted I get. This fracking of gas is so bad. I will not back down on opposing this. I hope we can stop Kinder Morgan. We will probably have to keep up our good fight because you people just don't seem to care. I care about the kids, the adults, the animals, the air I breathe and the food I eat. Whoever you are who ends up reading this should go look in a mirror and wonder why you work for an agency that is turning it's back on us. I worked damn hard for what I have. We cleared our land and built our house 32 years ago. I am not walking away. Kinder Morgan just wants to make money any way they can and they do not care about any of you either. I hope they lose a lot of money fighting us.

## 20150814-5157

### **Eric Tomasi - NED “Product Manager”?**

It was no doubt a combination of the high school auditorium acoustics and my aging ears, but I could have sworn that Eric Tomasi introduced himself as the NED “Product Manager” for FERC at a recent scoping meeting. His title, of course, is “Project Manager”. But once I had “Product Manager” in my mind, I started thinking about it – and in many ways it seems to fit.

A project manager oversees a specific project to accomplish some task. A product manager helps to develop products and design the marketing for them. The former is interested in good management and the latter has something to sell you. Which do you think is a better job title for Mr. Tomasi?

I get the distinct impression that FERC in general and Mr. Tomasi in particular see the NED pipeline as a done deal – a “product” that Kinder Morgan will soon deliver to us. Resistance is futile. After all, FERC has apparently only denied a single application for a natural gas pipeline in its entire history. And according to one FERC contractor, that pipeline was laughably sited through an endangered coral reef in Florida.

Mr. Tomasi ran the recent NED scoping meeting in Nashua, NH. During his opening remarks, he encouraged affected landowners to allow Kinder Morgan contractors to survey their land. Mr. Tomasi suggested that these surveys would allow Kinder Morgan to consider such items as “a tree planted by your grandmother or grandfather” as they nail down the specific pipeline route. This FERC mindset seems to accept the NED pipeline “product” as a reality. I have news for Mr. Tomasi – the affected landowners that I speak with (and I was one on the original pipeline route) have much, much greater concerns than protecting a single tree. They are worried about their families’ health and safety, about the environment and about the pipeline company that is threatening these things. They consider this company to be the enemy. And they are not about to give the enemy permission to do anything, much less to come onto their land. They want to deliver a strong message to Kinder Morgan and to FERC that they do not accept this pipeline and will fight it however they can.

I don’t think that Mr. Tomasi truly understands the misery that the NED pipeline will bring with it. Or perhaps he has accepted that resistance is futile and he therefore feels that his job is simply to ease the populace into a similar timid acceptance of the NED pipeline.

By the way, Mr. Tomasi, here is a clue for you as you continue your visits to New England to shill for the NED “product”: “Dracut” is pronounced with a hard “a”, not a soft one, with the emphasis on the first syllable. You really should take the time to learn how to pronounce the name of a town before hosting a meeting there. A product manager such as yourself should understand that. Not understanding that gives the strong impression that you don’t care at all about the local populace or the impact that the NED “product” will deliver to them. And if you don’t understand that, you might also not understand the animosity that they feel towards anyone who might appear to be smoothing the way for that pipeline to be built.

Nick Miller Groton, MA

## **20150814-5202**

Teresa Caldwell, Shelburne, MA.

To whom it may concern,

I am deeply opposed to the proposed NED pipeline being considered for western Massachusetts.

My objections are on many fronts. My first concern is for the the environment, especially drinking water. I’m concerned for the drinking water of the folks where the “ fracked” technique of drilling is used to extract the gas, (& with the undisclosed chemicals used in the drilling process). I’m also worried about the safety of my well water in Shelburne, Mass. ( near the proposed route of the pipeline). Drilling horizontally underneath the Deerfield and Connecticut rivers also sounds like a very risky endeavor.

My second concern is about the concept of taking land for eminent domain. Has it been clearly established that this pipeline is necessary for peak gas consumption in the winter? Why should private citizens loose their land or have their property values decreased so that a corporation can profit financially? Especially egregious is the concept that we would be a host community for a pipeline that would ship gas overseas!

Another concern is that of protected land. I contributed money to the local land trust to keep land undeveloped and pristine for wildlife and for future generations to come.

Conservation areas should be left undisturbed by human activities.

Lastly, given the reality of global warming, I don’t want my tax dollars to support expanding infrastructure for fossil fuels.

I want my money spent on conservation and renewable energy. I’m also concerned about the democratic process with FERC arbitrarily deciding intervenor status, declining to postpone the environmental scoping

process and dismissing the voices of local and state elected officials and local residents, all of whom overwhelmingly oppose the NED pipeline.

In conclusion, I strongly urge FERC to reconsider their position in support of this pipeline project.

Sincerely,

Teresa Caldwell  
93 Bardwells Ferry Rd.  
Shelburne, Ma. 01370

**20150817-0018**

**Commonwealth of Massachusetts  
House of Representatives**

BRADLEY H JONES. JR.  
STATE REPRESENTATIVE  
MINORITY LEADER

August 10, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room IA  
Washington, DC 20426

Dear Secretary Bose:

I am writing with respect to Project Docket Number PF14-22-000, the Tennessee Gas Pipeline Northeast Energy Direct (NED) Project, which includes the so-called "Lynnfield Lateral".

I appreciate FERC's efforts to schedule a series of public scoping meetings on this project in Massachusetts, and to make staff available to answer the public's questions at these forums. However, I am extremely concerned that none of these meetings have been scheduled in the communities impacted by the so-called "Lynnfield Lateral" or in any of the communities bordering it. I represent communities whose residents will be directly impacted by the proposed pipeline as well as neighboring communities.

My constituents in Lynnfield, North Reading and Reading have made it very clear to me that they still have significant concerns about this project. Some of these concerns relate to the environment and the possible harmful impact the pipeline will have on surrounding waterways and wetlands, as well as its potential disruptions and negative impact on local property owners.

One of the biggest concerns, however, relates to Kinder Morgan's lack of openness and transparency throughout this process. Many of my constituents in North Reading were visited by company representatives last year asking for permission to conduct on-site surveying on their properties, even before the company had notified the Board of Selectmen or any other town officials about their plans to move forward with the proposed pipeline. This lack of transparency is simply unacceptable for a project of this magnitude.

I believe a face-to-face meeting in my district with FERC representatives would be most helpful in giving local residents an opportunity to express their concerns, and to obtain answers to their questions. I am willing to personally help facilitate such a meeting and to assist in making the necessary arrangements to secure an appropriate local venue. Please feel free to contact me directly by calling 617-722-2100 or by e-mailing me at [bradley.jones@mahouse.gov](mailto:bradley.jones@mahouse.gov). I look forward to hearing from you.

Sincerely,

Bradley H. Jones, Jr.  
Minority Leader

**20150817-0019**

Rev. Cynthia C. Willauer and Professor George J. Willauer  
55-1 Beaver Brook Road  
Lyme, Ct. 06371

August 8, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street N.E. Room 1A  
Washington, D.C. 20426

Dear Secretary Bose:

We write in opposition to the Northeast Energy Direct Project proposal to pipe natural gas through 412 miles of new conduits connected by 14 new meter stations from Pennsylvania through New York, Connecticut, Massachusetts, New Hampshire and on into Canada.

We have come to believe that fracking in itself is a bad idea and thus piping fracked gas through the Northwest USA a very, very bad idea. We have many reasons for having come to the conclusion that fracking is an environmental hazard rather than benefit, a primary one the release of methane into the environment during the excavation process. This release cancels any plus claimed for use of natural gas in lieu of coal or oil to power our economy.

We petition FERC to support investment in renewable energy and also to rigorously support conservation of energy, the latter woefully overlooked in the wastelands of our present energy economy. If a higher percentage of the energy presently produced were put to use rather than wasted there would be power aplenty to meet New England's need for increased electrical capacity in periods of extreme draw on the grid.

A positive move in New England is our Town governments' help of homeowners to "solarize" their homes. This is clearly a step in the right direction for care of the planet. By contrast, a crushing step in the wrong direction is the utilities' response: penalize all customers by raising the cost of electricity.

We are both Pennsylvania-born- and-raised, so we weep to see the devastation wrought by fracking on the hills and dales of the land of our birth. We appeal to FERC to refuse extension of the disaster: disallow the piping of fracked gas through the woodlands, wetlands, towns and cities of New England.

Sincerely,

**20150817-0020**

August 4, 2015 To: FERC, Concerning: Northeast Energy Docket PF14-22

There is no rational argument for compromise with toxic pollution.

Period.

We all know the facts, the terrible pollutants we have been subjecting the earth to, our beautiful, fragile, irreplaceable planet. We have all become more conscious that a change is in order; that we are responsible for what transpires in this time and place. What is the right thing to do? We have the ability now to use clean forms of energy. The big energy companies have seen their earnings decrease and are desperate. They see the writing on the wall but insist on sucking every last bit of gas out of the ground, no matter the cost. They, and all of us, and future generations would be better off if those companies made the switch to solar, wind and water power. Wouldn't it be amazing if our government (remember that one — of the people, by the people, and for the people) helped them?

A progressive step in that direction was taken by our own Senator Ben Downing on July 23—his amendment to increase the state's solar net metering cap and promote future solar development throughout Massachusetts, was adopted by the senate. He listened. We applaud him for his work in creating a long-term framework for solar growth.

I read of a town in a Pennsylvania area with a compression station. This facility was permitted a total of more than 80 tons per year of emissions, (NOx, VOC, CO. nitrogen oxides, volatile organic compounds, carbon monoxides) We do not want these toxins raining down upon our land, This is a residential and farming community. Did you see the sign as you enter Windsor from the east on Route 9? “Welcome to the Berkshires, America’s premier cultural resort. Somehow a 40,000 horsepower compressor station does not seem compatible with that message. We ask you and Governor Baker to listen as well. Community shared solar, not a compression station for fracked gas, is what the residents of Windsor want.

Thank you

Valerie C. Kahn  
522 High St. Hill  
Windsor, MA 01270

**20150817-0021**

August 10, 2015

Dear Governor Hassan,

We are writing to oppose the pipeline proposed by Kinder Morgan. The Northeast Energy Direct (NED) pipeline will bring no benefit to New Hampshire.

It feels like the negative effects of this pipeline do not matter to elected officials. Well it matters to all of us who are being asked to live near a compressor station’s hub of noise, light pollution, toxic chemicals and frequent “blow downs.”

Not only are homes affected, but the compressor station is proposed to go near Temple School where children are. We can prevent the compressor station going in New Ipswich if we find endangered species of animals living there — well isn’t this endangering our children of New Hampshire who will be exposed to the harmful effects of this compression station! What if it blows up? I ask you, are children no longer valuable in the eyes of the American government?

If you want this to go through we highly recommend that in your agreement with Kinder Morgan they must offer to buy out the Temple School and the homes in the “burn zone” for fair market value if the owner wishes to sell! If you don’t do this all homes will become worthless, it won’t sell for fair market value and many people will eventually have to walk away with nothing — because home owners in the burn zone will not be able to live in the type of safe, clean environment that everyone in New Hampshire is entitled to!

After doing the research I am convinced the pipeline construction process will pollute our air, contaminate our aquifers, wells and other water resources. Over 800 NH families will lose their homes and it will destroy conservation lands. It will harm the tourist industry and rural character of New Hampshire. Stand up and stop the greed of Kinder Morgan from ruining our way of life!

Thank you for your consideration,

Most sincerely,

*{signature not legible}*

**20150817-0025**

August 12, 2015

The letter is being postmarked to the below recipients.

RE: FERC Docket DG 14-380

Governor Maggie Hassan  
Office of the Governor  
State House  
107 North Main Street

Governor Charlie Baker  
Massachusetts State House  
Office of the Governor  
Room 280

Loretta E. Lyrarn  
Attorney General of the United  
States  
Office of the Attorney General

Concord, NH 03301

Boston, MA 02133

U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, D.C., 20530-0001

Senator Jeanne Shaheen  
60 Main Street  
Nashua, NH 03060

Senator Kelly Ayotte  
144 Main Street  
Nashua, NH 03060

Tom Burack, Commissioner  
NH Dept of Environmental Services  
PO Box 95  
Concord, NH 03302-0095

Kimberly D. Bose, Secretary  
Federal Energy Regulatory  
Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426

Commissioner Tony Clark  
Federal Energy Regulatory  
Commission  
888 First Street, NE  
Washington, DC 20426

Commissioner Cheryl A. LaFleur  
Federal Energy Regulatory  
Commission  
888 First Street, NE  
Washington, DC 20426

Commissioner Colette D. Honorable  
Federal Energy Regulatory  
Commission  
888 First Street, NE  
Washington, DC 20426

Commissioner Philip D. Moeller  
Federal Energy Regulatory  
Commission  
888 First Street, NE  
Washington, DC 20426

Chairman Norman C. Bay  
Federal Energy Regulatory  
Commission  
888 First Street, NE  
Washington, DC 20426

Brendon Kemen  
New Hampshire Dept, of  
Environmental Services  
Drinking Water Source Protection  
Program  
PO Box 95  
Concord, NH 03302-0095

Cynthia McGuire, CEO  
Monadnock Community Hospital  
452 Old Street Road  
Peterborough, NH 03458

Representative Matt Cartwright  
(H.R. 1460)  
1419 Longworth House Office Bldg.  
Washington, DC 20515

Representative Jared Polis  
(H.R. 1548)  
1433 Longworth House Office  
Building  
Washington, DC 20515

Senator Benjamin L Cardin  
(S. 1554)  
509 Hart Senate Office Building  
Washington DC 20510

James M. Inhofe (Chairman)  
Committee on Environment and  
Public Works  
410 Dirksen Senate Office Bldg.  
Washington, DC 20510-6175

Rep. Randy Weber (R-Texas),  
Chairman  
Subcommittee on Energy  
House Committee on Science,  
Space, and Technology  
2321 Rayburn House Office Building  
Washington, DC 20515

Public Information Office  
Supreme Court of the United States  
1 First Street, NE  
Washington, DC 20543

Definition of GREED: A selfish desire for more than one needs or deserves, as of food, wealth or power;  
avarice

Definition of Kinder Morgan:

Greedy  
Ecosystems destroyed  
Habitats destroyed  
Wildlife destroyed  
Water supplies destroyed  
Homes destroyed  
Neighborhoods destroyed  
Communities destroyed  
States destroyed  
Economic sustainability destroyed  
Families destroyed  
Health destroyed

Lives destroyed  
Sacred places destroyed  
The ability for life to sustain itself destroyed  
I WILL NOT FORFEIT MY HUMAN RIGHTS FOR ANY CORPORATION OR  
GOVERNMENT.

Kinder Morgan cannot cover me with poisons that have been proven to cause illness and death. Kinder Morgan cannot deny me pure drinking water. Kinder Morgan cannot make my home unsafe. Kinder Morgan cannot harm me. Kinder Morgan cannot torture me. I have the right to the pursuit of happiness. I have the right to be a human being.

Definition of the state of the U.S. Government: Woefully inadequate.

Dear Recipient:

I live in New Ipswich, New Hampshire, near the proposed site of a large compressor station for the Kinder Morgan/Tennessee Gas NED gas pipeline from the fracking fields in Pennsylvania to a distribution hub in Dracut, MA. The permanent destruction this pipeline will do to New Hampshire (and other states) is unimaginable so I am writing to you to seek your support to stop this pipeline.

As a resident within the 10 mile radius of a compressor station, I received a mandated letter dated June 4, 2015 that said the NED project was to expand the Tennessee Gas pipeline system “to serve the growing demand for interstate natural gas transmission in the northeastern United States and more specifically, the New England region.”

By Tennessee’s own admission the purpose of this pipeline is transmission, not use. The letter also states, “The northeast region as a whole stands to benefit from the Project as it will enable the region to sustain its electric grid and lower energy costs to compete on a more level economic playing field with other regions of the nation with access to reliable, low-cost gas supplies”. The letter further says “the Project will provide additional access to diverse supplies of natural gas to expansion customers in the northeast region, including New England”.

Are residents of the northeast “expansion customers” or is this term applicable to energy suppliers, such as Liberty Utilities? The rocky, mountainous, remote terrain through much of the northeast doesn’t present an economical, practical or logical opportunity to ever route piped gas into our homes for heating or any other purpose so where is the evidence of benefit of low-cost gas to residents of the northeast region as a whole?

Kinder Morgan recently reduced the pipe size from 36 inches in diameter to 30 inches and reduced the New Ipswich compressor station size by 50% from 80,000+ hp to about 41,000 hp without explanation, so what suddenly happened to the essential need for so much capacity and power to serve the growing demand of the entire northeastern United States? Did the northeast region suddenly reduce their need by 50% since June 4, 2015?

I believe the above statements from June 4 clearly prove the only need for this project is Kinder Morgan’s need to transmit the gas as quickly as possible out of the U.S. to more profitable overseas markets.

I believe the statements in the June 4 letter indicate the intent of this project is greed, not U.S. public need.

I believe the statements in the June 4 letter indicate abuse of power to threaten eminent domain when there is no U.S. public good associated to this project.

I believe this project has the intent to deplete limited U.S. non-renewable energy resources that should be used sparingly and conservatively to benefit the people of the United States during a period of transition to renewable sources. What are the people in the United States supposed to use after Kinder Morgan gets rich exporting our rapidly dwindling nonrenewable supplies’

I believe this project demonstrates an irresponsible and reprehensible attack on U.S. public and private spaces, U.S. environments, U.S. ecosystems and the people of New Hampshire and other states solely to satisfy a corporate executive zest for additional personal profit.

As for the reduced pipe and compressor size, Kinder Morgan indicated that decision could be changed at any time. What does that mean? Kinder Morgan is moving forward to seek approval from the Federal Energy Regulatory Commission (the FERC) yet the residents being threatened with eminent domain and toxins and rural destruction of New Hampshire are being presented with a mysterious plan that can change at will. We are unable to properly assess or evaluate this pipeline due to this evolving nature of the proposal and Kinder Morgan's refusal to provide information. Pipeline companies often expand compressor sites over time. We have not been told where backup compressors will be built to keep operations running while primary compressors are undergoing maintenance. Is this recent reduction of pipe size and compressor station purely temporary as an effort to facilitate approval and will Kinder Morgan later decide to add more compressor stations, additional power or increased pipe size at a later date? It seems to me a company with the experience and expertise Kinder Morgan claims to have would not be so indecisive of what's required so close to their proposed FERC filing date. This indecision does not provide a reasonable opportunity for affected residents to investigate the plan as it remains very incomplete. Our New Hampshire communities are at risk of destruction. People have been issued notices of expected eminent domain. Others are facing financial ruin due to loss of value of their properties. Still others have health risk and safety concerns that are not being addressed. This indecision has not offered proof of need. This indecision is causing great and unrelenting stress and strain with no proof of service the public good or serving a need to U.S. residents.

Here are points to consider regarding the great hazards this pipeline poses. We have expressed our concerns to the FERC but the FERC's record shows disregard for concerns as all but one request has been approved. Many of the existing electric power lines the pipeline will roadside are supported by large wooden tree trunk posts, including those at the proposed compressor site in New Ipswich. If a fire erupts, these old dry posts that have stood for years will burn hot and wild and the grid will quickly come down. The downed live wires could touch off additional fires. The response time for pipeline companies to shut off valves and respond to the site of failure is typically 1-2 hours. This could be considerably more to reach the remoteness of New Ipswich where roads are few, narrow and winding. In fact, it is the nature of those roads that will also contribute to blocking access to the primary site as fire can easily jump across those narrow roads to spread in all directions through the forests. That horror aside, consider this:

- ~ New Ipswich has no water bomber planes or water helicopters or any other equipment to fight pipeline fires. How does Kinder Morgan expect to arrive and control a situation?
- ~ When Kinder Morgan arrives, where will they get water? New Ipswich has no public water supply; we are 100% reliant upon wells. That's right- 100% reliant on wells.
- ~ Where will our local fire equipment get water to help fight secondary fires? We fight our fires with tanker trucks. If roads are blocked from a large pipeline fire or secondary fires from downed power lines, we can't respond.
- ~ What will be the final toll in lives lost and pristine ecosystems destroyed from an accident? It is unthinkable.
- ~ The compressor station site can flow toxins and pollutants downhill into the towns of Greenville, Wilton, Milford, Merrimack, Nashua and beyond. We all hear about toxic flows on the news that have traveled over a hundred miles across multiple states. Be in denial or be prepared, but truthfully, the only proper preparation to avoid this scenario is NO PIPELINE.
- ~ And for that matter, where will Kinder Morgan get water for the compressor station and pipeline operations? When two new homes were built across the street from mine, my well dropped 20 feet. Millions of gallons of water are needed by these pipelines. Where is Kinder Morgan going to get that water and what will be left for us'?

I believe it is incorrect to dilute the number of pipeline accidents by measuring against the number of miles of pipeline because one event is all that's needed to destroy everything that's currently right about New Hampshire. An explosion and large fire is undeniably unimaginable, yet it is possible. We do not need to sit long before another pipeline accident demonstrates the lack of control within this industry. Just last week, on

August 3, 2015, a Kinder Morgan gas pipeline ruptured in Falfurrias, Texas.

1. A preliminary report filed with the Texas Commission on Environmental Quality estimates 7,476 pounds of volatile organic compounds were released into the air in less than two hours from a ruptured 16 inch diameter pipeline.
2. Per reported news coverage of this rupture, Richard Wheatley, spokesman for Houstonbased Kinder Morgan Inc. noted that pipeline ruptures are often accompanied by a loud boom and a “concussion effect.”
3. Wheatley said the company immediately detected the rupture along the 16-inch pipeline and quickly coordinated a response by law enforcement officials, emergency responders and state regulators. Wheatley also said, “After securing the area and isolating the pipeline, our personnel, along with local emergency responders, continue to work together to seek to ensure the safety and well-being of the community.”

Let me comment on these three points.

1. Legislation exempted gas pipeline companies from the Clean Air Act. U.S. government and judicial officials gave gas pipeline companies the right to not disclose the toxins in the gas nor monitor blow downs. They are free to shower us with toxins as they please. We, the public, for which these pipelines are supposed to serve our collective good, are left to succumb to property loss, financial ruin, destruction of wetlands and ecosystems, illness, trauma and death. How can we possibly receive prompt and accurate health care for illnesses brought upon us by undisclosed agents? Toxins, vibrations, noise, light, and stress all contribute to complete disruption of our life-essential biological processes. How can health care providers and facilities learn and prepare for health impacts when the list of suspect chemicals is kept secret, known only to the perpetrators who use them against us?

Where are those 7,476 pounds of volatile organic compounds released in Falfurrias now? Is the U.S. government or Kinder Morgan required to go find them? Or is all simply forgotten and forgiven now that the event has subsided? If a penalty is assessed to Kinder Morgan, does that clean up the hazards left behind? Does that identify those who may have suffered or will suffer biological damage from being exposed to the toxins? And what were those toxins? Is it still a secret?

This Falfurrias accident was a 16 inch diameter pipeline. The NED pipeline will be 30 inches in diameter; at least for now. Kinder Morgan stated the right to change the parameters at any given time. Like a ticking time bomb, only Kinder Morgan knows what explosive circumstances and toxins will come forth at any given time. The public, for which the project is supposed to deliver collective good, is expected to sit back and succumb to whatever Kinder Morgan decides to be our fate.

2. Concussions, as the NFL was finally forced to bring forth, can cause long term and permanent life altering illness, disability, depression and death. I certainly do agree with Mr. Wheatley that a loud boom and a concussion effect often accompany one another. I can't imagine what I and others who are located near the planned compressor station in New Ipswich will feel if the 30 inch pipe or the 41,000 hp compressor station ruptures and burns, nor can I imagine what the children and teachers at the nearby Temple Elementary School will feel.

I'm sure I won't survive an explosion event like that as I'm less than a /~ mile away and it's simply not enough. Some of my neighbors are less than a thousand feet, but who cares? Regulations don't exist to save us. We are just statistics. We are disposable pawns that Kinder Morgan doesn't need to remove out of harm's way, so they don't. Some estimates suggest 4 miles as a minimum relief distance from large high compression pipeline or compressor station failures.

3. Immediately detecting and quickly coordinating a response does not equate to ensuring the safety and well-being of a community. Though a breach in the pipeline may be 'quickly' detected by a change in pressure at a remote command center, the Kinder Morgan response to shut down valves and arrive at the site to address the spread of gas, toxins or fire typically takes 1-2 hours, during which local emergency response

teams are instructed to stay away, stand down, and do not approach the scene. No one can approach such a scene at that point, not even Kinder Morgan because there is extreme thermal radiation, uncontrollable release of toxins, unpredictable events, and lack of equipment and manpower to deal with what essentially is a scene equivalent to an atomic bomb explosion. During that 1-2 hour period when no one can help people are trapped, poisoned, burned, and killed. Left to die, so to speak.

Despite what Mr. Wheatley said, during this period of such extreme uncontrollable hazard, the ability to ensure the safety and well-being of the community is inherently impossible.

Let me say it again. During this period of such extreme uncontrollable hazard, the ability to ensure the safety and well-being of the community is inherently impossible.

If you harbor the mindset that a catastrophic event in New Hampshire is unlikely, look up “San Bruno”. It too had the same unlikely odds that New Ipswich will have, yet San Bruno did happen, and as bad as San Bruno was, New Ipswich can be even worse.

San Bruno had the very best fire-fighting equipment at the ready. Four fixed-wing aerial water bombers, one aerial water helicopter and 67 fire trucks and still people died and many homes were lost. San Bruno also had a 30 inch diameter pipeline, the same size proposed for New Ipswich.

New Ipswich has no aerial water bomber planes or helicopters or 67 fire trucks. New Ipswich does have old, dry wooden supports on the electric grid, surrounding forests, narrow roads, no fire hydrants or public water supply, blocked escape routes on dead end streets, and a dedicated handful of volunteer fire fighters that work miracles but will have to stand down for this event else they add their own lives to the tragedy. New Ipswich will not fare well from an event similar to San Bruno.

In closing, I present this message to all who have granted unusual and dangerous rights to Kinder Morgan, Tennessee Gas and all other similar entities who pursue their business without virtue or responsibility or respect for the harm they cause.

To officials who have contributed to these injustices, you may have stripped us of our citizen rights by granting corporations permission to use eminent domain for private profit, by allowing exemption from the Clean Air Act, by setting aside EPA sanctions, and by permitting toxins to be rained upon us, but you are not able to strip us of our human rights.

~ As human beings, we are entitled to a life-sustaining supply of clean water.

~ As human beings, we are entitled to prevent life-threatening health hazards from being bestowed upon us for any reason, never mind for private profit greed.

~ As human beings, we are entitled to prevent unjustified harm to our children

~ As human beings, we have the right to construct a legal lifestyle within our means and not have anyone be able to take it from us for their personal pursuit.

There are solutions.

Permanently halt this pipeline. It's a venture for greed. There has been no justified U.S. public need identified.

Focus on job creation. There is a job for everyone to help clean up the damage done and create new energy solutions. No one has to be without a job from cancelling this pipeline.

Present the alternative: Kinder Morgan should adopt a leadership role to fund task forces with the mission to enhance existing renewable technologies and discover new ones. They have the money and the resources to do this. This is an opportunity to turn the past into a better future.

Present the alternative: Kinder Morgan should adopt a leadership role to repair, replace or decommission all their existing pipelines as most accidents are attributed to deterioration due to a failure to inspect and maintain pipelines.

Present the alternative: Kinder Morgan should implement safer renewable options without tariffs and taxes to the public. We have paid our dues to corporate energy giants for decades. Are any of these companies able

to adopt a “pay ahead” mission and start giving back for all they took so wrongly? Remember Exxon Valdez in Alaska and BP in the Gulf of Mexico, PG&E in Hinkley, California and Love Canal in New York. There are thousands of Superfund sites in the United States. How long will we remain so careless?

Repurpose the FERC into a true regulatory agency that will identify and disallow corruption and irresponsible and reckless entities. Fees imposed by infractions need to be used to install efficiencies, balance our energy consumption and provide safer energy solutions to everyone.

Tighten environmental controls and stop the damage. The U.S. government must take the lead to show commitment to public good as they are currently really, really bad at doing that. The loopholes are more carefully constructed than the topic itself and the time it takes to respond is always too late.

Thank you listening. I hope you act against this pipeline.

Sincerely,

Evelyn Taylor  
213 Old Wilton Road  
New Ipswich, NH 03071

### **20150817-0026**

Project docket # PF14-22-000

To: Kimberly D. Bose

We live in Richmond NH and we are tax-paying landowners and have owned land in Richmond for twenty-nine years. In our opinion it is unconscionable to consider the impact that the Kinder Morgan pipeline project will have on our rural town. We are concerned about the shortterm health and safety impacts and the impact on the wild lands. We are especially worried about our well water and the wetlands and wildlife habitats. On a personal level we are also concerned about land rights, loss of property and reduced property values. This is an attempt to solve a problem that doesn't exist. Finally we are concerned on the impact on roads, schools and the local economy.

Please consider the human impact. It doesn't have to happen.

Fred Goldberg  
Roberta Jaffe  
216 Whipple Hill Rd.  
Richmond, NH 03470

### **20150817-0027**

August 10, 2015

Dear Senator Shaheen,

We are writing to oppose the pipeline proposed by Kinder Morgan. The Northeast Energy Direct (NED) pipeline will bring no benefit to New Hampshire.

It feels like the negative effects of this pipeline do not matter to elected officials. Well it matters to all of us who are being asked to live near a compressor station's hub of noise, light pollution, toxic chemicals and frequent “blow downs.”

Not only are homes affected, but the compressor station is proposed to go near Temple School where children are. We can prevent the compressor station going in New Ipswich if we find endangered species of animals living there — well isn't this endangering our children of New Hampshire who will be exposed to the harmful effects of this compression station! What if it blows up? I ask you, are children no longer valuable in the eyes of the American government?

If you want this to go through we highly recommend that in your agreement with Kinder Morgan they must offer to buy out the Temple School and the homes in the “burn zone” for fair market value if the owner

wishes to sell! If you don't do this all homes will become worthless, it won't sell for fair market value and many people will eventually have to walk away with nothing — because home owners in the burn zone will not be able to live in the type of safe, clean environment that everyone in New Hampshire is entitled to!

After doing the research I am convinced the pipeline construction process will pollute our air, contaminate our aquifers, wells and other water resources. Over 800 NH families will lose their homes and it will destroy conservation lands. It will harm the tourist industry and rural character of New Hampshire. Stand up and stop the greed of Kinder Morgan from ruining our way of life!

Thank you for your consideration,

Most sincerely,

*{signature not legible}*

**20150817-0028**

*{same text as 20150817-0027, but addressed to: }*

Dear Senator Ayotte,

*{signature not legible}*

**20150817-0031**

August 5, 2105

P.O. Box 253

New Ipswich, NH 03071

Kimberly D. Bose

Secretary Federal Energy Regulatory Commission

888 First St. NE, Room 1A

Washington, D. C. 20426

Dear Ms. Bose:

New Ipswich, New Hampshire, is such a beautiful place to live. You ought to visit it sometime. It has been a rural community filled with trees and ponds and lovely properties for two and a half centuries. My husband and I live on a pond and we love our view and our quiet neighbors. This is our dream come true.

Now you and your commission have disregarded the recommendation to turn down the Kinder- Morgan pipeline. Will you profit from this in some way? We won't profit from it in any way. Our taxes will simply go up, our energy rates will go up, and our homes may well go up in flames and us along with them. Our beautiful retirement life will be ruined. The Kinder-Morgan pipeline will pass through our lovely town and destroy its rural character. It won't bring us cheaper fuel.

How is it the state of Massachusetts managed to get rid of this pipeline? Did their government stand up for its people as ours won't? We need you to be firm and stand up for us.

You should visit New Ipswich's religious retreat where people go for peace and the opportunity to meditate. It is right next to the proposed pipeline area and the compression station. The noise alone will ruin their calm environment, let alone the threat of incineration.

My grandchildren went to the elementary school in Temple, NH, which is less than a mile away from the compression station. If the station explodes, it will incinerate those little children as well as my daughter and her family who live nearby. It will also destroy Temple's only emergency shelter.

I have heard that the pipeline will impact the Souhegan River, 22 brooks and streams, 13 aquifers, 11 ponds and lakes, 27 wetlands and vernal pools, 600 private wells, and numerous municipal water sources and watersheds. Would you like to have your water supply poisoned? We have a well for our water. Will it be usable if Kinder-Morgan succeeds?

Will our property be worth anything if Kinder-Morgan wins? Why should a big corporation be allowed to destroy our wonderful rural community just for their profit in fossil fuels. Why isn't anyone thinking about renewable energy sources? Why isn't anyone thinking about us who live here? Why do big corporations who make tons of money win in cases like this while we lose?

I respectfully request that you do not approve this potential disaster to our beautiful New Ipswich, NH. Please consider the "little guy" rather than the "BIG MONEY GUYS" as you make your decision. This pipeline is NOT in the best interests of the citizens of New Ipswich nor the citizens of New Hampshire.

Sincerely,

Judith G. Baldwin

**20150817-0032**

Hand written postcard, Thomas J. Berube, 270 Wheeler Rd, Dracut, MA 01826, opposing

**20150817-0033**

Hand written postcard, Jeannette McMeniman, 43 Cranberry Rd, Dracut, MA 01826, opposing

**20150817-0034**

Re: Opposition to the Proposed NED project by Kinder Morgan/Tennessee Gas

Dear Kimberly D. Bose, Secretary, FERC

The proposal by Kinder Morgan and its subsidiary, Tennessee Gas, to build the fracked gas pipeline called NED will be detrimental to the people, infrastructure, and environment of my county.

I am writing to you in the hope that you will listen to those of us who are aware of the dangers this project poses and will take whatever action you can to stop its construction.

My opposition to the NED stems from the following facts:

1. Pipeline safety standards in rural areas are much lower than in urban ones. People who live along the proposed route are being treated as if they are less worthy of protection than their fellow urban citizens because fewer of them may be harmed by the project.
2. The pipeline as proposed, will be 36 inches in diameter and will carry hydro-fracked gas at approximately 1400 psi through pristine woods and under various (currently) unpolluted rivers and streams. This land, which many of us have fought to protect, will be adversely affected by the construction and on-going operation of the NED.
3. In addition to the possibility of rupture, pipelines like this inevitably develop leaks &om welding joints. The process of hydro-fracking gas has been banned in New York State in part because of the known toxins the process produces. Yet this pipeline will transport these same toxins through leaky pipes across our state.
4. According to many reports, the federal and state agencies responsible for pipeline safety are very underfunded and under-manned.
5. Most of the residents along the pipeline route will receive no compensation for bearing the risks the NED poses. In fact, their burden is increased by potentially higher taxes and insurance rates, as well as lower property values. In addition, no New Yorker will get any of the gas or will benefit by lower gas prices, because it is most likely that Kinder Morgan's plan is to market the gas abroad.

I would appreciate your attention to this matter and thank you in advance for your help.

Sandra L. Ryan

22 Kent Place

Wynantskill, NY 12198

**20150817-0035**

August 8, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First St. NE, Room 1A  
Washington, DC 20426

RE: Docket'F14-22-000

Dear Secretary Bose:

I am writing to express my opposition to the proposed Kinder Morgan/Tennessee Gas Pipeline project My concerns regarding this project are many and include the proposed pipeline route ( underneath the Cheshire Reservoir and the Ashuwillticook Rail Trail ), the related construction activity and the damage that will occur to our roads, the natural environment and the possible contamination of our drinking water. The high pressure under which the fracked gas would need to travel through this pipeline increases the likelihood of leaks, spills and in the worst case scenario, an explosion.

The safety record of Kinder Morgan along with their response to spills is also a concern. In a report filed last year with the Canadian Government, Kinder Morgan was quoted as saying that “ Pipeline spills can have both positive and negative effects on local and regional economies, both in the short and long term. Spill response and cleanup creates business and employment opportunities for affected communities, regions and cleanup service providers “. I find this statement to be outrageous and I think it raises some serious questions about the ethics of Kinder Morgan.

I am strongly opposed to any project that would be paid for by new tariffs on our electric bills, particularly when there is ample evidence that our energy needs here in Massachusetts can be met through existing pipeline capacity combined with renewable sources and increased energy efficiency. There are many existing pipelines in Massachusetts that leak and they should be repaired prior to building any new pipelines. I believe that the Kinder Morgan/Tennessee Gas Pipeline project is not in the best interests of the residents of Massachusetts and I ask that you do everything in your power to ensure that this pipeline is not built.

Glenn Shalan  
33 Howard St., Apt. 2  
Pittsfield, MA. 01201  
glennshalan@gmail.com

**20150817-0036**

August 8, 2015

Dear legislator,

We have a special opportunity ?? we are living in a time when great change is not only possible it is necessary. We have the opportunity and responsibility to make a great positive impact by doing the right thing right now.

My husband and I strongly oppose the Kinder Morgan Tennessee Gas Pipeline proposal that if constructed would pass through Northfield, MA, the town we love living in. We oppose further money spent on fracking and the exportation of precious gas resource overseas. It is not a NIMBY thing; we oppose all further new construction of pipelines for this use. Period.

We in Massachusetts have the opportunity to set a trend and an expectation for further development in the direction of alternative, sustainable and renewable energies. This may not be easy, but it is the right decision. We have the right and responsibility to stand up to the oil and gas companies and instead do what we know to be right for the planet. You have the power to make this happen.

Our family of four lives on an annual income of about \$100,000/year and this year we decided to invest in

a \$25,000 solar system for our home. It is certainly a struggle figuring out how to pay for this, but we know it is the right choice. We are delighted to have the incentives and rebates in Massachusetts that you all have worked hard to put in place. Thank you for making alternative energies a priority. We are proud to live in Massachusetts where environmental concerns are being addressed every day.

Ask yourself what makes most sense: looking backwards to the way things have been done that have led us to a world of climate change and disastrous rapid environmental changes, or looking forward to new solutions that will allow for our children and grand children to live healthy productive lives generations from now.

Thank you for your consideration of our thoughts and the good hard work you do each and every day for the Commonwealth of Massachusetts. Continue to make us proud with a strong stance opposing Kinder Morgan TGP proposal.

Robin and Terry McKeon  
260 Birnam Road  
Northfield, MA 01360

**20150817-0037**

August 8, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, h1E, Room A1  
Washington, DC 20426

Dear Madam Secretary:

I am writing to ask the FERC to extend the time period for commenting on Kinder Morgan's North East Direct natural gas pipeline proposal and report. It was submitted on Friday, July 24, is over 6,000 pages long, has four sections that have not been completed including on horizontal drilling under the Connecticut River, and has many TBD (To Be Determined) markings.

At the FERC scoping hearing on Wednesday in Greenfield, Massachusetts, our publically elected officials, from Representative McGovern in the U.S House to local Select Board members, either in person or written statement, asked FERC to extend the time period for comments and to schedule scoping hearings past the current August 31 deadline. After public officials spoke many other citizens echoed this same request.

In addition, our Massachusetts Attorney General's, Maura Healey's, office is conducting a study on options for Massachusetts' electricity needs over the next 15 years, including whether more natural gas capacity is necessary. This evaluation is scheduled to be completed by the end of October.

It is not possible for us, the public, to adequately digest and comment on such a huge and unfinished document under the current schedule. It doesn't make sense to have the scoping process stopped before the Attorney General's report has been completed.

The natural gas pipeline will affect many of our citizens in serious ways, including land taking, property values, quiet enjoyment, environment and health. We need to get this decision right, not rush into it. Please, extend the period for responding to Kinder Morgan's voluminous report.

Sincerely yours,

DeAnne Riddle  
252 Strong Street  
Amherst, MA 01002-1848

**20150817-0038**

170 Fish Hatchery Road

Richmond, NH 03470  
BarWoodNH@Gmail.com  
August 9, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room IA  
Washington, DC 20426

Dear Ms Bose,

I am writing to you to express my opposition to the NED pipeline proposed by Kinder Morgan / Tennessee Gas, to be buried across a 71 mile swath in southern New Hampshire. In addition to agreeing with the general reasons put forth by those opposed to the pipeline, I wish to highlight an issue specific to me and to those who own property in the designated "incineration zone." While Kinder Morgan may be obliged to negotiate with those whose properties will be physically altered by the pipeline, there apparently is no similar expectation for Kinder Morgan to have any contact with abutting property owners. I conclude Kinder Morgan has no interest in - or sympathy for -- us.

My husband and I have enjoyed our twenty-four years in the rural peace and quiet of Richmond, NH. However, our advancing ages (currently 88 and 83) and escalating health concerns mean that we will be unable to maintain our independence more than another two or three years at best, and we will need to sell our home and move to an area with more services. How will the pool of potential buyers be affected when our home carries the label "incineration zone," and how will the selling price of our property compare to a similar property well distant from a pipeline? In addition to our twelve-acre house lot we own an adjacent eleven-acre undeveloped lot. Who would buy that at any price, knowing that a house built there likely could not be sold for as much as its construction costs? It seems incontrovertible to me that the marketability and value of our home and adjacent lot (both located in the incineration zone) will be negatively affected, and significantly so. Is this fair?

Has FERC done, or have you even seen, any study on real estate transactions specific to incineration-zone properties, comparing them to similar properties not so stigmatized? Shouldn't you? A private company is entitled to earn a profit but that should not be achieved by causing a financial loss to individual citizens. I fervently hope that FERC will not approve KM's application, and if it does, that there will be some recognition of --and compensation for -- the decreased value. of our property.

Please consider our plight

Yours truly,

Barbara Woodward

**20150817-0044**

August 8, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room A1  
Washington, DC 20426

Dear Madam Secretary:

My understanding is that FERC can consider Environmental Impact Statements when deciding whether or not to approve natural gas pipeline routes, but that climate change is not considered in these impact statements. If this is true, please change this. The environmental impacts of climate change should be included. Climate change effects, such as sea level rise and warming stream and river temperatures, clearly have environmental impacts. Sea level rise threatens low-lying coastal wet lands and beaches, and the animals and

plants that live there. Warming stream and river temperatures increase eutrophication and decrease oxygen levels, thus affecting fish populations.

FERC needs to take these environmental impacts of climate change into account when considering approval of future gas pipelines, such as the Kinder Morgan North East Direct Pipeline. This pipeline should not be built, in part because the additional carbon and methane, which it enables, will affect the climate and thus have a negative impact on our environment.

Sincerely yours,

DeAnne Riddle  
252 Strong Street  
Amherst, MA 01002-1848

**20150817-0045**

Attn: Kimberly D. Bose, Secretary  
FERC  
888 First Street, NE, Room 1A  
Washington, DC 20426  
Re: Docket 1 PF14-22-000

July 31,2015

My name is Stephanie Wales and I live at 89A Seaverns Bridge Road in Amherst, NH. The town line separating Amherst and Merrimack runs through our property; we own land and pay taxes in both towns.

Our property abuts the power lines, but you would never know it looking off my back deck. That's because my back yard is heavily wooded. There is also a significant brook that runs from the other side of the power lines, across the path of this project, through our back yard and continues under Seaverns Bridge Road until it flows into the Souhegan River. For some reason, this brook is not identified on any maps yet presented by Kinder Morgan. In fact, the most recent project map presented to the Amherst pipe-line task force has a map key with stream and creek identification symbols.....yet this brook is not identified? Why? If you take a walk up the power lines from Seaverns Bridge Road-trust me, you can't miss it, and you will get wet.

The "colocation benefits" that KM continually refers to do not benefit my family at all. The proposed pipe-line route runs \*beside'he power lines ROW. Technically on occasion it may be in the actual ROW, but the fact of the matter is that the pipe will be laid on the very far edge of the currently cut power line path. Not directly under the power lines. Why?

That red line representing the pipe line route is a place that I spend a lot of time. Right on top of it. I sit on it. I walk up and down it daily. It is thick with trees, underbrush, wetlands, and the brook. It also teeming with wildlife, which is why I am able to hunt right out my back door on my own property. There are wild turkeys and deer in abundance. We have had bear on the property multiple times. There are also numerous weasels and turtles that call the unmapped brook home, using it as a path to and from the river.

My backyard is everything-it is the core of my lifestyle and existence. I recreate there, I grow & provide food for my family there. These woods also protect our view and privacy. I don't want to cut down any trees. I would never willingly chose to change the ecosystem of my backyard in this or any other way.

I'm pro-gas and pro-infrastructure. Many other houses on our road already have natural gas. However I don't believe I should be forced to give up such a valuable part of my property-or my lifestyle-for a multi-billion dollar company's convenience.

FERC is supposed to be monitoring the checks and balances of this project; the process for citizens is laid out clearly and distinctly. Yet KM is currently providing inaccurate maps, incomplete information, and showing up to survey private property where permission has been denied. What consequences have they faced? None that I am aware of.

“Live Free or Die” is the state motto here, and some of us really do live by this ideology. For example, I live less than 5 minutes from every major American big named box store, but I rarely even drive on 101A. When I need eggs, I head out to the hen house. For apples, we go to Mr. Currier’s orchard. When I need meat, I head up to Don Miner’s farm just a few houses up the hill, or I head out to my back yard during hunting season and sit in my tree stand -the one located on my own property directly on top of the proposed pipeline route. If you approve this project, you will be in effect, displacing me and my family. This project will affect me at the very core of my lifestyle.

Some may call me a NIMBY er. And they would be correct. I don’t want this project on my property in my backyard. If someone else does, that’s their business.

My Father was a licensed NH Land Surveyor for over 40 years. As my siblings and I worked for him in the family business throughout HS and college, and during this time I learned quite a bit about mapping and easements. When there is a brook on a property, you walk the length of it and map it-both its path, origin, and destination. Another thing I learned is that when a rich bully with bottomless pockets starts ignoring the law and facts (like where something is supposed to be located) and builds it where he wants anyway, the affected victim land owner certainly doesn’t expect “fair market value” for the easement gained in court. They are usually granted much, much more than that.

For a roughly 100 foot permanent easement on our property, plus a 250+/- foot during construction, plus the loss of my hunting and recreation area, plus the destruction of the brook which has not been identified by KM, and the ruined privacy and view from my house, anything less than the total value of our property and home will be unacceptable.

I don’t know how FERC could possibly review or approve an EIS when there are waterbodies not even accounted for on KM maps. Please look into the following:

- 1.) There is a running, flowing brook at the lowest point on the power line path off of Seaverns bridge Road (heading up the hill towards Merrimack). There are wetlands on BOTH sides of the brook, including one that runs across our property. They need to be identified and explored by FERC. Simply by walking in this area and exploring the shoreline, many species can be identified. This brook roars with adequate rainfall.
- 2.) Why isn’t the pipe line path being laid in the middle of the power lines instead of on the edge of the woods where so many trees will need to be cut? The colocation argument and “benefits” is totally moot otherwise.
- 3.) The well in our front yard is approximately 175 from the pipeline route at a road crossing. Will our well need to be replaced?
- 4.) I run a business out of my home; any construction across the roadway will create a 15 mile+ detour for my Client’s access. What types of concessions will FERC insist and support by KM for interrupted business and loss of income that may result?

Thank you for your time and sincere attention to this matter.

Sincerely,

Stephanie Wales  
89A Seaverns Bridge Road  
Amherst, NH 03031

**20150817-0047**

Federal Energy Regulatory Commission  
888 First St. NE, Room 1A  
Washington, DC. 20426  
RE: Docket g PF14-22-000  
Kimberly Bose, Secretary

Ms. Bose,

I have attached a copy of a letter sent to the Massachusetts Energy Facilities Siting Board. It was signed by more than a dozen voters in this area of western Mass. through which the proposed Kinder-Morgan pipeline will pass.

We are very concerned and completely opposed to this pipeline in our area.

Any action you take against this will be greatly appreciated

Sincerely

Don & Judy Whitman  
Hancock, Mass.

-----

Commonwealth Of Massachusetts  
Energy Facilities Siting Board  
Re: Kinder-Morgan Pipeline  
Attention: Steven August, Presiding Officer

Mr. August,]

August 1, 2015

As longtime residents of Hancock, we would like to register our opposition to the proposed gas pipeline passing through our town. We live approximately 2 miles from the proposed route.

We are very concerned about:

The large area of construction and destruction of natural habitat.

Deep frost averaging 4-Sft and it's effect on the pipe.

Long term maintenance and integrity of the pipe.

Accidental rupture by a disaster (earthquake .plane crash, terrorism,) and the effect on our area due to leaks, fire or explosion.

The danger to local residents and inability of local emergency services to handle a disaster of that magnitude, especially since shut offs will be miles apart. Large amounts of gas would be released and the fire hazard is very high.

Devaluation of property

The small benefit to the people of Massachusetts and large benefit to large companies.

We are totally against fracking. The need to move away from our use of fossil fuel is greater than the need for a gas pipeline.

Sincerely,

**20150817-0048**

20 Gertrude Road 16  
Dalton, MA 01226  
August 9, 2015

Ms. Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
BBBFirst Street, N.E.  
Washington, DC 20426

Re: Siting of the Kinder Morgan/Tennessee Gas proposed Northeast Energy Direct Pipeline in  
Berkshire County, MA Docket 1PF14-22-oc c

Dear Ms Bose:

I am writing to express my total opposition to the proposed Tennessee Gas Pipeline Northeast Expansion project.

I am a retired Boston Public School teacher. Just 10 months ago I moved to Dalton, MA (population 6,750) from Beverly MA and Boston (metro Boston population, 4,732,161). I moved here for the noticeably cleaner, fresher air and water that did not have a chemical aftertaste. I lived in Boston for most of my adult life and I thought the water in the MWRA district was good, though we did start filtering it a few years ago. I have friends in Boston who have never smoked but who have asma and shortness of breath worse than mine was at its'orst. I moved here for the walks and hikes, for the forests and for the open spaces. I have seen the maps of methane leaks in Boston and I know that here, I am not breathing in methane everywhere I walk. Pittsfield, with it's population of 44,737, many automobiles and natural gas being provided to many homes, may be worse than Dalton but it is definitely not in the same league as Boston.

I urge you to reiect the sitinit of anv natural eas oioeline throuh Berkshire Countv. and in the case of KinderMorgan/Tennessee Gas the reasons are as follows:

1. KinderMorgan/Tennessee Gas Co has offered, willy-nilly, a number of routes through and over terrain they obviously know nothing about. One of the most recent routes would take the pipeline through the watershed for Dalton, Lanesborough, Cheshire and Pittsfield —some 50,000 people. At least one expert testified at a recent Scoping Hearing that the blasting that would need to be done to lay the pipeline could very well alter the route of the underground streams that feed the wells and reservoirs that provide water for Dalton, Lanesborough, Cheshire and Pittsfield, nearly half the population of Berkshire County.
2. Another proposed route takes the pipeline through a series of other towns, including Lenox and that route would traverse their watersheds as well.
3. The 30" pipeline proposed for Berkshire County is the same diameter as the Spectra Gas pipeline approved for lower Manhattan in 2013. The Spectra pipeline pumps approximately 800 million cubic feet of Marcellus Shale 'natural'as into Manhattan daily. The population of Manhattan is 1.6million but the population of Berkshire County is only 128,715! Where will the rest of the 'natural'as go? Will it be sold to the Canada? To Europe? Who will make the money? The principals and shareholders of a corporation that is being allowed to take (steal) private and state land, livelihoods and personal serenity for private gain. What will they tell their children when there are no more trails to hike, fun rivers to kayak or, like California, when the reservoir runs dry?
4. No one is cold during the long winters in Berkshire County for lack of availability of 'natural'as, oil or propane. Cold homes and apartments happen because energy efficiency measures have not been adequately attended to or funded, because landlords do not care, because the housing stock is older, because homeowners do not have the money to update and because the gas company raises prices during the winter.
5. Apparently, Kinder Morgan/ Tennessee Gas are not concerned with alternative sources of energy. They are multibillion dollar corporations whose job it is to sell 'natural'asapparently at any cost. When there are no trees left to absorb the CO2 produced from the production of 'natural gas', then they will understand.
6. We know that solar, hydro, wind and geothermal energy go on line with virtually no risk to consumers and little environmental impact. Common sense would dictate that we make the switch as soon as possible! The FERC can and should be facilitatina the transition.
7. As you know, residents of low-lying areas, including Manhattan, are and should be worried about big weather events, sea level rise and flooding. Here, in the Berkshires, health concerns are continually raised with reference to the safety of the pipeline due to frost heaves, disruption of watershed ecosystems by blasting, noise, light and chemical pollution from a very large compressor station and the overall degradation of the quality of life and livelihoods of the residents and caretakers of Berkshire County.

8. To save the Berkshires, the FERC must reject any siting of pipelines, including the KinderMorgan/Tennessee Gas Pipeline through Berkshire County. Your support for solar, wind, hydro and weatherization would take up any slack between supply and demand.

Sincerely,

Sandra G. Leonard  
Dalton, MA

**20150817-0049**

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426

Re: docket Number PF14-22-000

I am sure that you have received extensive dam questioning the actual need for the proposed pipeline from Wright, Ny to Draco. I have enclosed some of the concerns that I have read regarding the need for additional lines and some proposals for alternative energy . I question why the Federal Government would want to allow a private company to financially benefit from a plan to sell fuel overseas while putting the local population at risk. There seems to be a spin put on the information that promotes gas as an environmental fuel source and that more pipe lines are needed.

There have been some documented studies showing that formaldehyde and benzene are being released at Compressor sites. There is no requirement to study and monitor air around these and proposed Compressor sites. Who will be responsible for the health of the surrounding population of up to a mile down wind from the site. I have also read that the Methane released from the Compressor Stations and from leaking pipes is overall more dangerous to global warming than the pollution of oil or coal.

As an affected landowner I am also very concerned about my family's safety. A high pressure gas line explosion would damage everything within 1,000 feet. That would be most of my property including my house. While we have received requests to survey our property from Kinder Morgan, no one has acknowledged that placing a high pressure gas line so close to my home is dangerous. No one has acknowledged the financial damage that we will sustain because of decreased property value. How many other homeowners will have to worry and have sleepless nights because they cannot afford to move.

My home is a passive solar home with solar panels. For thirty years we have been conserving energy and only using renewable resources to heat such as solar and wood. The federal government should not allow Kinder Morgan to build new gas lines. They are not needed and they are not safe. Please put more effort into supporting renewable resources and protect our people and planet for years to come.

Sincerely,

JoAnn Timme  
61 Gerry Lane  
East Berne, NY 12059

**20150817-0051**

Re: Opposition to the Proposed NED project by Kinder Morgan/Tennessee Gas

Dear Kimberly Bose

The proposal by Kinder Morgan and its subsidiary, Tennessee Gas, to build the fracked gas pipeline called NED will be detrimental to the people, infrastructure, and environment of my county.

I am writing to you in the hope that you will listen to those of us who are aware of the dangers this project poses and will take whatever action you can to stop its construction.

My opposition to the NED stems from the following facts:

1. Pipeline safety standards in rural areas are much lower than in urban ones. People who live along the proposed route are being treated as if they are less worthy of protection than their fellow urban citizens because fewer of them may be harmed by the project.
2. The pipeline as proposed, will be 36 inches in diameter and will carry hydro-fracked gas at approximately 1400 psi through pristine woods and under various (currently) unpolluted rivers and streams. This land, which many of us have fought to protect, will be adversely affected by the construction and on-going operation of the NED.
3. In addition to the possibility of rupture, pipelines like this inevitably develop leaks & welding joints. The process of hydro-fracking gas has been banned in New York State in part because of the known toxins the process produces. Yet this pipeline will transport these same toxins through leaky pipes across our state.
4. According to many reports, the federal and state agencies responsible for pipeline safety are very underfunded and under-manned.
5. Most of the residents along the pipeline route will receive no compensation for bearing the risks the NED poses. In fact, their burden is increased by potentially higher taxes and insurance rates, as well as lower property values. In addition, no New Yorker will get any of the gas or will benefit by lower gas prices, because it is most likely that Kinder Morgan's plan is to market the gas abroad.

I would appreciate your attention to this matter and thank you in advance for your help.

Adeline R. Styno  
8 Parkview Ct  
Troy, NY 12180

**20150817-0069**

*{drawing, not reproduced here}*

FERC Scoping meeting July 29, 2015 NED PROJECT, Kinder Morgan Tenn Gas Project in Massachusetts

Thoughts on...the certificate of public convenience & necessity? And a fossil free future ...

NED does not qualify as public use because it depletes a national resource and contributes to climate change. Only 30% is slated for New England. Isn't this what we did to the Native Americans, took their land and gave them some trinkets I

The NED pipeline is dearly not wanted or needed in Massachusetts.

People want the scoping session restarted as we received the 6500+ pages a few days ago and there were over 10,000 TBD's...clearly we do not have all the material. This renders the scoping period null and void.

Most people spoke articulately and passionately at the July 29th FERC meeting, and talked about the obvious concerns ...the pipeline's potential issues... air, water, earth, vegetation, inhabitants, wildlife, history, safety, fire, police, terrorism, etc. Each of these issues has been clearly documented. Some Springfield labor union people stressed the need for jobs, certainly valid. We can all harp on all the negative issues that are well documented but we all know this pipeline would be a very poor decision for everyone (except the 1%ers), but especially for climate change. We are at a CRITICAL TIPPING POINT!

A better stance would be to move towards the right solution ...

We are transitioning to a fossil free fuel future, and we will need some gas to help with this transition.

1. SHOW DATA ABOUT ENERGY USE! A COMPREHENSIVE REPORT THAT SHOWS ALL THE PLUSES AND MINUSES of the energy we will need through 2030. Thank you Maura Healey!

2. INCENTIVES... CONSERVATION, INSULATION, SOLAR, WIND, and NEW BAmRY RESEARCH.

Conservation is easy and cheap, but people need daily reminders about - how and why to do it. Isn't Massachusetts the leader in tech research? Put our college kids onto a race to create energy storage batteries!

Hilary Clinton just came out with her goal of renewables supplying about 1/3 of our energy using solar by the end of her first term.

Extend generous energy efficiency measures and incentives to businesses and schools.

3. HAVE A TIERED RATE SYSTEM FOR ELECTRICITY...

1st TIER 400KWh @ a certain rate. Second TIER above 400KWh a higher rate, etc. so that people have an incentive to reduce their energy use.

4. FIX LEAKS IN EXISTING GAS PIPES,now!

5. JOB CREATION THROUGH INSULATION, SOLAR,and ENERY EFFICIENCY MEASURES.

6. SOME COUNTRIES AND STATES HAVE BANNED FRACKED GAS, how about ours!

7. Massachusetts needs to be a leader, we need to set the pace for our country, NOW!

8. No NEW PIPELINES •••ONLY, REPAIR OR EXPAND THE EXISTING PIPELINES.

LOOK TO THE FUTURE I OUR SUSTAINABLE FUTURE IS FOR EVERYONE. DO NOT GIVE IN TO THE CORPORTATE BULLIES, AS HAS BEEN DONE FOR TOO MANY YEARS!

Seems like common sense...not so common ...

Virginia Hastings, 30 North lane Northfield, MA 01360

**20150817-0072**

August 12, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room IA  
Washington, DC 20426

RE: Northeast Energy Direct (NED) Project  
Federal Energy Regulatory Commission (FERC)  
Scoping Session, Lunenburg, MA

Dear Secretary Bose:

I am Andrew Sheehan, Town Administrator for the Town of Townsend, Massachusetts. I speak to you this evening as one of the co-chairmen of the Northeast Municipal Gas Pipeline Coalition (NMGPC). Our coalition is composed of duly appointed representatives of Ashby, Andover, Dracut, Dunstable, Groton, Littleton, Peabody, Pepperell, North Reading, Tewksbury, Townsend, and Wilmington, Massachusetts, and Brookline, New Hampshire. Coalition members include selectmen, town managers and administrators, and other municipal staff

The Coalition's mission is to gather knowledge and work collaboratively to provide representation and information to relevant government and public bodies concerning the proposed Kinder Morgan Pipeline Project and the Project's effects on our communities.

Over the past 14 months the member communities have become unified in their steadfast opposition to the Northeast Energy Direct Project. The overwhelming majority of member communities have joined the more than 70 towns and counties in Massachusetts, New Hampshire, and New York in passing resolutions in opposition to the Project. In Townsend, the Special Town Meeting on July 31, 2014 voted unanimously to instruct its Board of Selectmen to oppose the Pmject.

The Coalition is concerned that the Project is moving too rapidly. On July 24 Kinder Morgan released updated resource reports that remain woefully incomplete. By one count there are more than 10,000 TBD's —to be determined. Ifthe proponent cannot answer relevant questions then how can the affected communities and FERC fully evaluate the impact of the project.

Coalition members share significant concerns about all aspects of the Project, including the impact of con-

struction activities, impacts of operations on rare and endangered species habitat, protected open space subject to Article 97 of the Massachusetts Constitution, water resources, and forests and farm land. We question the need for the capacity the Project will provide, its impact on air quality and greenhouse gas emissions, and historic and archeological resources. We share with the homeowners of our towns the concern about falling real estate values and the subsequent impact on tax revenues.

With the above noted comments in mind, I hereby respectfully request that FERC delay the completion of the proceedings until October 2015 when the Massachusetts Attorney General will release her independent study on electricity reliability and capacity needs of the pipeline, and determine if the NED Project is the most cost-effective means of meeting the energy requirements of the Commonwealth.

We are keenly aware of the pitfalls and unintended consequences of large projects such as this one. We request that FERC schedule additional scoping meetings to be held after Labor Day, after Kinder Morgan provides complete information on the Project, after all relevant bodies have had a chance to review the Project information, and after the Attorney General has issued her study. We cannot fully comprehend the impacts of the Project until these significant issues have been addressed.

Thank you for the opportunity to speak on behalf of the Northeast Municipal Gas Pipeline Coalition and for coming to Lunenburg this evening.

Very truly yours,

Andrew J. Sheehan

**20150817-0084**

*{duplicate of 20150817-0025 above}*

**20150817-0085**

August 10, 2015

Dear Senator Shaheen,

We are writing to oppose the pipeline proposed by Kinder Morgan. The Northeast Energy Direct (NED) pipeline will bring no benefit to New Hampshire.

It feels like the negative effects of this pipeline do not matter to elected officials. Well it matters to all of us who are being asked to live near a compressor station's hub of noise, light pollution, toxic chemicals and frequent "blow downs."

Not only are homes affected, but the compressor station is proposed to go near Temple School where children are. We can prevent the compressor station going in New Ipswich if we find endangered species of animals living there — well isn't this endangering our children of New Hampshire who will be exposed to the harmful effects of this compression station! What if it blows up? I ask you, are children no longer valuable in the eyes of the American government?

If you want this to go through we highly recommend that in your agreement with Kinder Morgan they must offer to buy out the Temple School and the homes in the "burn zone" for fair market value if the owner wishes to sell! If you don't do this all homes will become worthless, it won't sell for fair market value and many people will eventually have to walk away with nothing — because home owners in the burn zone will not be able to live in the type of safe, clean environment that everyone in New Hampshire is entitled to!

After doing the research I am convinced the pipeline construction process will pollute our air, contaminate our aquifers, wells and other water resources. Over 800 NH families will lose their homes and it will destroy conservation lands. It will harm the tourist industry and rural character of New Hampshire. Stand up and stop the greed of Kinder Morgan from ruining our way of life!

Thank you for your consideration,

Most sincerely,

Roger & Joan Crooker

**20150817-0086**

*{same text as 20150817-0085, but addressed to: }*

Dear Senator Ayotte,  
Roger & Joan Crooker

**20150817-0087**

*{same text as 20150817-0085, but addressed to: }*

Dear Governor Hassan,  
Roger & Joan Crooker

**20150817-0108**

Hand written card, Cecilia Long, 73 North Rd, New Ipswich, NH, opposing

**20150817-0111**

Hand written card, B. Trela, 828 North St, Windsor, MA 01270, opposing

**20150817-0112**

Hand written card, Ryan Trela, 828 North St, Windsor, MA 01270, opposing

**20150817-0113**

Hand written card, V. Trela, 828 North St, Windsor, MA 01270, opposing

**20150817-0114**

Hand written card, V. Trela, 828 North St, Windsor, MA 01270, opposing

**20150817-0115**

*{duplicate of 20150817-0048 above}*

**20150817-0116**

Hand written card, Kevin Squires, 116 Green Farm, New Ipswich, NH, concerned about emergency response plan.

**20150817-0117**

Hand written postcard, Georgann Mirick, 22 Keets Rd, Deerfield, MA 01373, concerned about well, property values, and whether will be able to continue insuring the house.

**20150817-0118**

D. Rico Burritt  
155 Moran Rd  
Temple, NH 03084  
July 1,2015  
Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A

Washington, DC 20426

RE: FERC docket number PF14-22

Dear Secretary Bose:

In regard to the proposed Kinder Morgan/TGP natural gas pipeline, when is FERC going to hold its Scoping meetings in the towns of New Ipswich, Temple, Greenville, and Mason, NH?

All of these towns would be affected by the potential compressor station.

**20150817-0119**

**STATE OF NEW HAMPSHIRE**  
DEPARTMENT of RESOURCES and ECONOMIC DEVELOPMENT  
OFFICE of the COMMISSIONER

172 Pembroke Road

Concord, New Hampshire 03302-1856

August 12, 2015

Kimberly D. Bose

Federal Energy Regulatory Commission

888 First Street NE,

Room IA

Washington, DC 20426

Project Docket Number: PF14-22-000

Dear Secretary Bose,

The Department of Resources and Economic Development requests to participate in the preparation of the Environmental Impact Statement for the proposed Northeast Energy Direct Project. The Department has two interests; first the proposed pipeline crosses state owned lands and/or crosses lands that are encumbered by easements held by the Department. Secondly, the Department's Natural Heritage Bureau was contacted to provide the occurrence of any threatened or endangered species, candidate species and/or their critical habitats within the project area. In addition a data check provided by the Bureau is required for wetlands permitting and the Bureau consults with the NH Fish and Game and the Department of Environmental Services on permit conditions for the avoidance, minimization and mitigation of impact.

Contacts for the project will be:

William Carpenter, Land Agent, Division of Forests and Lands

Sabrina Stanwood, Administrator, Natural Heritage Bureau

Eric Feldbaum, Program Specialist, Community Recreation Office

Sincerely,

Jeffrey J. Rose

Commissioner

**20150817-0122**

PROPERTY ACCESS DENIED

Tennessee Gas Pipeline Company, LLC

1615 Suffield Street

Agawam, MA 01001

Date: 8-1-2015

Via Certified Mail, Return Receipt Requested

RE: Denying Property Access

As the owner of the property located at:

Street Address: 253 Old Homestead Highway  
Town & Zip: Richmond, NH 03470  
Map & Lot Number(s) (if known) Map 000408 Lot 000067

I am denying permission to the Tennessee Gas Pipeline Company, LLC (a Kinder Morgan Company), its representatives, contractors, sub-contractors, or associates to enter my land or to perform surveys, or for any other purpose in furtherance of a pipeline infrastructure project. Any such physical entry onto my property from the date of this letter forward will be considered unauthorized, and treated as trespass.

MaryJane Jones

CC:  
FERC  
Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426

**20150817-0123**

*{same text as 20150817-0085, but addressed to: }*

Dear Senator Ayotte,  
Nat & Holly Crooker

**20150817-0124**

*{same text as 20150817-0085, but addressed to: }*

Dear Governor Hassan,  
Nat & Holly Crooker

**20150817-0125**

Hand written card, David ?, 139 Old Country Rd, New Ipswich, NH 03071, opposing adamantly!

**20150817-0126**

*{same text as 20150817-0085, but addressed to: }*

Dear Senator Shaheen,  
Nat & Holly Crooker

**20150817-0127**

Edward C. Dow  
529 Main Street  
West Townsend, MA 01474  
978-597-2215

August 11,2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426

Subject: Tennessee Gas Pipeline Company  
Known as Northeast Energy Direct Project  
FERC Docket No. PF14-22-000

Dear Ms. Bose,

The proposed 12 inch "lateral" pipeline planned to cross our property, through our "Hay Field", will have a dramatic long-term negative impact on the entire field as the entire field has been designated for storage of material and heavy equipment during construction by the Pipeline Company. The impact will damage the top soil by the heavy equipment and we will lose revenue over an unknown number of years after completion of the construction.

According to Mr. Chipman, a representative of Tennessee Gas, they plan to "strip the top soil from the entire field so that their equipment will not become bogged down in mud". We have little faith in Kinder-Morgan's promise to restore the property because a similar project in Lunenburg, Massachusetts a few years ago, left farmland covered with so many large stones that farmers could not use their equipment. Kinder-Morgan has not responded to requests from town officials to rectify the situation.

Our major concerns:

1. Our septic leach field is located in this field
2. Loss of income from our hay crop for an unknown number of years
3. Willard Brook runs through our property. To run the pipeline under the brook, mature trees will have to be cut on both sides causing an erosion problem during Spring flooding
4. The negative impact of the pipeline construction and long-term effects on the Town's environment and recreational areas. Other companies have proposals for our area that are more acceptable.
5. Our soil is very rocky and any blasting would produce a problem with Radon Gas

We ask that FERC deny permission for the Kinder-Morgan Pipeline project.

Sincerely,

Edward C. Dow  
Homeowner

## **20150817-0130**

August 6, 2015

Federal Energy Regulatory Commission  
888 First Street, N.E.  
Washington, DC 20426

Attention: Kimberly D. Bose, Secretary FERC  
Docket 11 PF14-22  
Northeast Energy Direct Project

Dear Kimberly D. Bose,

I am expressing my concerns with regards to Tenn. Kinder Morgan's proposal to install a 30-36 inch pipeline having a 23,000 HP compression station in our Town of Dracut, which lies 1 mile from my residence. My utmost concern is the great DESTRUCTIVE IMPACT this will have in my town of Dracut Ma, pertaining to the environment, the wetlands, wildlife areas, farmlands, the High Noise pollution that would be very present 24/7 eminent domain issues, air pollution, and yes the "blow downs" producing air-borne chemical particles, potential contaminant water from may it be a leak or complete Blow and this WILL happen as to when, no-one knows, and lastly health issues cancer, cardio-pulmonary, and chronic lung diseases caused by the emitting of gas in the atmosphere, and fracking when and if this project develops. Hopefully your final decision AVOIDS Tenn. Kinder Morgan from proceeding with this project.

I am sure and it's plain to see from all the correspondences, letters electronic emails of grievances from town residences, town selectmen across the Mass, and NH, states the EPA, Lawmakers from those districts, the Natural Resources Conservation Committees, the USDA, Mass. Farm Bureau Federation, Mass. Pipeline Awareness Networks and all those establish Town Pipeline Awareness Organisations within towns of these

states that WE DO NOT WANT THIS PIPELINE PROJECT going through because of the many ramifications behind this pipeline project, need I state these facts its very obviously stated within those grievances you have received from all departments under your jurisdiction.

This project is and seems solely for the sake of "Profit and Greed" and future increase in stocks for those stockholders benefits. Tenn. Kinder Morgan seeks to gain new customers, provide more power to existing Grid facilities, and sell to Canada and foreign markets Europe or Asia.

There is NO benefit to Town of Dracut, from Tenn. Kinder Morgan's project We have adequate amounts of gas to sustain our heat even during the Peak times of winter season.

Building of this compression stations would only be like an Artery station with branches jeffing out to Canada, overseas gas and foreign markets. A major Win Win for Tenn. Kinder Morgan.

Everybody reads, views videos, have socialmedia see TV journalisms of Green- House gas warniugs each and eveiy day from fossil fuel destruction namely Gas, Oil, and Electricity. The continued use of these fossil fuels is devastating to our planet. We continue to have problems of drought in areas within the U.S. and all over the world, we continue to have melt-downs of our glaciers, and high rise coastal waters and devastating uncontiuifiable weather changes It's very very obvious that we need to do something. We have succeeded with Solar and Wind turbines even during trial testings. Gas pipelines are toxic industrial infrastru ctu res.

STOPPING, one of these major sources Gas, and the continued building of compression stations WILL HELP our planet. It's a solution.

The Town of Dracut is a veiy pristine community with an abundance of wildlife, conservation wetlands, growing farmlands who supply residents sources of produce and a town that's cherished by all who reside here. Gas pipelines, and compression stations will expel and destroy our beautiful town immensely.

Finally, your decision to DENY a permit to Tenn. Kindle Morgan would be morally justified.

Thank you respectfully,

Deb Prud'homme

47 Lexington Rd., Dracut, Ma 01826

CC; Certified Receipt

**20150817-0131**

**PROPERTY ACCESS DENIED**

Tennessee Gas Pipeline Company, LLC  
1615 Suffield Street  
Agawam, MA 01001

Date: 8/12/2015

Via Certified Mail, Return Receipt Requested

RE: Denying Property Access

As the owner of the property located at:

Street Address: 20 Scott Mountain Road

Town & Zip: Richmond, NH 03470

Map & Lot Number(s) (if known) Map 000409 Lot 000053

I am denying permission to the Tennessee Gas Pipeline Company, LLC (a Kinder Morgan Company), its representatives, contractors, sub-contractors, or associates to enter my land or to perform surveys, or for any other purpose in furtherance of a pipeline infrastructure project. Any such physical entry onto my property from the date of this letter forward will be considered unauthorized, and treated as trespass.

Janice Roy (Maroni)

CC:

FERC  
Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426

**20150817-0132**

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Room 1A  
Washington, DC 20426

Date: August 7, 2015

Via Certified Mail, Return Receipt Requested

Re: Denying Property Access

As the owner of the property located at:

44 Temple Road  
New Ipswich, NH 03071

Let it be known that I am denying permission to the Tennessee Gas Pipeline Company, LLC (a Kinder Morgan Company), its representatives, contractors, subcontractors, or associates to enter my land to perform surveys, or for any other purpose. Any physical entry onto my property will be considered unauthorized, and treated as trespass.

Norma L. Spiker

**20150817-0134**

**LWV**

Re: Docket No. PF14-22-000

August 5, 2015

Ms. Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First St NE, Room 1A  
Washington DC 20426

Enclosed is the statement to the Federal Energy Regulatory Commission from the Amherst MA and the Northampton MA League of Women Voters regarding the proposed Tennessee Gas Pipeline Northeast Direct Project, Docket No. PF14-22-000.

We urge the Federal Energy Regulatory Commission to extend the deadline for submitting comments beyond August 31, 2015, in order to allow the affected communities adequate time to respond to the very delayed release of the Kinder Morgan Report issued July 24, 2015. The League believes in an open government that is representative, accountable, and responsive. The League works to protect the citizen's right to know and to facilitate citizen participation in government decision-making.

Amherst League of Women Voters, P.O. Box 2372, Amherst MA 01004  
Northampton Area League of Women Voters, P.O. Box 39, Leeds MA 01053

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Statement to the Federal Energy Regulatory Commission July 29, 2015

**The Amherst and the Northampton League of Women Voters Oppose Construction of the Proposed Kinder Morgan / Tennessee Gas Company (TGP) Pipeline**

## **Environmental Damage Is Severe**

Construction of the proposed TGP pipeline would cut an environmentally destructive path across productive farmland, forests, and conservation land in western Massachusetts, as well as residential communities. It would also lock in dependence on fracked natural gas for many decades, contrary to the long-term environmental goal of reducing greenhouse gases.

## **The Pipeline Is Designed for Export**

The large diameter and high capacity of the proposed pipeline far exceed even the highest projected future demand for natural gas in Massachusetts. The pipeline would link the Marcellus shale gas fields in Pennsylvania with the Maritimes and Northeast Pipeline to Canada. These facts indicate that the main purpose of the proposed pipeline is for exporting Marcellus shale gas, not for serving Massachusetts needs.

Thus, any tax or tariff imposed on Massachusetts ratepayers in order to pay for the pipeline would be subsidizing a private, for-profit enterprise, with only minor benefit to residents of Massachusetts.

## **Need for Pipeline has not been Established**

The Synapse Report projected a potential shortfall in future electricity generation capacity in Massachusetts only for peak demand on certain days of the year. The Report has been criticized for not adequately taking into account future benefits from improved energy efficiencies, as well as the growth of renewable sources. Moreover, ISO-NE has expressed concern about over-reliance on natural gas as the primary means of electricity generation.

The League believes that energy conservation and renewable energy are the first priority for meeting future energy needs — green buildings, energy efficient appliances, flattening peak energy demand, wind generation, etc. and that more can be done to reduce reliance on fossil fuel sources.

## **Future Energy Requirements Must be Analysed**

Before undertaking any new natural gas pipeline construction project, objective analysis of Massachusetts future energy needs must be carried out, taking into account trends in energy conservation and growth of renewable energy sources. Would investment in energy storage for variable energy sources (wind, solar) be more cost effective than the proposed pipeline?

## **Existing Pipeline Infrastructure Must be Reviewed**

An independent analysis of existing gas pipeline infrastructure must be conducted, including capacity of the Northampton Lateral and Berkshire Gas local feedlines in Western Massachusetts. What prompted the sudden moratorium on new customers this year? Why is the upgraded Southwick Compressor Station suddenly inadequate?

Would smaller, less costly upgrades to the pipeline infrastructure in Massachusetts provide the modest additional capacity needed? How much could be gained from an aggressive leak detection campaign?

**We urge the FERC to delay any decision on the proposed TGP pipeline until the key studies have been completed:**

- Comprehensive environmental impact assessment**
- Analysis of future energy requirements in Massachusetts, fully incorporating improved energy efficiencies and projected growth in renewable energy**
- Independent analysis of existing gas pipeline infrastructure**

**The FERC decision must take into account the national goals of preserving the environment, reducing dependence on fossil fuels and protecting the rights of individuals.**

**The benefit of the proposed TGP pipeline to Massachusetts residents is negligible, the environmental and economic price high.**

The League supports environmentally sound policies that reduce energy growth rates emphasize energy conservation, and encourage the use of renewable resources. The League supports practices that preserve the

physical chemical, and biological integrity of the ecosystem, with maximum protection of public health and the environment

The League of Women Voters is a nonpartisan organization that encourages informed and active participation in government. The League comments publicly on issues when these issues are relevant to published local, state, or national positions. League positions are established after League members study issues and there is general consensus among members.

Marcie Sclove & Kathy Campbell, Co-Leaders  
Amherst League of Women Voters  
P.O. Box 2372  
Amherst, MA 01004

Bob Riddle, Vice-President  
Northampton Area League of Women Voters  
P.O. Box 39  
Leeds, MA 01053

**20150817-0136**

**Warwick Conservation Commission**

Town Hall  
12 Athol Rd.  
Warwick, MA 01378

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, D.C. 20426

Re: Tennessee Gas Pipeline Company, L.L.C.

Proposed Northeast Energy Direct Project, FERC Docket No. PF14-22-000

Dear Secretary Bose,

The Town of Warwick, MA Conservation Commission (ConCom) hereby notifies FERC of its great concern on Compressor Station (CS) in Franklin County, the erection of which is proposed by Tennessee Gas Pipeline Company, LLC (TGP).

The Warwick ConCom is responsible for the protection of the Town's natural resources as well as administering the Massachusetts Wetland Protection Act. Some of the Conservation Commission's jurisdiction overlaps interests that are subject to review under several federal laws including the Clean Water Act, Clean Air Act, and the Endangered Species Act. The Warwick ConCom also reviews projects which require review by the Massachusetts Natural Heritage and Endangered Species Program under provisions of the Massachusetts Endangered Species Act.

TGP has proposed to locate the CS in Northfield, MA, our neighboring town. Proposed location is adjoining Warwick State Forest (see the document "Compressor station Locations— Aerial Maps", 06/01/2015). Said CS will be powered by several extremely large gas turbine engines 120,000 HP in total (see pages 1-23 and 1-25 of Draft Environmental report/Resource report 1, 11/2014). There are very few, if any, compressor stations of such a scale in the country. More than 97% of the stations, currently working in the USA are less than 60,000 HP.

Negative influences from natural gas CS, including noise, air and water contamination to natural resources, are well documented. Since these structures are a major source of broadband noise pollution and methane emission across the US landscape, their environmental impacts have been specially studied by many scientists. There is stark and well proven evidence that CS functioning removes wildlife habitat, alters connectivity, causes mortality, and introduces ecological pollutants. The format of this letter prevents us from wide citation of special studies performed around tens of CS sites. Just 3 examples:

~ Insects, birds and mammal densities decline in close vicinity and significantly deteriorate within 5 km zones of compressor stations sites (C. Solomon. When Birds Squawk, Other Species Seem to Listen. New York Times, May 18, 2015);

~ Bat species activity level decrease over 70%, even due to considerably low-intensive constant noise of 50-75 dB, produced by small scale compressor stations (J. P. Bunkley et al. Anthropogenic noise alters bat activity levels and echolocation calls, *Global Ecology and Conservation*, 3 (2015), p. 62—71);

~ Floral resources are significantly suffer from methane emission, which rate had been measured as 1.7+ 0.2 SCFM from the lowest emitting site to 880+ 120 SCFM from the highest emitting site (R. Subramanian et al. Methane Emissions from Natural Gas Compressor Stations in the Transmission and Storage Sector: Measurements and Comparisons with the EPA Greenhouse Gas Reporting Program Protocol. *Environmental Science and technology*, 49, 2015, p. 3252—3261).

We would like to stress that such terrifying findings were made during the studies of CS, which are by far less powerful than the scale of 80,000 - 120,000 HP Franklin County compressor station, proposed by TGP.

Over half the land area of the Town of Warwick is comprised of mostly contiguous lands under public and private ownership —including State Forests, Wildlife Management Areas, and land under conservation restrictions held by state agencies, town, and public land trusts —all of which are protected under Article 97 of the Massachusetts Constitution. The majority of this land was conserved in perpetuity using federal and state funds. This large landscape, which stretches into adjacent towns and beyond, provides unbroken habitat for wildlife and delivers a corridor for species migration and diffusion. Warwick State Forest has many wetland resource areas, streams, freshwater wetlands, and groundwater resources used by the public. There are tens of certified vernal pools in Warwick State Forest and, in particular, near proposed CS location. Many wetland resource areas in the Town of Warwick are still not mapped or catalogued in generally available map layers and databases. ConCom continuously finds new vernal pools in Warwick. The latest letter with three vernal pools certification had been received from Massachusetts Natural Heritage and Endangered Species Program just two weeks ago.

Based upon prior experience, ConCom believes that there are populations of species listed under the federal Endangered Species Act and the Massachusetts Endangered Species Act in the Town of Warwick.

The Warwick ConCom is deeply concerned that the establishment of a super powerful natural gas CS in close vicinity of the State Forest will result in unbearable damage to natural recourses of the Town of Warwick. In particular, we are alarmed about the environmental impacts from air/water pollution to water resources and wetlands, as well as from air pollution, noise and odor to vegetation and wildlife. The cumulative impact to the unique non-fragmented protected land can be huge and irreversible.

The Warwick ConCom believes that under any circumstances CS site should not be situatal closer than four miles (5 km) to protected land per the studies.

It is generally known that there are tools available now for avoiding, minimizing and mitigating impacts of this kind. Among them are: extensive implementation of soundproof technologies and materials, use of electric motors instead of turbines, erection of small stations instead of a super large one, etc.

Warwick ConCom is very concerned about proposed pipeline wetland crossings within Warwick. We have several certified vernal pools in the vicinity of the proposed pipeline route. The excavation and other construction activity will very likely destroy these habitats, which are protected under Massachusetts and Federal laws, including the current Massachusetts General Permit of the Federal Clean Water Act (03/09/2015).

In light of the above The Town of Warwick, MA Conservation Commission request to be included in environmental mailing list for this project. Information request for EIS draft is enclosed to this letter. We intend to become an Intervenor to the project and ask to be kept informed about the application process.

Sincerely on the behalf of the Commission,

Gregory Brodski, Co-Chair

Warwick, MA Conservation Commission

cc: Governor Charlie Baker

Attorney General Maura Heal ey

Senator Stanley Rosenberg

Representative Susannah Lee  
Matthew A. Beaton, MA Executive Office of Energy and Environmental  
Angela M O’onnor, MA Dept. of Public Utilities Chairman  
Martin Suuberg, MA Dept. of Environmental Protection  
George Peterson, Jr., MA Dept. of Fish and Game  
Carol I Sanchez, MA Dept. of Conservation and Recreation  
U.S. Senator Elizabeth Warren  
U.S. Senator Edward Markey  
U.S. Representative James McGovern  
Eugene Benson, Executive Director of MACC  
Stephen August, Presiding Officer, Energy Facilities Siting Board  
Northfield (MA) Conservation Commission  
Erving (MA) Conservation Commission  
Winchester (NH) Conservation Commission  
Orange (MA) Conservation Commission  
Royalston (MA) Conservation Commission  
Athol (MA) Conservation Commission  
Winchester (NH) Conservation Commission  
Richmond (NH) Conservation Commission  
Leigh Youngblood, Mount Grace Land Conservation Trust  
Millers River Watershed Council

#### **20150817-0138**

Hand written letter, William D. Young, Jr., 10024 County Highway 21, Franklin, New York, 13775, listing subjects needing particular and detailed attention - emergency preparedness and plan, timely inspections and maintenance,...

#### **20150817-0143**

Comments to the FERC, August 11, 2015, Dracut, MA

Re the Kinder Morgan/ Tenn. Gas/Northeast Direct Natural

Thank you for the opportunity to give testimony. I am Alix Dricocol of Andover representing the **Andover Conservation Commission**.

#### **Introductory Comments**

We await the Attorney General’s study of Massachusetts energy needs and support her decision to initiate the study.

We have grave concerns about the cumulative environmental effects of the Lynnfield Lateral in Andover and in the entire Menimack Valley, and the entire pipeline.

#### **Constitutional questions about permanently protected open space and the environment**

The pipeline will damage at least five parcels of Chapter 97 permanently protected open space in Andover, and damage tens of thousands of similarly protected acres across the state. They are protected by the Massachusetts Constitution, the oldest functioning constitution in the world.

“The people shall have a right to clean air and water, freedom from excessive and unnecessary noise, and the natural, scenic, historic, and esthetic qualities of their environment; and the protection of the people in their right to the conservation, development and utilization of the agricultural, mineral, forest, water and air and other natural resources is hereby declared to be a public purpose.” Art. XCVII.

#### **Endangered Species:**

The entire Merrimack River in Andover is Priority Habitat for Rare Species and Estimated Habitat for Rare

Wildlife.

Parts of the east side of the Shawsheen River including the river's floodplain and upland is Priority Habitat for Rare Species in the Lowell Junction area.

### **Water quality and pollution**

Merrimack River, an interstate river to the Gulf of Maine which is now Class B from Class D after four decades of cleanup. It is in danger of pollution from the churning up of historic contaminants including mercury and other chemicals from 400 years of industry upstream. The drilling medium is hazardous.

### **Economic Justice and Water Quality**

The proposed crossing of the Merrimack is just upstream from the water intake for the City of Lawrence, the poorest municipality in the Commonwealth. The Lawrence Water Department obtains its water from the Merrimack River. "A susceptibility ranking of high was assigned to this system using the information collected by the DEP" because there is already one high threat land use within the water supply protection area. The drinking water for Andover and Methuen and all towns downstream to the ocean are also threatened due to water intakes downstream from the proposed Merrimack River crossing.

### **Noise Pollution, Air Pollution and Blow Downs**

The proposed compressor in Diacut, MA across the Merrimack River will be the largest east of the Mississippi. The monthly or more frequent blow downs will roar with the intensity of a jet plane engine. This noise pollution will disturb tens of thousands of Merrimack Valley residents, including those in Andover. The gases and other matter that are expelled will pollute the air in the Merrimack Valley.

### **Wetlands**

The Andover Conservation Commission and all the Commissions along the proposed route are charged by state and local laws to protect wetlands, a public good. The pipeline will cross and damage substantial wetlands on five town-owned permanently protected reservations in Andover plus extensive wetlands on many private homesites in town. It will cross two major rivers, the Merrimack and Shawsheen and riverfronts protected by local state and federal laws. The damage to the steep slopes at the Merrimack River crossing and deforestation will lead to erosion and water quality damage.

### **Safety**

The velocity radius for 24 inch pipeline is 640 feet for explosions, thus putting the hundreds of citizens, homes and sensitive sites in the danger zone. In addition a plan is required to train first responders and a source of funds to pay for their training. To put in context, the pressure in the proposed 24 inch pipeline through Andover is 1460 psi; a pipeline in the street is 10-20 psi.

"Throughout the U.S. since 2003, Kinder Morgan and its subsidiaries' pipelines have been [28] responsible for at least 180 spills, evacuations, explosions, fires, and fatalities in 24 states. Some notable examples (including spills in Canada)": PHMSA Pipeline Safety State Pages at

<http://primis.phmsa.dot.gov/comm/States.htm?nocache=3971>.

### **Conclusion**

We urge FERC to take the cumulative effects of damage to wetlands, and protected Article 97 reservations, endangered species, river crossings, plus drinking water contamination, noise pollution, air pollution and public safety into account as decide whether to grant a certificate of "need and necessity" to Kinder Morgan/Tenn Gas. The latest Resource Reports have been available for 18 days with not adequate time for the public to study in depth. There are an alarming number of TBDs and constant changes.

PF14-22, Kinder Morgan/Tenn. Gas/Northeast Direct

Alix Driscoll

Town of Andover, MA Conservation Commissioner

11 Forbes Lane, Andover, MA 01810,

August 10, 2015

**20150817-5007**

Jan A. Griska, Rindge, NH.

Dear Senators Ayotte, Shaheen and Representative Kuster,

The Need For a Third Scoping Session:

I sent an email to Eric Tomasi (FERC's Environmental Project Manager for the NED Pipeline) on 6/2/2015, making a case for a Scoping Session in Rindge. My final statement in the email was that I was beginning to feel the regulatory process under FERC was a farce. I also sent a copy of the same email to FERC's ecomments. I received a confirmation on that ecomment, so I know they got it.

The newly scheduled open houses are a sorry excuse for being transparent. They do however, satisfy the request of all of our legislators that Kinder Morgan listen to us.

Time has moved on, a FERC mailed document and articles in our local papers told us that there would be a Scoping Session in Nashua and Milford and a TBD session in the Winchester area. So, hope springs eternal; the Monadnock Region, felt we were finally going to get a chance to voice our concerns.

Much letter writing to Concord and Washington about the need for more time and a third Scoping Session in the Monadnock Region, prompted Eric Tomasi to tell the assembled people in Nashua that there would definitely be a third session in the Monadnock Region. Hopes soared, our government was going to work for us.

The next day, at the Milford Scoping Session, Eric Tomasi made no announcement about a third Scoping session in the Monadnock Region. This prompted my wife to ask Eric why he did not tell the Milford crowd that a third session was being scheduled, Eric got evasive and wouldn't give her a straight answer. My guess is the bureaucrats in Washington felt the storm had blown over, they had heard quite enough objections to this pipeline and they could move on to business as usual.

I should note at this point, that people were turned away at the Milford Scoping Session because the town hall was full.

I hope this letter, email, ecomment etc. is making people angry, I'm tired of big money politics, petro-dollars, a government managed by lobbyists, and an organization masquerading as a regulatory body telling us we have to live with a project that has a cost, but no benefit...

I've been fighting this project since December of 2014, please help me make this effort worthwhile. Please write to your Representatives and Senators, the Governor, our Executive Council, Representatives and Senators in Washington, FERC, most of all, my and Executive Councilor David Wheeler's favorite bureaucrat Mr. Eric Tomasi. My hope is that everyone will send so many posting, by whatever is your preferred method, that they are still digging out of it next July.

Before I go any further, please note Eric's email address: eric.tomasi@FERC.gov

Please feel free to use the text of this message if it in any way that will help you communicate your concern to our government and the media. Social Media oriented folks, have at it...

Citizens of New Hampshire, let's make General John and Molly Stark proud of what we are doing here in New Hampshire in the 21st century.

Thank you,

Jan A. Griska  
Rindge, NH.

**20150817-5011**

Michael J Barrett, Temple, NH.

August 15, 2015

Norman C. Bay, Chairman

Federal Energy Regulatory Commission  
888 First Street NE  
Washington, DC 20426

RE: Docket No. PF14-22-000

Dear Chairman Bay:

I respectfully request that the Federal Energy Regulatory Commission reject Tennessee Gas Pipeline Company's proposed Northeast Energy Direct (NED) Project. I base this request upon the following:

1. The pipeline and compressor station are located too close to Our Lady of Hope, our religious facility. This high-pressure, high-capacity station will bring significant human safety risks to our Sisters living there.
2. The pipeline and compressor station are located too close to a farm containing Newfoundland ponies, an endangered animal. There are only 250 left on earth.
3. The pipeline and compressor station are located too close an annual migration path of thousands of raptors. The high-pressure, high-capacity station's exhaust plumes of heated gases will bring significant safety risks to these birds.
4. The pipeline and compressor station are located too close to a school whose heating system uses outside air to heat the facility. This high-pressure, high-capacity station will bring significant human safety risks to our teachers and children attending the school.
5. The pipeline and compressor station are located too close to our water supplies, parks, and conserved land and will bring significant environmental hazards.
6. FERC has already approved another pipeline to satisfy New England's natural gas-fired electric generation needs on the coldest days. We don't appreciate the need to add more supply.
7. The particular gas that would be carried in the proposed pipeline is likely to be particularly high in toxins and radiation, and the health impact upon our families, animals and plants must be avoided.
8. The proposed pipeline route requires a new right-of-way that would cut through many miles of environmentally sensitive areas and take permanently protected land out of that protection.
9. Some "fracking" compounds and chemicals negatively impact the skin, eyes, sensory organs, the respiratory system, the gastrointestinal system, the liver; the nervous system; and are candidate endocrine disrupting chemicals. Endocrine disrupting chemicals (EDCs) present unique hazards, particularly during fetal and early childhood growth and development. We do not want to be exposed to any of these chemicals.

Respectfully submitted,

Name: Michael Barrett Address: 24 Twillingate Road, Temple, NH 03084

## **20150817-5012**

evelyn taylor, New Ipswich, NH.

Kentucky made great strides and supported human rights by denying eminent domain for projects that do not serve the public good. I am in New Ipswich, NH, in the 1/2 mile radius from the proposed compressor station for NED and have been saying all along that Kinder Morgan has no right to use eminent domain or douse us with toxins or keep us from life-essential sleep and water and the ability to breath the air around our homes without ingesting biological toxins. The FERC has no legal choice other than to reject this pipeline as it includes use of torture to garner private profit. If the FERC fails to reject this pipeline, the FERC is also participating in human rights violations as you have been forwarned over and over again. must say no or you are also exercising proliferation of torture and The only just decision to this pipeline is NO BUILD and no alternative. There is no compromise for torture. This has to be a NO BUILD decision by FERC.

### 20150817-5013

Evelyn Taylor, New Ipswich, NH.

There are millions of miles of gas and oil pipelines in the United States. Those that are buried are left to disintegrate and release biological toxic waste not only along the pipeline itself, but to then travel beyond the borders of the pipeline. The FERC is not standing up to its responsibility to keep pipelines safe. This problem will result in mass destruction of fresh water drinking supplies to millions of people. Where will these violating companies get bottled water for so many? Bottled water is destructive in of itself and where would such large supplies be drawn from and how will so much demand possibly be serviced? I demand FERC take control and regulate as they should as they are responsible for creating these conditions by approving submissions and usurping subsequent responsibility to protect the public.

### 20150817-5015

Margaret Viglione, Greenville, NH.

Re: Tennessee Gas Pipeline Company, L.L.C. (“TGP”)

Docket No. PF14-22-000: Proposed Northeast Energy Direct (“NED”)

I am writing to request that you take any and all measures available to stringently review and honestly evaluate the proposed Tennessee Gas/NED pipeline project. As a resident of Greenville, NH, a town affected by the proposed pipeline, I have grave concerns about this project, including:

- The Public Utilities Commission’s paid consultant, Melissa Whitten, strongly stated that Kinder Morgan could not demonstrate the required need for this project. The only substantial contract in NH is with Liberty Utilities, a conveniently fabricated “customer” and a Kinder Morgan subsidiary. NH is currently a net exporter of electricity so the claimed need for extra natural gas to increase electricity production is spurious. No NEED.
- New Hampshire would not be the recipient of any significant portion of the gas, and in fact, only about 4% of New Hampshire residents use natural gas. No BENEFIT.
- Most of the gas is intended for export overseas or to Canada where gas prices are higher, providing huge financial benefit only to Kinder Morgan. To accomplish this they will illegally use eminent domain to usurp NH homes and land. Then those affected will be asked to pay for this pipeline through higher utility rates.
- Negative impacts would be severe on the safety, health and welfare of NH citizens, the ecosystem as well as the economy of the region. NH communities have a historic commitment to the environment and have actively worked to place significant portions of pristine wilderness into conservation trust. This pipeline would jeopardize many of these fragile watersheds and ecosystems as well as the water supplies of NH towns. Kinder Morgan sees “empty space” ripe for their picking and destruction. We see the natural beauty, wildlife and clean air and water that make NH unique and precious. Pipelines and compressor stations are exempt from Clean Air and Clean Water laws, allowing them to spew hazardous fumes into the air without regard for health consequences to people, farms, gardens, livestock and wildlife. This is unacceptable.
- Existing pipelines owned by Portland Gas or Spectra could easily handle any projected needs for natural gas in the state without additional damage to property and ecosystems.
- Kinder Morgan cannot guarantee the safety of their pipelines or compression stations and has a long history of safety “incidents,” poor honesty and transparency, failure to perform required maintenance procedures and slow response to emergencies. Their remote monitoring facility is capable of detecting pipeline leaks only after a leak of greater than 150,000 gallons. This in no way provides adequate monitoring for public safety. Local emergency services are not prepared for or able to handle a pipeline or compressor station emergency and the requirement to do so would place a severe financial burden on affected towns already struggling to balance budgets.
- Current projections indicate that the Marcellus shale may only produce significant output for somewhere between 10 and 20 years, with some estimates as low as 8 years. Affected communities will then be left

with an abandoned, toxic, obsolete pipeline still requiring tariff payments.

- Investment of taxpayer dollars in non-renewable energy strategies and infrastructure which will be outdated within 20-25 years shows poor vision for future energy solutions for New Hampshire as well as globally.

I respectfully ask that you rise to the charge of seeing that ‘the common good’ means we use restraint against an industry that wants to burn as much fossil fuel as it can, as fast as it can for their own private profit at the total expense of NH citizens. Neither NH nor the US will have time to create sustainable technologies if we continue to permit redundant pipelines like NED. The NED plan goes against the public interest. We ask you to refocus your mission and act as a good steward for the energy environment we face today and into the future by working to stop this pipeline project.

Thank you very much,

Margaret Viglione

### **20150817-5016**

Linda Hastings, Nassau, NY.

Please HELP US! Please do not let Kinder Morgan and Tennessee Gas Company ruin our lives, our health, our community, our forests, our economy, the infrastructure of Rensselaer and our future well being.

Kinder Morgan wants to make money at any costs. We want to live, breathe the fresh air and enjoy the peaceful quiet of trees, flowers, birds and animals in an area that we paid our hard-earned money to buy. None of us would have bought here if we had known that these companies were going to come in with their trucks, explosives, dangerously thin pipelines with explosive gas forced through them right in our back yards. Would you want your loved ones put in the constant danger of being burned alive or have them die from their asthma made worse by the pollution?

The pipeline will leak fracked gas containing toxic chemicals that threaten our health and that of our families, neighbors and communities. Damage to the environment (soil, air and water) will result from pipeline construction and leaking gas. Our forests, streams, rivers, wells, groundwater and aquifers are at risk of being polluted. What about the contamination of our wells, gardens and farms? In addition, the gas is methane which is a damaging greenhouse gas.

Both Kinder Morgan and Tennessee Gas have very bad histories of not maintaining their equipment and there are no protections put in place. In Pennsylvania where they have already been accused of causing earthquakes, their answer was for the people “to just live with it”. THEY JUST DO NOT CARE about anything but money.

Local homeowners may be forced to give the companies a right of way but the homeowners will remain responsible for taxes on the property. Homeowners will not be able to sell the property because no one would buy it. We will have land we cannot live on, pay taxes on it but not be able to sell it because any property value will be gone.

All or most the gas will be for export and sale on the international market which will drive up the price we are paying for gas here. This is definitely not the the common good. It is not for our benefit. It is only for the good of Kinder Morgan. We would not want this pipeline in our backyards for any price. We are being used. My understanding is that they will even be using our tax money to pay for this. HELP!

### **20150817-5018**

James R. Kowalsky, Fitzwilliam, NH.

Will compressors in compressor stations along this pipeline be constructed to be completely enclosed so as to limit the amount of noise emitted beyond the compressor station property? What is the maximum allowed noise level at the edge of the compressor station property? Who will police the allowed noise level and to whom can complaints be made if noise levels are exceeded?

**20150817-5019**

James R. Kowalsky, Fitzwilliam, NH.

Can you assure the people all along the route of this pipeline that once the pipeline is in operation that noise levels at the right of way will be no greater that they are today without the pipeline? If you cannot, then I suggest the cost of construction does not reflect the true cost of this pipeline. What is the maximum allowed noise level at the right of way when the pipeline is in operation?

**20150817-5020**

Lisa Derby Oden, New Ipswich, NH.

Kinder Morgan is not honest in how it portrays this project to the public. View this news clip where their PR person in NH states that they have 70,000 miles of pipeline across NH that they have been operating safely for many years. <http://www.nh1.com/news/new-ipswich-proposed-pipeline-compressor-station-has-one-family-ready-to-pack-up-and-leave/>

Kinder Morgan states that it “owns an interest in or operate approximately 84,000 miles of pipelines” on its website. So the spokesperson, Tiffany Eddy, misled the public to believe that their presence here in NH is much greater than it is, as well as focusing on the safety over those 70,000 miles. Saying that your safety record is good over about 100 miles of pipeline that they own in NH is a much different picture than saying safety over 70,000 miles.

**20150817-5023**

Cynthia Lawton-Singer, Conway, MA.

The NED pipeline project is not a solution to anything. It will CREATE more problems by far than it solves.

“Climate Change is the mother of all battles. If we don’t win this one, all the others may not really matter.”(NRDC –President Rhea Suh)

Like you I want to keep this country strong, keep our economy sound and give our children a future full of promise and opportunity. That is precisely why we need to begin to address climate change now.

The Environment is global. What we do here affects the entire planet. Half of the industrial carbon emissions have been released since 1988. That trend needs to shift and fast. This New England Direct (NED) Gas Pipeline is exactly the type of project we MUST abandon and replace with investments instead in renewable infrastructure.

Lies and doubt are sewed by scientists whose research and speeches are paid for by BP, Chevron, Peabody Energy, Conoco Phillips, Exxon Mobile, Shell, The Koch Brothers, The American Petroleum Institute and probably Kinder -Morgan and others who specialize in fossil fuel infrastructure.

Citizens like myself are not won over by their misleading tidbits meant to keep us from taking action. The actions we clearly need to take IMMEDIATELY as a society in crisis, is to replace our use of fossil fuels with renewable energy, renewable infrastructure and conservative living practices not based on excessive consumption.

The job growth rate in the solar sector is 20x faster than the overall job growth rate (2014). Every 2.8 minutes another rooftop solar home project was completed. The US now has the equivalent of six nuclear power plants worth of solar capacity installed. Solar is an increasingly important part of combatting dependence on fossil fuels, particularly for producing electricity. Electrical production accounts for the major amount of increased use of natural gas in Massachusetts. Install more windmills (Cape wind!) and rooftop solar on homes. People want to take actions like these. Renewables unfortunately do not enjoy the same level of subsidy support from our government as fossil fuels.

Shell oil has permission to drill in the Chukchi Sea of the Arctic; approval has been granted for drilling for oil off the East Coast. The Keystone pipeline is still being constructed despite the controversy over it. These

projects are all AGAINST THE WILL of the majority of people. Only the poorly informed, desperate, or those who will profit from these poorly thought projects are supporting them. They are based on short-term results and consistently IGNORE the long-term problems they create, WITH THE COSTS FOR THESE PROBLEMS ALWAYS PAID BY THE TAXPAYERS WHILE THE PROFITS ARE ENJOYED BY A TINY GROUP OF EXTRAVAGANTLY WEALTHY ELITES!

The insurance industry knows that climate change is real. Their premiums on property have gone up to reflect their assessments of increased risks. Our National Defense Planners know that climate change poses dramatic threats to our way of life, even our very existence in the future. Climate scientists world-wide, including the IPCC of the United Nations publishes reports on their collected data showing trends that become ever more frightening to read.

The extraction, transportation and burning of fossil fuels has numerous collateral damages that have been measured and studied. One result of natural gas is the leakage of methane. Ton for ton, Methane is 87x more potent a climate heating gas than CO2 during the initial 20 year period after release. The Obama Administration has recognized the importance and announced a plan to start cutting rampant methane pollution as much as a 45% cut over the next ten years.

The water cycle is one of the first casualties of human produced climate change. Increased moisture content in the air leading to increasingly heavy down pours during rain events and “Freak storms” are increasingly common. There has been a 71% increase in severe precipitation events in New England. These storms lead to property damage, crop destruction, and loss of life. Simultaneously, increased temperatures lead to droughts and severe fire seasons. Growing of traditional crops that we have come to rely on becomes increasingly difficult as we hit unpredictable extreme weather coupled with new patterns of insects and plant diseases as the climate changes. Ironically, Fossil fuels, including fracking, all rely heavily on water in order to be produced. A large majority of land glaciers are in dramatic retreat. Some of the world’s largest human populations depend on these glacial waters to feed rivers that they depend on for drinking water and agricultural irrigation. When there is no water, this will create refugees of very large populations. Melting glaciers also raise the sea level and cause low lying areas like New Orleans, New York City, London, and the nations of Bangladesh and Holland to see a dead end in their futures as they will be flooded.

Ocean acidification and warming also result from the greenhouse gases we have used. Ocean warming threatens to alter critical ocean circulation patterns that keep temperatures, weather and ecosystems functioning. Also the increased ocean temperature allows the huge volumes of methane trapped in frozen material in the continental shelves and in tundra to be released. Higher ocean temperatures lead to increased storm destructiveness. Acidification leads to ocean death as ecosystems collapse.

Arctic areas have experienced some of the most dramatic warming. The disappearance of sea ice from the Arctic poses threats to the lives of many keystone species such as the Polar Bear and the Walrus. Endangered populations lose their struggle to survive and we know that we have entered the sixth mass extinction on planet earth! If we reach tipping points, it is game over. If FERC says yes to projects like this one, that is exactly where we are headed. Those are scientific facts.

## **20150817-5026**

Denise Greenleaf, Merrimack, NH.

Kinder Morgan is trying to put a 30” fracked gas line through Merrimack, NH. It is going through our only water supply, underground wells. This is unacceptable. They claim this is to lower our gas and electricity rates, this is an outright lie. This dangerous gas is not for New England, it’s for export to China. It will pass through wetlands, protected forests, generations old farms, orchards, bogs, not to mention how many hard working families will lose their land or be forced to live in incineration zones.

Kinder Morgan’s pipelines are blowing up all over this country almost every week! They have a dismal safety record. Your complacency should weigh heavily in your hearts if you OK this atrocity.

Fracked gas is dangerous! It has been banned in some areas of this country, why should anyone be forced to

accept the air pollution as part of their every day life. How can people truly enjoy their homes waiting for what will inevitably happen? Any explosions will be on FERC's shoulders if you let this go through.

Kinder Morgan is just trying to line their own pockets, like they always do. I've read that FERC never goes against Kinder Morgan, no pipeline has ever been stopped by you. It's about time you join the 21st Century and forbid this outrageous farce to go on.

It's time for clean energy to take precedence over fossil fuels. DO THE RIGHT THING!!!  
SAY NO TO KINDER MORGAN !!!

#### **20150817-5027**

James R. Kowalsky, Fitzwilliam, NH.

As a citizen located within a couple of miles of this proposed pipeline I wish to express my opposition to this pipeline based on its potential environmental impact. I feel compelled to speak because I believe FERC and all other government agencies will consider not speaking as acquiesce. This project is one more insult, a raw open path, to an already fragmented and struggling ecosystem. Also, I do not believe that this project is necessary nor is it in the best interest of the region or for the common good. I do believe that it will make already wealthy people richer. Studies show that only 10% of the capacity of this pipeline is intended for regional use, none of it for local use. The majority is for export internationally that in the long run it will result in higher prices for fuel here at home.

#### **20150817-5029**

Joseph and Christine Sangermano, Dublin, NH.

August 15, 2015

Norman C. Bay, Chairman  
Federal Energy Regulatory Commission  
888 First Street NE  
Washington, DC 20426

RE: Docket No. PF14-22-000

Dear Chairman Bay

I respectfully request that the Federal Energy Regulatory Commission reject Tennessee Gas Pipeline Company's proposed Northeast Energy Direct (NED) Project. I base this request upon the following:

1. The Pipeline and compressor station are located too close to Our Lady of Hope, our religious facility. This high-pressure, high-capacity station will bring significant human safety risks to our sisters living there.
2. The pipeline and compressor station are located too close to a farm containing Newfoundland Ponies, an endangered animal. There are only 250 left on earth.
3. The pipeline and compressor station are located too close to an annual migration path of raptors. The high-pressure, high-capacity station's exhaust plumes of heated gases will bring significant safety risks to those birds.
4. The pipeline and compressor station are located too close to a school whose heating system uses outside air to heat the facility. This high-pressure, high-capacity station will bring significant human safety risks to our teachers and children attending the school.
5. The pipeline and compressor station are located too close to our water supplies, parks, and conserved land and will bring significant environmental hazards.
6. FERC has already approved another pipeline to satisfy New England's natural gas-fired electric generation needs on the coldest days. We don't appreciate the need to add more supply.
7. The particular gas that would be carried in the proposed pipeline is likely to be particularly high in toxins and radiation, and the health impact upon our families, animals and plants must be avoided.

8. The proposed pipeline route requires a new right-of-way that would cut through many miles of environmentally sensitive areas and take permanently protected land out of that protection.
9. Some “fracking” compounds and chemicals negatively impact the skin, eyes, sensory organs, the respiratory system, the gastrointestinal system, the liver, the nervous system and are candidate endocrine disrupting chemicals. Endocrine disrupting chemicals (EDCs) present unique hazards, particularly during fetal and early childhood growth and development. We do not want to be exposed to any of these chemicals.

Respectfully submitted,

Joseph and Christine Sangermano

164 Lower Jaffrey Road, Dublin, NH 03444

## **20150817-5031**

Anthony and Carole Giordano, Methuen, MA.

PLEASE NOTE THERE WAS A TYPO IN OUR ORIGNIAL eCOMMENT WHICH CHANGED THE MEANING.

THE CHANGE IS IN POINT 1.

Our names are Anthony and Carole Giordano and we live at 29 Copley Drive, Methuen, MA. We are writing because we are very concerned about the Kinder Morgan (Tennessee Pipeline, Co) Northeast Energy Direct Project.

On the Methuen Massachusetts map, we are located on the (yellow) study corridor (400 ft) and already have two (2) pipelines through our yard. A valve station is about 200 yards away on Maple Street. We believe that we have already been subject to enough stress having the two lines in our backyard.

We believe you need to study the following before allowing the project to go forward.

1. Is there a universal intent and legality of easements? One would assume the original easements were allowed for utilities to provide access to locals AND NOT for the purpose of exporting natural gas overseas. Are these easements enforceable in this situation?
2. At the Methuen meeting, the Kinder Morgan representatives stated that although they are not doing the project to enable potential exporting of gas, they are required by law to allow the gas drillers to use the pipeline to transport gas overseas, if they (drillers) so desire. What is the law and why should we and the Town of Methuen be subject to additional risk, with no benefit to us while allowing them to achieve large profits by exporting overseas?
3. Where is the demand for this additional gas? I questioned the Kinder Morgan representatives at a recent Town Meeting, and they couldn't give me an answer so I concluded verbally that it is “assumed” and they agreed. Is there a demand overseas? Certainly everyone in my town has had access to gas.
4. Please study the fact that my neighborhood (Homestead Acres) has entirely underground utilities: Comcast, Verizon, the city DPU, National Grid etc. All are constantly upgrading cables etc. and digging. They hire independent contractors who may have no experience with gas lines. One mistake and we have an “Incineration Zone,”
5. Please study home valuation effects and the possibility of the pipelines providing yearly compensation to maintain valuations. I recently suggested to Governor Ed Markey's office that homeowners involved should receive some type of substantial Federal Tax Credit for assuming this risk. It can be subsidized by charging the pipelines with a windfall profits tax for this. We are assuming risk for all potential users of natural gas and should be compensated if some way it is allowed...which we hope it isn't.
6. Please explain why Kinder Morgan said it could take 45 minutes to shut the gas off if there were an explosion and how is that acceptable?
7. Please study the fact that there has been a recent substantial drop in valuations of pipeline companies due to a decrease in drilling activity due to excess supply. Why then do we need another pipeline other than to ship overseas? Solar power is coming; appliances are much more efficient; etc.

8. Please determine what the benefit of this pipeline is to the City of Methuen? We assume the risks and additional costs for training personnel for the explosion danger. What is our benefit?
9. Finally, please determine the increased danger of explosions created by natural gas produced from fracking. The Kinder Morgan representatives had no answer as to why there are so many train (gas) explosions even though we all know that fracking gas is much more volatile. Do we want a company with its “head in the sand” and playing “mickey the dunce?” They are building these pipelines through our back yards while putting us all at risk. These are uncharted waters.
10. To build this pipeline through my yard, they must go through many, many acres of wetlands to get it done. Have you studied this?

In summary, do we want companies building these pipelines through our back yards putting us all at risk to enable the exporting of natural gas? There has to be and there is a better way because adding pipelines is not a solution....it is a problem.

Sincerely,

Anthony and Carole Giordano  
29 Copley Drive,  
Methuen, MA 01844  
978 682-8915

#### **20150817-5034**

SUSAN A DUHAMEL, NEW IPSWICH, NH.

I would like to see this project denied. It will contaminate our drinking water and air. We should not have this forced on us so that Kinder Morgan can make more money. I will continue to protest until you say no.

#### **20150817-5035**

Christine Erb, LANESBORO, MA.

Please issue a new Notice of Intent, so that affected communities can read the study undertaken by the Mass. Attorney General, regarding New England’s energy needs, and in addition, analyse Kinder-Morgan’s very recently released 6571-page Resource Report.

Please determine what chemicals will be released into the air, water and soil, during the venting or filtering processes.

Please determine what additional safety measures will be taken when the pipeline crosses our state-protected lands, both during the construction phase and afterwards.

Please study Kinder-Morgan’s plans in the event of an explosion: how they will assist local volunteer fire departments, compensate landowners, compensate for deaths and injuries, provide clean drinking water, remediate the destruction of wildlife, forests, wetlands, vernal pools, water supply, clean air, and vegetation.

Please require Kinder-Morgan to supply all environmental studies, who performed those studies, and how much they were paid, to the public.

Please identify all vernal pools, private wells, septic systems, wetlands, lakes, ponds, and streams within 500 yards of the pipeline, work area, or staging area, and the ways they will be protected.

Please address the effect the proposed pipeline will have on appraised property values within one mile of the route.

Please identify intended blasting zones, impacts on roads, and temporary construction areas.

Please identify where construction dust and periodic gas venting will flow, in the air, water, and soil.

Please identify species affected by continuous light and noise at the compressor stations.

I am opposed to this pipeline and feel it is not necessary to meet New England’s energy needs. We are being asked to pay for a pipeline for a private company’s profit through selling gas abroad, and this project risks

environmental degradation and public safety.

### 20150817-5036

James R. Kowalsky, Fitzwilliam, NH.

Fitzwilliam New Hampshire is one of several communities along the pipeline route that are being forced to host a metering station. I am sure you would have us believe that a metering station is some kind of passive device that once in place will be unnoticeable in the environment. However, a little research shows what our Texas neighbors, who are also hosting a metering station on a 30 inch pipe line are subjected to noise and emissions from the metering station every day. It cannot be that the emissions of sound, fluids and gases shown in the videos posted are legal and considered routine operation. Please review these videos and comment on what is shown. Is this what we can expect from a metering station operation? Would you accept this in your neighborhood? We will not.

Video 1: [https://www.youtube.com/watch?v=eZ\\_c\\_vkrFvk](https://www.youtube.com/watch?v=eZ_c_vkrFvk)

Video 2: <https://www.youtube.com/watch?v=SEOPVfNRf1Q>

Video 3: <https://www.youtube.com/watch?v=H3TepIgGztA>

### 20150817-5040

Jeff Lacatell, Pittsfield, MA.

I am against the proposed Massachusetts state-wide gas pipeline to pump fracked natural gas from Pennsylvania. It's a big step backwards away from cleaner sources of energy which our whole country should be investing in and transitioning to. Seemingly less expensive natural gas does not factor in the environmental costs.

I am a husband, father of two boys, teacher, hunter, biker, and general outdoor enthusiast. Please make decisions that will leave our environment better for the next generations and do what you can to stop this project.

Thank you for the opportunity to comment.

Jeff Lacatell

92 Richard Drive

Pittsfield, MA 01201

413-499-7787

### 20150817-5061

NORTHEAST DIRECT PF14-22

Stephanie Scherr

Fitzwilliam, New Hampshire

7/30/2015

Those of us OPPOSING THE KINDER MORGAN NED PIPELINE want you to HALT THE SCOPING HEARINGS and RESTART THE PROCESS giving land owners the FULL 60 days they are allowed. The thousands of "to be determined" labels in Kinder Morgan's latest report is unacceptable. Routes have been changed leaving no time for land owners to understand what is happening to them as Kinder Morgan's people swoop in on them like vultures trying to negotiate deals. These calculating moves on the part of Kinder Morgan do not go unnoticed, nor without response.

When Kinder Morgan uploaded their latest draft of the Environmental Report on Friday afternoon, leaving just days to sort through the enormous document before scoping, land owners called FERC. Their calls were met with incredibly rude, disrespectful, condescending responses. This reinforces that you support pipeline projects at any and all cost with no regard for those that will be impacted and whether they WANT or NEED your services.

The following comments were made by FERC employees **Sarah McKinley & Marcia Lurensky** at the FERC Landowner Helpline:

- Sarah told one caller, “Compressor stations are just big chemical plants. There is no pollution. I don’t know what you’re worried about. I have worked on gas pipelines for FERC for over 30 years and never heard the term blowdown. You have been sold a bill of goods. You need to get off YouTube!” Then she hung up. This was the second person at FERC to tell her blowdowns do not exist.
- Sarah told another caller, ”You and your folks can take as long as you want to process and digest this information. You do not need it for scoping. Your FERC comments sent in to us are the same as testifying at scoping. Kinder Morgan pushed your buttons and there’s no need for your buttons to be pushed.”
- A caller who spoke to Marcia stated, “Not one of my questions have been answered. She’s beating around the bush. She wouldn’t stop talking until I told her that it was my turn to talk now. She tried to tell me that there would be no tariffs on our electric bill, that the noise wouldn’t be THAT interruptive, and that any information that I may get from protest groups is biased.”
- Marcia told another caller that she talks to Kinder Morgan on the phone. They’re wonderful people. They don’t want to hurt anyone. She said that she’d be at working until 7:00 tonight “donating her time to FERC” talking to people to make them feel better. She was told she should not be so upset.

Believe me, this kind of response doesn’t make anyone feel better.

The FERC game is rigged to promote old, outdated, filthy energy technology. Seal the leaks in existing pipelines and send Kinder Morgan back to Texas! We value clean air, clean water, wildlife, scenic vistas, outdoor recreation, state parks, conservation lands, historic homes and small town culture. The injustice of shoving this pipeline through rural communities does not sit well with us. **RURAL LIVES MATTER!**

We have clean energy solutions already in use, exploding in popularity. The energy field labor force already possesses the skills to transition to safer, healthier, clean energy jobs with bright futures. I call upon Governor Hassan and all of our state representatives to have the vision to boldly move New Hampshire forward, promoting choices that will proudly put New Hampshire in the lead.

#### **20150817-5064**

NORTHEAST DIRECT PF14-22

Stephanie Scherr

Fitzwilliam, New Hampshire

8/12/15

I live in Fitzwilliam, New Hampshire and work closely with the towns of Troy, Richmond and Winchester’s residents, Selectmen, Planning Boards, environmental organizations and elected officials.

Those of us **OPPOSING THE KINDER MORGAN NED PIPELINE** want you to **HALT THE SCOPING HEARINGS** and **RESTART THE PROCESS** giving land owners the **FULL 60 days** they are allowed.

Just a few weeks ago, Kinder Morgan added an alternate route in Winchester, New Hampshire. Their people descended upon the rural town like vultures to survey land and negotiate deals with uninformed land owners. When property owners ask them to leave or call the police, they return to harass land owners another day. Between both routes, there are 97 affected and abutting land owners, not including the incineration zone.

Hugh McGovern, who is here tonight, is a Massachusetts resident with 335 acres of farm land in Pleasant Valley, in Winchester, New Hampshire. Regardless of which route is chosen, Mr. McGovern’s property is impacted, and the pipeline will blast through Pulpit Falls conservation land and the large town aquifer that serves Winchester and other towns.

This past Friday, August 7th, the route changed again, this time in Richmond, New Hampshire. Without notification to the town, Kinder Morgan showed up on the front porch of homeowners at dinner time to let

them know that the pipeline route now goes through their homes. In one case, a resident was told that the pipeline route would go past the front of their home and through their driveway and they would no longer have access to their home. This new route suddenly diverted off the property of a large company in town, and understandably, residents suspect an underhanded deal.

Just days ago, Kinder Morgan announced more Open Houses. We played the Kinder Morgan switch & bait game last winter. Kinder Morgan chooses small local venues, distributes information that is not just limited, but is deceptive. They display photos of compressor stations that are buildings the size of a backyard shed while the actual proposed compressor stations are the largest on the East Coast. They offer maps that are dark and lack detail and some venues are intentionally dark. At Hidden Hills in Rindge, KINDER MORGAN'S BLUE MAN GROUP had to use FLASH LIGHTS to show maps to residents attending the open house. It was quite a show.

We are unimpressed by FERC and Kinder Morgan stating that the pipeline has been DOWNSIZED to 30" when they stated 30-36" inch pipe from the beginning. Their M.O. is to threaten large, and decrease the size to let land owners think their concerns have been considered and appeased, and then increase or add pipeline and compressor stations once their pipeline has been approved.

The FERC game is rigged to promote old, outdated, filthy energy technology, promoted by sleazy deals from slimy fossil fuel executives.

I have dedicated my life to environmental education and promoting clean energy alternatives. I want them to experience the sense of awe that comes from appreciating the grandeur of nature. Our youth are hungry for a hopeful world. You are incapable of giving it to them. They look at what you can offer, and the world of renewables, and the answer is clear to them. They eagerly await the day when you go out of business. I will do my best to educate them so that if we aren't able to do it, THEY WILL.

Seal the leaks in existing pipelines, send Kinder Morgan back to Texas, and count your days in a dying industry. RURAL LIVES MATTER.

#### **20150817-5080**

Charles J. Waggoner, Nassau, NY.

I ask FERC — and our federal representatives — to explain to the people of New York, Massachusetts and New Hampshire what federal laws or regulations allow it to facilitate the poisoning of American citizens by letting an utterly corrupt and incompetent corporation like Kinder Morgan shove toxic compression stations, which will sicken our children, down our throats solely for the profit of the corporation.

#### **20150817-5162**

Julia V. Stockwell, Townsend, MA.

FERC Commissioners,

I am sorry I was not able to attend the hearing on August 12th in Lunenburg. I am a 70 year old single woman trying to survive without any financial support from the state or the Federal governments. Of course my income is fixed since I am retired, social security, which I support while working and savings, and I manage by funds and life style according to what I can afford. I do have several acres of land, two parcels of Chapter 61 lands already have an easement by Unitil for power lines. All of the property I own as a caretaker are predominately wetlands and two parcels are classified as Chapter 61. The parcels are either landlocked or not marketable properties. The only way I can manage to retain the properties is through Chapter 61 and recreation classification due increasing yearly taxes. Believe me I would rather not manage this land as it consumes much of my time. It does provide clean oxygen and a habitat for wildlife. I am explaining this to give you an idea of what I accomplish without state or federal aid. I burn wood and supplement it with oil. I would love to convert to solar energy and I may in the future with the new technology and if costs become more reasonable. This is where we should be putting our energy towards developing. It is safe and will take us into the future as long as the sun continues to exist.

I guess caring for the environment comes with age. As Americans we relied too much on oil and now it seems we are heading towards that same path with natural gas regardless of the effects it has on our environment and the people. I am 70 so I do not expect to ever see, at least I hope, the repercussions from transporting gas and its added chemicals across our land, providing damage to our pristine water systems, air, wildlife and fire safety. We do not need to experience forest fires like the west coast. Additionally, We need to take a lesson from Nova Scotia in predicting their gas field would last for twenty years and it ran out in five. It is exactly what they are predicting the Pennsylvania shale fields will supply. Most of the land the pipeline will be built on is wetlands, conservation land, forests and in people's back yards. There is already an existing pipeline in the southern part of Massachusetts that actually extends into Fitchburg. If it is not large enough to transport the volume of gas they say they need, then they need to think about enlarging that line rather than building another separate line impacting more of our environmental resources, From the hearings I have attended I have not received a clear answer from Kinder-Morgan - the catch phrase is the area is too densely populated from the time the pipeline was built in the 1950s. The real problem is the money since the existing pipeline is old and most likely more expensive to rebuild. Besides they already have existing easements and would not have to take anymore land by eminent domain. The other area they have not addressed is once the gas no longer exists, then how do they propose to eliminate the existing vacated pipelines and restore the areas to their original condition, or will it be like the railroad tracks that are left abandoned across our state.

Kinder-Morgan and or the Tennessee Gas Pipeline has diverted their plan for the pipeline to encompass more of New Hampshire than Massachusetts, but as I see the lateral is proposed to go through my land. I can tell you that is probably the result of the impact our local towns people had on making their voices heard loud and clear that we will fight this invasion to the end. The Revolution began in Massachusetts in 1775 to make our country, we still have that same spirit to defend it against unjust invasion of a dangerous element to our lives. I am whole heartedly against this pipeline, it is not needed and it is to dangerous. Our energies need to be put towards renewable energy resources like solar and wind power that does not damage our environment and our lives.

Respectfully,

Julia Stockwell  
203 Lunenburg Road  
Townsend, Massachusetts 01474-1131  
jvstockwell@yahoo.com  
978-582-6920

#### **20150817-5202**

Steven Truss, Nassau, NY.

The NED project is being sold to the American people under the guise of public convenience and necessity. We are being told that New England has a greater demand for natural gas than the current infrastructure is capable of supplying. Yet, since the EICC meetings started the pipe diameter has been reduced from 36" to 30", and laterals branching off in Mass. have been eliminated. Now we are being told that Kinder Morgan has submitted over 6300 pages worth of changes to the project. I am now, more than ever, convinced that Kinder Morgan's motivation to build this pipeline is to sell natural gas to foreign buyers. FERC's policy on public convenience and necessity should pertain ONLY to the American public. Not foreign buyers, and not Kinder Morgan.

#### **20150817-5231**

August 17, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission

888 First Street, N.E.  
Washington, DC 20426

Re: Tennessee Gas Pipeline Company, L.L.C., Docket No. PF14-22-000  
Northeast Energy Direct Project  
Monthly Status Report -- July 2015

Dear Ms. Bose:

Tennessee Gas Pipeline Company, L.L.C. (“Tennessee”) is filing with the Federal Energy Regulatory Commission (“Commission”) in Docket No. PF14-22-000 its monthly pre-filing status report for the above-referenced project. The enclosed status report covers the period July 1 through July 31, 2015.

In accordance with the Commission’s filing requirements, Tennessee is submitting this filing with the Commission’s Secretary through the eFiling system. Tennessee is also providing complete copies of this filing to the Office of Energy Projects (“OEP”). Any questions concerning the enclosed filing should be addressed to Ms. Jacquelyne Rocan at (713) 420-4544 or to Ms. Shannon Miller at (713) 420-4038.

Respectfully submitted,  
TENNESSEE GAS PIPELINE COMPANY, L.L.C.  
By: /s/ J. Curtis Moffatt  
J. Curtis Moffatt  
Deputy General Counsel and Vice President  
Gas Group Legal

Enclosure

cc: Mr. Michael McGehee  
Mr. Rich McGuire  
Mr. Eric Tomasi

-----  
**Tennessee Gas Pipeline Company, L.L.C. (“Tennessee”)**  
Northeast Energy Direct (“NED”) Project, Docket No. PF14-22-000  
Pre-Filing Monthly Activity Report  
(Reporting Period: July 1, 2015 through July 31, 2015)

### **Public Outreach**

Tennessee provided the following NED Project notifications:

- On July 1, 2015, Tennessee provided applicable elected officials with the Commission’s public scoping meeting schedule.
- On July 16, 2015, Tennessee provided applicable elected officials and stakeholders with the Tennessee press release announcing that it is proceeding with the Market Path Component of the Project.
- On July 24, 2015, Tennessee provided applicable elected officials with the second draft of the Environmental Report (Resource Reports 1 through 13).
- On July 31, 2015, Tennessee provided applicable elected officials and stakeholders with a link to the new Project website.

### **Environmental**

- Tennessee filed the second draft of the Environmental Report (Resource Reports 1 through 13) with the Commission on July 24, 2015.
- Tennessee continued to work on revising Resource Reports 1 through 13 for the final Environmental Report, to be included with the certificate application filing, scheduled for October 2015.
- Tennessee continued field surveys during the reporting period, including cultural, environmental, and

threatened and endangered species surveys. Threatened and endangered species surveys conducted during the reporting period include bat acoustic surveys across the Project area; bog turtle surveys in Rensselaer County, New York; and plant surveys in Pennsylvania, New York, New Hampshire, and Connecticut. Tennessee continues to prepare for additional threatened and endangered species surveys throughout the Project area once survey protocols are finalized.

As of July 31, 2015, biological surveys have taken place over approximately 86.32 miles, or 52 percent, of the NED Project Supply Path component route, and approximately 64.36 miles, or 26 percent, of the NED Project Market Path component route. In addition, cultural resource surveys have taken place over approximately 94.23 miles, or 57 percent, of the NED Project Supply Path component route, and approximately 36.73 miles, or 15 percent, of the NED Project Market Path component route. Table 1 below summarizes the completion status of environmental and cultural surveys.

**Table 1: Civil, Biological, and Cultural Surveys Performed**

Segment	Survey Area* (miles)	Survey Completed (miles)		
		Civil**	Environmental	Cultural
NED Project (Supply Path)	171	C: 95.3 D: 86.4	86.32	94.23
NED Project (Market Path)	248	C: 56.6 D: 46.3	64.36	36.73
% Complete		C: 36% D: 32%	36%	31%

\*The total survey area in Table 1 does not correlate precisely to proposed total length of pipeline for the NED Project. This number represents the survey area for the proposed pipeline and for evaluation of route alternatives.

\*\* “C” represents center line staking. “D” represents completed civil detail survey.

### Project Meetings

Tennessee met with the New York Department of Environmental Conservation (“NYSDEC”) on July 14, 2015.

Tennessee attended a tribal meeting with Commission staff, Tennessee representatives, and tribal representatives held in Oneonta, New York on July 16, 2015.

Tennessee met with the New York State Parks Recreation & Historic Preservation on July 27, 2015.

Tennessee met with the Massachusetts Natural Heritage & Endangered Species Program on July 28, 2015.

Tennessee met with the New York State Department of Agriculture & Markets on July 28, 2015.

Tennessee met with the New York Department of Transportation on July 28, 2015.

Tennessee met with the Massachusetts Environmental Policy Act Unit on July 29, 2015.

Tennessee met with the NYSDEC on July 29, 2015.

Tennessee met with the New Hampshire Department of Environmental Services Wetlands Bureau on July 29, 2015.

The Commission conducted the following scoping meetings during the reporting period:

- Towanda, Pennsylvania -- July 14, 2015
- Castleton-on-Hudson -- July 14, 2015
- Great Bend, Pennsylvania -- July 15, 2015
- Castleton-on-Hudson -- July 15, 2015

- Oneonta, New York -- July 16, 2015
- Schoharie, New York -- July 16, 2015
- Pittsfield, Massachusetts -- July 28, 2015
- Nashua, New Hampshire -- July 29, 2015
- Greenfield, Massachusetts -- July 29, 2015
- Milford, New Hampshire -- July 30, 2015
- New Britain, Connecticut -- July 30, 2015

### **Right-of-Way**

Tennessee has obtained survey permission for approximately 39% of the NED Project Market Path component area, and approximately 55% of the NED Project Supply Path component area.

Title work is approximately 95% completed for the NED Project Market Path component area and approximately 97% completed for the NED Supply Path component area.

Tennessee has received 225 calls as of the date of this report on the toll-free phone number established for the Project.

Tennessee is continuing with survey permission requests in order to conduct bat surveys and access road surveys throughout the Project area.

Tennessee mailed out its Landowner Newsletter at the end of the reporting period.

### **Engineering**

Tennessee continues to evaluate the proposed route for the Project. Deviations to the proposed route are being reviewed to accommodate construction constraints, and requests from landowners, towns, and applicable regulatory agencies. Some examples include requests for routing deviations submitted by Amherst, New Hampshire and the NYSDEC. Tennessee will continue these evaluations based on information provided during the upcoming scoping meetings.

Tennessee continues to evaluate the proposed major river crossings, including potential Horizontal Directional Drill (“HDD”) locations. Tennessee is conducting environmental surveys where access is available at these potential locations, and will seek appropriate permits, as needed, for geotechnical investigations.

Tennessee contracted for aerial photography of the proposed primary route for the Project and for several alternative routes discussed in the draft Resource Report 10 submitted on March 13, 2015. The primary route was flown to a one-mile corridor and the imagery continues to be processed. LiDAR information as well as high resolution photography has been acquired and is currently being processed, and will be included with the certificate application filing targeted for October 2015. It is anticipated that additional areas where re-routes have occurred, as identified in the July 24, 2015 second draft Environmental Report, will be flown in the fall after the leaves are off the trees.

Tennessee provided preliminary layouts for some of the proposed compressor stations as part of the July 24, 2015 second draft Environmental Report. Surveys of these locations were conducted at most of the proposed sites during the reporting period.

Tennessee field engineers continue to identify available access roads, pipe/construction yards, and other areas proposed for use during construction.

Survey activities identifying and staking the centerline along all routes on accessible land continued during the reporting period. Work being performed includes staking and detail survey along the pipeline route and surveys of supporting sites such as contractor yards and compressor stations. The Project is nearing its total available areas of survey access.

Tennessee continued discussions with the electric utility companies regarding the co-location of proposed Project facilities with existing utility corridors. Eversource provided Tennessee with property

information of their facilities. This information is being utilized to layout the proposed alignment in relation to their easement. When access is granted, Tennessee will then follow up with field survey to finalize the property base.

Tennessee has conducted an initial analysis based on public imagery to review class locations to allow for siting of mainline valves. Mainline valve sites continue to be field-reviewed. Locations will be re-evaluated following the final imagery and class determination.

Structures along the proposed pipeline alignment were located during the aerial flights. This information is being evaluated for final class location determination. Field teams are reviewing the structures where access is available to determine their use.

Preliminary construction spreads have been determined. A hydrostatic test plan is being developed, including depicting potential water supplies and discharge locations.

Residential figures were provided based on public information for residences within 50 feet of the proposed workspace with the July draft Environmental Report. These drawings are being updated for the next filing utilizing the flown imagery for structure locations.

Reviewed the trenchless crossing table with the NYSDEC and discussed a path forward for the Highway I-88 hybrid route. Tennessee agreed to review the I-88 route and provide a follow up report on its conclusions directly to the NYSDEC within the FERC comment period. The next filing of Resource Report 10 will contain a summary of the report findings.

**20150818-0007**

**THE FEDERAL ENERGY REGULATORY COMMISSION**

August 17, 2015

Ms. Chetkowski  
Villi Poni Farm  
Newfoundland Pony Sanctuary  
P.O. Box 371  
New Ipswich, NH 03071

Re: Northeast Energy Direct  
Docket Number PF14-22-000

Dear Ms. Chetkowski:

The White House forwarded correspondence from you regarding the Northeast Energy Direct Project (Docket No. PF14-22-000), whose pre-filing for a natural gas pipeline is currently before the Federal Energy Regulatory Commission.

We acknowledged that you have already filed several comments using the Docket Number listed above and awaiting actions to take place. We would recommend that you consider refile those comments once the company submits the formal application to us and we assign a new docket number to this proceeding. This ensures that your concerns are properly documented and analyzed by FERC's staff through drafting of the Environmental Impact Statement (EIS).

If you would like to be added to the environmental mailing list that allows us to mail a copy of the environmental report directly to you, please reply to [customer@ferc.gov](mailto:customer@ferc.gov). Also, please be assured that I have entered this correspondence into the official record for this proceeding on your behalf.

Sincerely,

Jerry Chiang  
Office of External Affairs

888 First Street NE, Washington, DC 20426

20150818-0008

**FEDERAL ENERGY REGULATORY COMMISSION**

WASHINGTON, DC 20426

August 17, 2015

OFFICE OF THE CHAIRMAN

Nancy Carney, Chairman  
Fitzwilliam Board of Selectmen  
P.O. Box 725  
13 Templeton Turnpike  
Fitzwilliam, NH 03447

Dear Chairman Carney:

Thank you for your June 18, 2015, letter regarding Tennessee Gas' proposed Northeast Energy Direct project (Docket No. pF14-22-0001 and requesting that Commission staff hold a public scoping meeting in Fitzwilliam, New Hampshire.

On June 30, 2015, Commission staff issued the Notice of Intent to Prepare an Environmental Impact Statement for the Planned Northeast Energy Direct Project, Request for Comments on Environmental Issues, and Notice of Public Scoping Meetings, which initiated the formal public scoping period and indicated the locations, dates, and times for the public scoping meetings. The meeting locations were selected to be convenient for the greatest number of people who might be interested in the project.

Commission staff does not plan to hold a scoping meeting immediately in Fitzwilliam. However, as mentioned in the Notice of Intent, Commission staff are planning a scoping meeting in Cheshire County, New Hampshire, which should be convenient for residents of Fitzwilliam. The date and location for that meeting will be announced with a future notice, once the details are finalized.

While scoping meetings are a valuable tool for us to receive comments from the public, they are only one of several ways for interested parties to bring their concerns to the attention of the Commission. Stakeholders may also file written comments with the Commission. Those comments will receive the same attention and scrutiny as comments received at the public meetings.

As in any Commission matter, please be assured that we strive to make our review of energy proposals both accessible and transparent to the public. If I can be of further assistance in this or any other Commission matter, I hope you will not hesitate to let me know.

Sincerely,

Norman C. Bay  
Chairman

20150818-0009

**FEDERAL ENERGY REGULATORY COMMISSION**

WASHINGTON, DC 20426

August 17, 2015

OFFICE OF THE CHAIRMAN

The Honorable Chris Gibson  
U.S. House of Representatives  
Washington, DC 20515

Dear Congressman Gibson:

Thank you for your June 29, 2015, letter regarding Tennessee Gas' proposed Northeast Energy Direct project (Docket No. pF 14-22-000).

This planned project is still early in the Commission's environmental review process. Tennessee Gas filed its pre-filing request letter on September 15, 2014, and the Director of the Office of Energy projects approved Tennessee Gas's request to enter into the pre-filing process. The Commission's pre-filing process allows staff to actively participate with landowners, interested parties, other federal and state agencies, elected officials, and the applicant in order to identify environmental or other issues, and discuss potential solutions and route modifications before an application is filed. By engaging the public early in the process, we believe that we can conduct a comprehensive and meaningful review of the project as part of our obligations under the National Environmental Policy Act.

On June 30, 2015, Commission staff issued the Notice of Intent to Prepare an Environmental Impact Statement for the Planned Northeast Energy Direct Project, Request for Comments on Environmental Issues, and Notice of Public Scoping Meetings, which initiated the formal public scoping period and indicated the locations, dates, and times for the public scoping meetings.

I assure you Commission staffs review will fully examine the issues listed in your letter. Once complete, the environmental impact statement (EIS) to be prepared for this planned project will include a review of the design and construction requirements established by the United States Department of Transportation pipeline safety regulations, as well as a socioeconomic analysis addressing any impacts to property values and community financial effects. During the EIS development process, the public will have numerous opportunities to comment on the project and the adequacy of the EIS.

As in any Commission matter, please be assured that we strive to make our review of energy proposals both accessible and transparent to the public. If I can be of further assistance in this or any other Commission matter, I hope you will not hesitate to let me know.

Sincerely,

Norman C. Bay  
Chairman

**20150818-0010**

**FEDERAL ENERGY REGULATORY COMMISSION**  
WASHINGTON, DC 20426

August 17, 2015

OFFICE OF THE CHAIRMAN

Dawn Magi  
Selectboard Chair  
Town of Warwick  
12 Athol Road  
Warwick, MA 01378

Dear Chair Magi:

Thank you for your June 17, 2015 letter regarding Tennessee Gas's proposed Northeast Energy Direct Project (Docket No. PF14-22-000) and requesting that Commission staff hold a public scoping meeting in the Town of Warwick.

On June 30, 2015, Commission staff issued the Notice of Intent to Prepare an Environmental Impact Statement for the Planned Northeast Energy Direct Project, Request for Comments on Environmental Issues, and Notice of Public Scoping Meetings, which initiated the formal public scoping period and indicated the locations, dates, and times for the public scoping meetings. The meeting locations were selected to be convenient for the greatest number of people who might be interested in the project. While Commission staff does not plan to hold a scoping meeting in the Town of Warwick, we have held and will hold scoping meetings within a 30-40 minute drive. On Wednesday July 29, a public scoping meeting was held in Greenfield, Massachusetts. Commission staff is also currently arranging a meeting in Cheshire County, New Hampshire

which may be more convenient for the citizens of the Town of Warwick. The date and location for that meeting will be announced with a future notice once the details are finalized.

While scoping meetings are a valuable tool for us to receive comments from the public, they are only one of several ways for interested parties to bring their concerns to the attention of the Commission. Stakeholders may also file written comments with the Commission. Those comments will receive the same attention and scrutiny as comments received at the public meetings.

As in any Commission matter, please be assured that we strive to make our review of energy proposals both accessible and transparent to the public. If I can be of further assistance in this or any other Commission matter, I hope you will not hesitate to let me know.

Sincerely,

Norman C. Bay  
Chairman

**20150818-0011**

**FEDERAL ENERGY REGULATORY COMMISSION**  
WASHINGTON, DC 20426

August 17, 2015

OFFICE OF THE CHAIRMAN

Ken Caisse, Selectman  
Office of the Selectmen, Town of Temple  
P.O. Box 191  
Temple, NH 03084

Dear Selectman Caisse:

Thank you for your June 16, 2015, letter regarding Tennessee Gas' proposed Northeast Energy Direct Project (Docket No. PF14-22-000) and requesting that Commission staff hold a public scoping meeting in the Town of Temple.

On June 30, 2015, Commission staff issued the Notice of Intent to Prepare an Environmental Impact Statement for the Planned Northeast Energy Direct Project, Request for Comments on Environmental Issues, and Notice of Public Scoping Meetings, which initiated the formal public scoping period and indicated the locations, dates, and times for the public scoping meetings. The meeting locations were selected to be convenient for the greatest number of people who might be interested in the project. While Commission staff does not plan to hold a scoping meeting in the Town of Temple, scoping meetings were held or will be held within a short distance of your town. On Thursday July 30, a public scoping meeting was held at the Milford Town Hall in Milford, New Hampshire. Another meeting was held in Lunenburg, Massachusetts on Wednesday, August 12.

While scoping meetings are a valuable tool for us to receive comments from the public, they are only one of several ways for interested parties to bring their concerns to the attention of the Commission. Stakeholders may also file written comments with the Commission. Those comments will receive the same attention and scrutiny as comments received at the public meetings.

As in any Commission matter, please be assured that we strive to make our review of energy proposals both accessible and transparent to the public. If I can be of further assistance in this or any other Commission matter, I hope you will not hesitate to let me know.

Sincerely,

Norman C. Bay  
Chairman

20150818-0012

**FEDERAL ENERGY REGULATORY COMMISSION**  
WASHINGTON, DC 20426

August 17, 2015

OFFICE OF THE CHAIRMAN

Gail Cromwell, Chairman  
Office of the Selectmen, Town of Temple  
P.O. Box 191  
Temple, NH 03084

Dear Chairman Cromwell:

Thank you for your June 16, 2015, letter regarding Tennessee Gas' proposed Northeast Energy Direct Project (Docket No. PF14-22-000) and requesting that Commission staff hold a public scoping meeting in the town of Temple.

On June 30, 2015, Commission staff issued the Notice of Intent to Prepare an Environmental Impact Statement for the Planned Northeast Energy Direct Project, Request for Comments on Environmental Issues, and Notice of Public Scoping Meetings, which initiated the formal public scoping period and indicated the locations, dates, and times for the public scoping meetings. The meeting locations were selected to be convenient for the greatest number of people who might be interested in the project. While Commission staff does not plan to hold a scoping meeting in the Town of Temple, scoping meetings were held or will be held within a short distance of your town. On Thursday July 30, a public scoping meeting was held at the Milford Town Hall in Milford, New Hampshire. Another meeting was held in Lunenburg, Massachusetts on Wednesday, August 12.

While scoping meetings are a valuable tool for us to receive comments from the public, they are only one of several ways for interested parties to bring their concerns to the attention of the Commission. Stakeholders may also file written comments with the Commission. Those comments will receive the same attention and scrutiny as comments received at the public meetings.

As in any Commission matter, please be assured that we strive to make our review of energy proposals both accessible and transparent to the public. If I can be of further assistance in this or any other Commission matter, I hope you will not hesitate to let me know.

Sincerely,

Norman C. Bay  
Chairman

20150818-0013

**FEDERAL ENERGY REGULATORY COMMISSION**  
WASHINGTON, DC 20426

August 17, 2015

OFFICE OF THE CHAIRMAN

George Willard, Selectman  
Office of the Selectmen, Town of Temple  
P.O. Box 191  
Temple, NH 03084

Dear Selectman Willard:

Thank you for your June 16, 2015, letter regarding Tennessee Gas' proposed Northeast Energy Direct Project (Docket No. PF14-22-000) and requesting that Commission staff hold a public scoping meeting in the Town of Temple.

On June 30, 2015, Commission staff issued the Notice of Intent to Prepare an Environmental Impact Statement for the Planned Northeast Energy Direct Project, Request for Comments on Environmental Issues, and Notice of Public Scoping Meetings, which initiated the formal public scoping period and indicated the locations, dates, and times for the public scoping meetings. The meeting locations were selected to be convenient for the greatest number of people who might be interested in the project. While Commission staff does not plan to hold a scoping meeting in the Town of Temple, scoping meetings were held or will be held within a short distance of your town. On Thursday July 30, a public scoping meeting was held at the Milford Town Hall in Milford, New Hampshire. Another meeting was held in Lunenburg, Massachusetts on Wednesday, August 12.

While scoping meetings are a valuable tool for us to receive comments from the public, they are only one of several ways for interested parties to bring their concerns to the attention of the Commission. Stakeholders may also file written comments with the Commission. Those comments will receive the same attention and scrutiny as comments received at the public meetings.

As in any Commission matter, please be assured that we strive to make our review of energy proposals both accessible and transparent to the public. If I can be of further assistance in this or any other Commission matter, I hope you will not hesitate to let me know.

Sincerely,

Norman C. Bay  
Chairman

**20150818-0014**

**FEDERAL ENERGY REGULATORY COMMISSION**

WASHINGTON, DC 20426

August 17, 2015

OFFICE OF THE CHAIRMAN

Edward A. Bettencourt, Jr.  
Mayor, City of Peabody  
24 Lowell Street  
Peabody, MA 01960

Dear Mayor Bettencourt:

Thank you for your June 12, 2015 letter regarding Tennessee Gas' proposed Northeast Energy Direct Project (Docket No. ER14-22-KM-TGP-NED) Your letter indicated your concern for public safety and potential environmental impacts from the planned project.

This planned project is still early in the Commission's environmental review process. Tennessee Gas filed its pre-filing request letter on September 15, 2014 and the Director of the Office of Energy Projects approved Tennessee Gas' request to enter into the pre-filing process. The Commission's pre-filing process allows staff to actively participate with landowners, interested parties, other federal and state agencies, elected officials, and the applicant in order to identify environmental or other issues, and discuss potential solutions and route modifications before an application is filed. By engaging the public early in the process, we believe that we can conduct a comprehensive and meaningful review of the project as part of our obligations under the National Environmental Policy Act.

I assure you that the Commission's staff will fully examine the issues you raise. Once complete, the environmental impact statement (EIS) to be prepared for this planned project will include a review of the design and construction requirements established by the United States Department of Transportation pipeline safety regulations, carefully consider all potential impacts on environmental resources, and include a socioeconomic analysis. During the EIS development process, the public will have numerous opportunities to comment on the project and the adequacy of the EIS.

As in any Commission matter, please be assured that we strive to make our review of energy proposals both accessible and transparent to the public. If I can be of further assistance in this or any other Commission matter, I hope you will not hesitate to let me know.

Sincerely,

Norman C. Bay  
Chairman

**20150818-0015**

**FEDERAL ENERGY REGULATORY COMMISSION**  
WASHINGTON, DC 20426

August 17, 2015

OFFICE OF THE CHAIRMAN

William T. Matson  
Town of Troy  
16 Central Square  
PO Box 249  
Troy, NH 03465

Dear Mr. Matson:

Thank you for your June 22, 2015 letter regarding Tennessee Gas'roposed Northeast Energy Direct Project (Docket No. PF14-22-000) and for requesting that Commission staff hol a public scoping meeting in the Town of Troy, New Hampshire.

On June 30, 2015, Commission staff issued the Notice ofIntent to Prepare an Environmental Impact State-ment for the Planned Northeast Energy Direct Project, Request for Comments on Environmental Issues, and Notice ofPublic Scoping Meetings, which initiated the formal public scoping period and indicated the locations, dates, and times for the public scoping meetings. The meeting locations were selected to be convenient for the greatest number of people who might be interested in the project. Commission staff does not plan to hold a scoping meeting in the Town ofTroy.

As mentioned in the Notice of Intent, Commission staff are planning a scoping meeting near Winchester, New Hampshire, which is less than 20 miles from Troy. The date and location for that meeting will be announced with a future notice, once the details are finalized.

While scoping meetings are a valuable tool for us to receive comments from the public, they are only one of several ways for interested parties to bring their concerns to the attention ofthe Commission. Stakeholders may also file written comments with the Commission. Those comments will receive the same attention and scrutiny as comments received at the public meetings.

As in any Commission matter, please be assured that we strive to make our review of energy proposals both accessible and transparent to the public. IfI can be of further assistance in this or any other Commission matter, I hope you will not hesitate to let me know.

Sincerely,

Norman C. Bay  
Chairman

**20150818-0016**

**FEDERAL ENERGY REGULATORY COMMISSION**  
WASHINGTON, DC 20426

August 17, 2015

OFFICE OF THE CHAIRMAN

Howard M. Sheets, Jr., Chairman  
Town of Troy  
16 Central Square  
PO Box 249  
Troy, NH 03465

Dear Chairman Sheats:

Thank you for your June 22, 2015 letter regarding Tennessee Gas'roposed Northeast Energy Direct Project (Docket No. PF14-22-000) and for requesting that Commission staff hol a public scoping meeting in the Town ofTroy, New Hampshire.

On June 30, 2015, Commission staff issued the Notice ofIntent to Prepare an Environmental Impact State-ment for the Planned Northeast Energy Direct Project, Request for Comments on Environmental Issues, and Notice ofPublic Scoping Meetings, which initiated the formal public scoping period and indicated the loca-tions, dates, and times for the public scoping meetings. The meeting locations were selected to be conve-nient for the greatest number ofpeople who might be interested in the project.

Commission staff does not plan to hold a scoping meeting in the Town of Troy. As mentioned in the Notice of Intent, Commission staff are planning a scoping meeting near Winchester, New Hampshire, which is less than 20 miles from Troy. The date and location for that meeting will be announced with a future notice, once the details are finalized.

While scoping meetings are a valuable tool for us to receive comments &om the public, they are only one of several ways for interested parties to bring their concerns to the attention ofthe Commission. Stakeholders may also file written comments with the Commission. 'Those comments will receive the same attention and scrutiny as comments received at the public meetings.

As in any Commission matter, please be assured that we strive to make our review ofenergy proposals both accessible and transparent to the public. IfI can be of further assistance in this or any other Commission mat-ter, I hope you will not hesitate to let me know.

Sincerely,

Norman C. Bay  
Chairman

**20150818-0017**

**FEDERAL ENERGY REGULATORY COMMISSION**

WASHINGTON, DC 20426

August 17, 2015

OFFICE OF THE CHAIRMAN

Gideon L. Nadeau, Sr.  
Town of Troy  
16 Central Square  
PO Box 249  
Troy, NH 03465

Dear Mr. Nadeau:

Thank you for your June 22, 2015 letter regarding Tennessee Gas'roposed Northeast Energy Direct Project (Docket No. PF14-22-000) and for requesting that Commission staff hold a public scoping meeting in the Town of Tmy, New Hampshire.

On June 30, 2015, Commission staff issued the IticeofIntent to Prepare an Environmental Impact Statement for the Planned 1rtheast Energy Direct Project, Request for Comments on Environmental Issues, and Notice ofPublic Scoping Meetings, which initiated the formal public scoping period and indicated the locations,

dates, and times for the public scoping meetings. The meeting locations were selected to be convenient for the greatest number of people who might be interested in the project.

Commission staff does not plan to hold a scoping meeting in the Town of Tmy. As mentioned in the Notice of Intent, Commission staff are planning a scoping meeting near Winchester, New Hampshire, which is less than 20 miles from Troy. The date and location for that meeting will be announced with a future notice, once the details are finalized.

While scoping meetings are a valuable tool for us to receive comments from the public, they are only one of several ways for interested parties to bring their concerns to the attention of the Commission. Stakeholders may also file written comments with the Commission. Those comments will receive the same attention and scrutiny as comments received at the public meetings.

As in any Commission matter, please be assured that we strive to make our review of energy proposals both accessible and transparent to the public. If I can be of further assistance in this or any other Commission matter, I hope you will not hesitate to let me know.

Sincerely,

Norman C. Bay  
Chairman

**20150818-0018**

**FEDERAL ENERGY REGULATORY COMMISSION**  
WASHINGTON, DC 20426

August 17, 2015

OFFICE OF THE CHAIRMAN

Mary T. O'Donoghue, Chair  
Andover Board of Selectmen  
Town Offices  
36 Bartlet Street  
Andover, MA 01810

Thank you for your June 12, 2015 letter regarding Tennessee Gas Pipeline Company, L.L.C.'s planned Northeast Energy Direct Project (Docket No. PF14-22-000).

The Commission approved Tennessee Gas's request to enter into the pre-filing process for the planned project on October 2, 2014. The Commission's pre-filing process allows staff to actively participate with landowners, interested parties, other federal and state agencies, elected officials, and the applicant in order to identify environmental issues and discuss potential solutions and route modifications before an application is filed. Commission staff attended Tennessee Gas's open House Meetings at which residents had the opportunity to learn more about the project and the FERC environmental review process. By engaging the public early in the process, we believe that we can conduct a comprehensive and meaningful review of the project as part of our obligation under the National Environmental Policy Act.

Your letter contained a gas pipeline resolution on behalf of the citizens of Andover, Massachusetts. The town of Andover's resolution will be entered into the record, and the issues raised will be examined in staff's environmental impact statement.

On June 30, 2015, Commission staff issued the Notice of Intent to Prepare an Environmental Impact Statement for the Planned Northeast Energy Direct Project, Request for Comments on Environmental Issues, and Notice of Public Scoping Meetings, which initiated the formal public scoping period and indicated the locations, dates, and times for the public scoping meetings. A public scoping meeting will be held at Dracut Senior High School in Dracut, Massachusetts on Tuesday, August 11. Stakeholders may also file written comments with the Commission. Those comments will receive the same attention and scrutiny as comments received at the public meetings.

As in any Commission matter, please be assured that we strive to make our review of energy proposals both accessible and transparent to the public. If I can be of further assistance in this or any other Commission matter, I hope you will not hesitate to let me know.

Sincerely,

Norman C. Bay  
Chairman

**20150818-0019**

**FEDERAL ENERGY REGULATORY COMMISSION**  
WASHINGTON, DC 20426

August 17, 2015

OFFICE OF THE CHAIRMAN

Alexander J. Vispoli, Vice Chair  
Andover Board of Selectmen  
Town Offices  
36 Bartlet Street  
Andover, MA 01810

Thank you for your June 12, 2015 letter regarding Tennessee Gas Pipeline Company, L.L.C.'s planned Northeast Energy Direct Project (Docket No. PF14-22-000)I

The Commission approved Tennessee Gas' request to enter into the pre-filing process for the planned project on October 2, 2014. The Commission's pre-filing process allows staff to actively participate with landowners, interested parties, other federal and state agencies, elected officials, and the applicant in order to identify environmental issues and discuss potential solutions and route modifications before an application is filed. Commission staff attended Tennessee Gas' open House Meetings at which residents had the opportunity to learn more about the project and the FERC environmental review process. By engaging the public early in the process, we believe that we can conduct a comprehensive and meaningful review of the project as part of our obligation under the National Environmental Policy Act.

Your letter contained a gas pipeline resolution on behalf of the citizens of Andover, Massachusetts. The town of Andover's resolution will be entered into the record, and the issues raised will be examined in the town's environmental impact statement

On June 30, 2015, Commission staff issued the Notice of Intent to Prepare an Environmental Impact Statement for the Planned Northeast Energy Direct Project, Request for Comments on Environmental Issues, and Notice of Public Scoping Meetings, which initiated the formal public scoping period and indicated the locations, dates, and times for the public scoping meetings. A public scoping meeting will be held at Dracut Senior High School in Dracut, Massachusetts on Tuesday, August 11. Stakeholders may also file written comments with the Commission. Those comments will receive the same attention and scrutiny as comments received at the public meetings.

As in any Commission matter, please be assured that we strive to make our review of energy proposals both accessible and transparent to the public. If I can be of further assistance in this or any other Commission matter, I hope you will not hesitate to let me know.

Sincerely,

Norman C. Bay  
Chairman

**20150818-0020**

**FEDERAL ENERGY REGULATORY COMMISSION**  
WASHINGTON, DC 20426

August 17, 2015

OFFICE OF THE CHAIRMAN

Paul J. Salafia, Secretary  
Andover Board of Selectmen  
Town Offices  
36 Bartlet Street  
Andover, MA 01810

Thank you for your June 12, 2015 letter regarding Tennessee Gas Pipeline Company, L.L.C.'s planned Northeast Energy Direct Project (Docket No. PF14-22-000).

The Commission approved Tennessee Gas' request to enter into the pre-filing process for the planned project on October 2, 2014. The Commission's pre-filing process allows staff to actively participate with landowners, interested parties, other federal and state agencies, elected officials, and the applicant in order to identify environmental issues and discuss potential solutions and route modifications before an application is filed. Commission staff attended Tennessee Gas' open House Meetings at which residents had the opportunity to learn more about the project and the FERC environmental review process. By engaging the public early in the process, we believe that we can conduct a comprehensive and meaningful review of the project as part of our obligation under the National Environmental Policy Act.

Your letter contained a gas pipeline resolution on behalf of the citizens of Andover, Massachusetts. The town of Andover's resolution will be entered into the record, and the issues raised will be examined in staff's environmental impact statement.

On June 30, 2015, Commission staff issued the Notice of Intent to Prepare an Environmental Impact Statement for the Planned Northeast Energy Direct Project, Request for Comments on Environmental Issues, and Notice of Public Scoping Meetings, which initiated the formal public scoping period and indicated the locations, dates, and times for the public scoping meetings. A public scoping meeting will be held at Dracut Senior High School in Dracut, Massachusetts on Tuesday, August 11. Stakeholders may also file written comments with the Commission. Those comments will receive the same attention and scrutiny as comments received at the public meetings.

As in any Commission matter, please be assured that we strive to make our review of energy proposals both accessible and transparent to the public. If I can be of further assistance in this or any other Commission matter, I hope you will not hesitate to let me know.

Sincerely,

Norman C. Bay  
Chairman

**20150818-0021**

**FEDERAL ENERGY REGULATORY COMMISSION**

WASHINGTON, DC 20426

August 17, 2015

OFFICE OF THE CHAIRMAN

Daniel H. Kowalski  
Andover Board of Selectmen  
Town Offices  
36 Bartlet Street  
Andover, MA 01810

Thank you for your June 12, 2015 letter regarding Tennessee Gas Pipeline Company, L.L.C.'s planned Northeast Energy Direct Project (Docket No. PF14-22-000).

The Commission approved Tennessee Gas' request to enter into the pre-filing process for the planned project

on October 2, 2014. The Commission's pre-filing process allows staff to actively participate with landowners, interested parties, other federal and state agencies, elected officials, and the applicant in order to identify environmental issues and discuss potential solutions and route modifications before an application is filed. Commission staff attended Tennessee Gas'pen House Meetings at which residents had the opportunity to learn more about the project and the FERC environmental review process. By engaging the public early in the process, we believe that we can conduct a comprehensive and meaningful review of the project as part of our obligation under the National Environmental Policy Act.

Your letter contained a gas pipeline resolution on behalf of the citizens of Andover, Massachusetts. The town of Andover's resolution will be entered into the record, and the issues raised will be examined in staff's environmental impact statement.

On June 30, 2015, Commission staff issued the Notice of Intent to Prepare an Environmental Impact Statement for the Planned Northeast Energy Direct Project, Request for Comments on Environmental Issues, and Notice of Public Scoping Meetings, which initiated the formal public scoping period and indicated the locations, dates, and times for the public scoping meetings. A public scoping meeting will be held at Dracut Senior High School in Dracut, Massachusetts on Tuesday, August 11. Stakeholders may also file written comments with the Commission. Those comments will receive the same attention and scrutiny as comments received at the public meetings.

As in any Commission matter, please be assured that we strive to make our review of energy proposals both accessible and transparent to the public. If I can be of further assistance in this or any other Commission matter, I hope you will not hesitate to let me know.

Sincerely,

Norman C. Bay  
Chairman

**20150818-0022**

**FEDERAL ENERGY REGULATORY COMMISSION**

WASHINGTON, DC 20426

August 17, 2015

OFFICE OF THE CHAIRMAN

Robert A. Landry  
Andover Board of Selectmen  
Town Offices  
36 Bartlet Street  
Andover, MA 01810

Thank you for your June 12, 2015 letter regarding Tennessee Gas Pipeline Company, L.L.C.'s planned Northeast Energy Direct project (Docket No. FF14-22-000).

The Commission approved Tennessee Gas' request to enter into the pre-filing process for the planned project on October 2, 2014. The Commission's pre-filing process allows staff to actively participate with landowners, interested parties, other federal and state agencies, elected officials, and the applicant in order to identify environmental issues and discuss potential solutions and route modifications before an application is filed. Commission staff attended Tennessee Gas'pen House Meetings at which residents had the opportunity to learn more about the project and the FERC environmental review process. By engaging the public early in the process, we believe that we can conduct a comprehensive and meaningful review of the project as part of our obligation under the National Environmental Policy Act.

Your letter contained a gas pipeline resolution on behalf of the citizens of Andover, Massachusetts. The town of Andover's resolution will be entered into the record, and the issues raised will be examined in staff's environmental impact statement.

On June 30, 2015, Commission staff issued the Notice of Intent to Prepare an Environmental Impact Statement for the Planned Northeast Energy Direct Project, Request for Comments on Environmental Issues, and Notice of Public Scoping Meetings, which initiated the formal public scoping period and indicated the locations, dates, and times for the public scoping meetings. A public scoping meeting will be held at Dracut Senior High School in Dracut, Massachusetts on Tuesday, August 11. Stakeholders may also file written comments with the Commission. Those comments will

As in any Commission matter, please be assured that we strive to make our review of energy proposals both accessible and transparent to the public. If I can be of further assistance in this or any other Commission matter, I hope you will not hesitate to let me know.

Sincerely,

Norman C. Bay  
Chairman

**20150818-0023**

**FEDERAL ENERGY REGULATORY COMMISSION**  
WASHINGTON, DC 20426

August 17, 2015

OFFICE OF THE CHAIRMAN

Susan Silverman  
Fitzwilliam Board of Selectmen  
P.O. Box 725  
13 Templeton Turnpike  
Fitzwilliam, NH 03447

Dear Ms. Silverman:

Thank you for your June 18, 2015, letter regarding Tennessee Gas' proposed Northeast Energy Direct Project (Docket No. PF14-22-000) and requesting that Commission staff hold a public scoping meeting in Fitzwilliam, New Hampshire.

On June 30, 2015, Commission staff issued the Notice of Intent to Prepare an Environmental Impact Statement for the Planned Northeast Energy Direct Project, Request for Comments on Environmental Issues, and Notice of Public Scoping Meetings, which initiated the formal public scoping period and indicated the locations, dates, and times for the public scoping meetings. The meeting locations were selected to be convenient for the greatest number of people who might be interested in the project.

Commission staff does not plan to hold a scoping meeting immediately in Fitzwilliam. However, as mentioned in the Notice of Intent, Commission staff are planning a scoping meeting in Cheshire County, New Hampshire, which should be convenient for residents of Fitzwilliam. The date and location for that meeting will be announced with a future notice, once the details are finalized.

While scoping meetings are a valuable tool for us to receive comments from the public, they are only one of several ways for interested parties to bring their concerns to the attention of the Commission. Stakeholders may also file written comments with the Commission. Those comments will receive the same attention and scrutiny as comments received at the public meetings.

**20150818-0024**

**FEDERAL ENERGY REGULATORY COMMISSION**  
WASHINGTON, DC 20426

August 17, 2015

OFFICE OF THE CHAIRMAN

Christopher Holman  
Fitzwilliam Board of Selectmen  
P.O. Box 725  
13 Templeton Turnpike  
Fitzwilliam, NH 03447

Dear Mr. Holman:

Thank you for your June 18, 2015, letter regarding Tennessee Gas' proposed Northeast Energy Direct Project (Docket No. PF14-22-000) and requesting that Commission staff hold a public scoping meeting in Fitzwilliam, New Hampshire.

On June 30, 2015, Commission staff issued the Notice of Intent to Prepare an Environmental Impact Statement for the Planned Northeast Energy Direct Project, Request for Comments on Environmental Issues, and Notice of Public Scoping Meetings, which initiated the formal public scoping period and indicated the locations, dates, and times for the public scoping meetings. The meeting locations were selected to be convenient for the greatest number of people who might be interested in the project.

Commission staff does not plan to hold a scoping meeting immediately in Fitzwilliam. However, as mentioned in the Notice of Intent, Commission staff are planning a scoping meeting in Cheshire County, New Hampshire, which should be convenient for residents of Fitzwilliam. The date and location for that meeting will be announced with a future notice, once the details are finalized.

While scoping meetings are a valuable tool for us to receive comments from the public, they are only one of several ways for interested parties to bring their concerns to the attention of the Commission. Stakeholders may also file written comments with the Commission. Those comments will receive the same attention and scrutiny as comments received at the public meetings.

As in any Commission matter, please be assured that we strive to make our review of energy proposals both accessible and transparent to the public. If I can be of further assistance in this or any other Commission matter, I hope you will not hesitate to let me know.

Sincerely,

Norman C. Bay  
Chairman

**20150818-0027**

170 Fish Hatchery Road  
Richmond, NH 03470

August 12, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

Dear Ms. Bose,

On August 9th I sent a letter to you expressing my opposition to the NED pipeline proposed by Kinder Morgan / Tennessee Gas, specifically addressing the issue of the pipeline's negative effect on the marketability of properties in the "incineration zone." Now I wish to address another issue specific to residents in towns dependent on private wells for their water supply.

The town of Richmond, NH has no public infrastructure to provide water; residents have individual wells and our own well is within 800 feet of the proposed pipeline. Our water is pure and its taste is the envy of our far-flung family. Richmond has an aquifer that lies under the proposed path of the NED pipeline and our property is directly over that aquifer.

New Hampshire as you know is “the Granite State.” Richmond itself has several ridges running north and south, and the proposed pipeline runs from west to east across those ridges. The blasting required to enable KM to bury that pipeline in our rocky terrain has many of us very concerned. What is our recourse if our wells are negatively affected, either by contaminants or by loss of volume or pressure? How can we prove that the samples we have lab-tested and analyzed before the blasting begins are in fact from the wells we claim? I have seen that there is a procedure whereby KM signs off on the pre-blast condition of a home’s foundation but I have not seen a similar protective procedure for well water.

Thank you for any help you can give to those of us at risk.

Yours truly,

Barbara Woodward

**20150818-0028**

August 11 2015

Re: Reiteration of denial of access sent on December 14 2014

I’m sending this letter to reiterate my denial of access sent on December 14 2014 for 337 Townsend Rd, Mason, NH 03048 also known as Lot G-48-1 in the Mason tax maps. To be explicit, I’m denying permission to the Tennessee Gas Pipeline Company, LLC (a Kinder Morgan Company), its representatives, contractors, subcontractors, or associates to enter my land or to perform surveys, or for any purpose. As stated in my previous letter (dated Dec 14 2014) any physical entry onto my property will be considered unauthorized, and treated as trespass.

Daein and Sarah-Jean Ballard

337 Townsend Rd

Mason, NH 03048

**20150818-0030**

Hand written FERC comment form, Pat Ladner RN, PO Box 717, Brookline, NH 03033-0717, who will do monitoring of air, water & soil; frequency? Will there be publicly available lists of chemicals used. What are the “plan B” procedures in event of adverse events; who will pay the bill for any adverse events?

**20150818-0035**

**Fitzwilliam Garden Club**

Member of New Hampshire Federation of Garden Clubs, Inc., District RI, New England Region  
PO Box 427, Fitzwilliam, NH 03447

August 12, 2016

Kimberly D. Bose, Secretary

Federal Energy Regulatory Commission

888 First Street, NE, Room 1A

Washington, DC 20426

Dear Secretary Bose:

On behalf of the members of the Fitzwilliam Garden Club, I urge you to oppose the Northeast Energy Direct (NED) Project and the extension of Kinder Morgan’s Tennessee Gas Pipelines. Our Club, organized in 1932 and incorporated in 1956, voted unanimously to oppose this intrusion to the forests, wetlands and most especially our beloved Rhododendron State Park.

Rhododendron State Park is home to a rhododendron grove, which is the largest in northern New England, and was designated a National Natural Landmark in 1982. The Park is also home to the Fitzwilliam Garden Club’s Wildflower Trail as well as many native orchid varieties confirmed by the New England Wildflower

Society. Our Conservation Committee reports throughout the year on matters of special interest in the areas of conservation, ecology and nature education. The proposed pipeline would cause an unimaginable amount of disruption and possible damage to the natural areas it crosses.

Our concerns regarding the pipeline project are not just during the construction which will greatly disturb habitat and wetlands, but also the need to clear forest and convert land to low scrub-shrub cover in State areas around the pipeline right of way, should it be built. In addition, we will live with the on-going concern over potential damages to our aquifers, wetlands and other habitat should the pipeline ever be compromised. We hope you will join us in opposition to the pipeline project.

Sincerely,

Theresa Robbitts  
President

**20150818-0067**

Hand written card, Julia Cormier, 42 Jacqueline Dr, New Ipswich, NH 03071, opposing

**20150818-0068**

Hand written card, Justin Cormier, 42 Jacqueline Dr, New Ipswich, NH 03071, opposing

**20150818-0069**

Hand written card, Carolyn Cormier, Green Farm Rd, New Ipswich, NH, opposing

**20150818-0070**

Hand written card, Carolyn Cormier, Green Farm Rd, New Ipswich, NH, opposing

**20150818-0071**

Hand written card, Julia Cormier, 42 Jacqueline Dr, New Ipswich, NH 03071, opposing

**20150818-0072**

Hand written card, Justin Cormier, 42 Jacqueline Dr, New Ipswich, NH 03071, concerned about frequency and duration of blow-downs

**20150818-0073**

Hand written card, Evelyn Taylor, 213 Old Wilton Rd, New Ipswich, NH 03071, opposing

**20150818-0074**

Hand written card, Jared Cormier, Green Farm, New Ipswich, NH 03071, concerned about noise & vibration from compressor station

**20150818-0075**

Hand written card, Evelyn Taylor, 213 Old Wilton Rd, New Ipswich, NH 03071, opposing

**20150818-0076**

Hand written card, Evelyn Taylor, 213 Old Wilton Rd, New Ipswich, NH 03071, opposing, KM safety record one of the worst in the industry.

**20150818-0077**

Hand written card, Jared Cormier, Green Farm, New Ipswich, NH 03071, opposing

**20150818-0078**

Hand written card, Carolyn Cormier, Green Farm, New Ipswich, NH, opposing

**20150818-0079**

Hand written card, Jared Cormier, Green Farm, New Ipswich, NH 03071, opposing, NH Constitution does not allow Eminent Domain

**20150818-0080**

Hand written card, Carolyn Cormier, Green Farm, New Ipswich, NH, opposing, meet energy needs by becoming more efficient

**20150818-0081**

Hand written card, Justin Cormier, 42 Jacqueline Dr, New Ipswich, NH 03071, concerns about 100 dB noise measured at other compressor sites

**20150818-0082**

Hand written card, Carolyn Cormier, Green Farm, New Ipswich, NH, opposing, frost heaves in area can go as deep as 4'; 36" deep burial in rocky areas unsafe

**20150818-0083**

Hand written card, Evelyn Taylor, 213 Old Wilton Rd, New Ipswich, NH 03071, opposing

**20150818-0084**

Hand written card, Julia Cormier, 42 Jacqueline Dr, New Ipswich, NH 03071, concerns about recently downgraded KM maintenance plan

**20150818-0085**

Hand written card, Justin Cormier, concerns about use of herbicides in wetlands

**20150818-0086**

Hand written card, Jared Cormier, Green Farm, New Ipswich, NH 03071, opposing, herbicides in wetlands

**20150818-0087**

Hand written card, Lesley Finlayson, 167 Heald Rd, Wilton, NH 03086, opposing

**20150818-0088**

Hand written card, Julia Cormier, concerned about health issues from compressor

**20150818-0089**

Hand written card, Justin Cormier, 42 Jacqueline Dr, New Ipswich, NH 03071, concerns about proximity of Temple Elementary School to compressor

**20150818-0090**

Hand written card, Julia Cormier, 42 Jacqueline Dr, New Ipswich, NH 03071, concerns about KM's poor safety record - past fires & explosions

**20150818-0091**

Hand written card, Jared Cormier, Green Farm, New Ipswich, NH 03071, opposing, irresponsible project because of effects of methane leaks

**20150818-0092**

Hand written card, Carolyn Cormier, Green Farm, New Ipswich, NH, opposing, compressor stations are exempt from Clean Air Act

**20150818-0093**

Hand written card, Carolyn Cormier, Green Farm, New Ipswich, NH, opposing, compressor exhaust in migration pathway of hawks and eagles

**20150818-0094**

Hand written card, Julia Cormier, 42 Jacqueline Dr, New Ipswich, NH 03071, concerns about KM's record of 180 leaks since 2003

**20150818-0095**

Hand written card, Julia Cormier, 42 Jacqueline Dr, New Ipswich, NH 03071, concerns about well

**20150818-0096**

Hand written card, Julia Cormier, 42 Jacqueline Dr, New Ipswich, NH 03071, concerns about reports of health effects on people up to 2 miles from compressor station

**20150818-0097**

Hand written card, Justin Cormier, 42 Jacqueline Dr, New Ipswich, NH 03071, concerns about KM's past of failing to test pipelines as required

**20150818-0098**

Hand written card, Jared Cormier, Green Farm, New Ipswich, NH, opposing, should go for renewables

**20150818-0099**

Hand written card, Julia Cormier, 42 Jacqueline Dr, New Ipswich, NH 03071, concerns about compressor station light and noise

**20150818-0100**

Hand written card, Evelyn Taylor, 213 Old Wilton Rd, New Ipswich, NH 03071, opposing

**20150818-0101**

Hand written card, Jared Cormier, Green Farm, New Ipswich, NH, opposing,

**20150818-0102**

Hand written card, Sarah L. Fortin, 105 Wilson Rd, Mason, NH 03048, opposing

**20150818-0103**

Hand written card, Jared Cormier, Green Farm, New Ipswich, NH, opposing

**20150818-0104**

Hand written card, Julia Cormier, 42 Jacqueline Dr, New Ipswich, NH 03071, KM needs to test air quality for blow-downs

**20150818-0105**

Hand written card, Carolyn Cormier, Green Farm, New Ipswich, NH, opposing

**20150818-0106**

Hand written card, Edward Fortin, 105 Wilson Rd, Mason, NH 03048, opposing

**20150818-0107**

Hand written card, Carolyn Cormier, Green Farm, New Ipswich, NH, opposing

**20150818-0108**

Hand written card, Carolyn Cormier, Green Farm, New Ipswich, NH, opposing, volunteer emergency services not equipped to handle pipeline emergencies

**20150818-0109**

Hand written card, Evelyn Taylor, 213 Old Wilton Rd, New Ipswich, NH 03071, opposing

**20150818-0110**

Hand written card, Julia Cormier, 42 Jacqueline Dr, New Ipswich, NH 03071, concerned about well contamination

**20150818-0111**

Hand written card, Evelyn Taylor, 213 Old Wilton Rd, New Ipswich, NH 03071, opposing

**20150818-0112**

Hand written card, Julia Cormier, 42 Jacqueline Dr, New Ipswich, NH 03071, concerned about lack of emergency response plan

**20150818-0113**

Hand written card, Carolyn Cormier, Green Farm, New Ipswich, NH, opposing, lack of data on emissions and blow-downs

**20150818-0114**

Hand written card, Evelyn Taylor, 213 Old Wilton Rd, New Ipswich, NH 03071, opposing

**20150818-0115**

Hand written card, Carolyn Cormier, Green Farm, New Ipswich, NH, opposing

**20150818-0116**

Hand written card, Evelyn Taylor, 213 Old Wilton Rd, New Ipswich, NH 03071, opposing

**20150818-0117**

Hand written card, Evelyn Taylor, 213 Old Wilton Rd, New Ipswich, NH 03071, opposing

**20150818-0118**

Hand written card, Lesley Finlayson, 167 Heald Rd, Wilton, NH 03086, opposing

**20150818-0119**

Hand written card, Lesley Finlayson, 167 Heald Rd, Wilton, NH 03086, opposing

**20150818-0120**

Hand written card, Helen Emma, 57 Temple Road, New Ipswich, NH 03071, opposing

**20150818-0121**

Hand written card, Eleanor J. Luopa, 30 Richmond Road, Fitzwilliam, NH 03447, opposing

**20150818-0122**

Hand written card, Stanley A. Klowelewski?, 18 Ashby Rd, New Ipswich, NH 03071, opposing

**20150818-0123**

Hand written card, Nancy Haas, 233 Old Country Rd, New Ipswich, NH 03071, opposing

**20150818-0124**

Hand written card, Helen Emma, 57 Temple Road, New Ipswich, NH 03071, concerned about Temple Elementary School, emergency evacuation site, water supply for Greenville

**20150818-0125**

Hand written card, Lesley Finlayson, 167 Heald Rd, Wilton, NH 03086, concerned about effects of pollution on organic produce and livestock

**20150818-0126**

Hand written card, Janet Ruth Gilgun, 18 Ashby Rd, New Ipswich, NH 03071, opposing

**20150818-0127**

Hand written card, Donna Parmenter, 23 Greenbriar Rd, New Ipswich, NH 03071, concerned about fresh air, clean water, quiet peacefulness, dark night sky

**20150818-0128**

Hand written card, Donna Parmenter, 23 Greenbriar Rd, New Ipswich, NH 03071, concerned about quality of pipe used in forest areas

**20150818-0129**

Hand written card, Donna Parmenter, 23 Greenbriar Rd, New Ipswich, NH 03071, concerned about private well and surface water contamination

**20150818-0130**

Hand written card, Helen Emma, 57 Temple Road, New Ipswich, NH 03071, concerned about effects on Wapack Trail, Windblown Cross-country Ski area,

**20150818-0131**

Hand written card, Norma Spiker, 44 Temple Road, New Ipswich, NH 03071, opposing

**20150818-0132**

Hand written card, Helen Emma, 57 Temple Road, New Ipswich, NH 03071, concerned about noise pollution from compressor station

**20150818-0133**

Hand written card, Donna Parmenter, 23 Greenbriar Rd, New Ipswich, NH 03071, concerned about wetlands disturbance and pollution from compressor station and pipeline; effects on wildlife

**20150818-0134**

Hand written card, Lesley Finlayson, 167 Heald Rd, Wilton, NH 03086, opposing.

**20150818-0135**

Hand written card, Donna Parmenter, 23 Greenbriar Rd, New Ipswich, NH 03071, concerned about toxins emitted during operation and blow downs

**20150818-0136**

Hand written card, Julia Cormier, 42 Jacqueline Dr, New Ipswich, NH 03071, concerned by large size of compressor station

**20150818-0143**

Hand written card, Jared Cormier, Green Farm, New Ipswich, NH, opposing

**20150818-5000**

C., R Benson, Amherst, NH.

This planned pipeline has been rejected by the people of Massachusetts, who stand to gain the most from it. The benefits to New Hampshire are minimal. It seems that the company thinks that it can ruin the character of New Hampshire towns with no regard for their residents and property owners.

I strongly urge the Commission to reject siting this pipeline in southern New Hampshire.

**20150818-5001**

Marilyn Learner, Hollis, NH.

Please read the briefs submitted by the NH Office of Consumer Affairs and PLAN-NE to the NHPUC in opposition to the Liberty Utilities Precedent Agreement contract between Kinder Morgan/TGP and Liberty Utilities. The so-called need is unsubstantiated and speculative and has been engineered to create justification for NED according to FERC criteria.

See links below: NHPUC docket 14-380

<https://www.puc.nh.gov/Regulatory/Docketbk/2014/14-380/BRIEFS/14-380%202015-08-07%20OCA%20OST%20HEARING%20BRIEF.PDF>

<https://www.puc.nh.gov/Regulatory/Docketbk/2014/14-380/BRIEFS/14-380%202015-08-10%20PLAN%20>

**20150818-5003**

Leanne yinger, Lanesborough, MA.

I am completely opposed to the Tennessee gas pipeline proposal Kinder Morgan is applying for in my town and state (Lanesborough MA.). Thus far Kinder Morgan has not effectively answered the many questions raised regarding environmental impact, actual need and potential risks.

I attended our town meeting and like so many other communities in Massachusettes there was a unanimous vote to stop this pipeline from entering our community. With this type of strong opposition to the proposed pipeline I would expect that there will be due diligence in researching Kinder Morgan's track record and weighing the long term negative impact this pipeline would have for all those directly effected by its construction.

I am asking that FERC as the regulatory agency stop all progress of this project until the actual need is identified for such a project, environmental studies are thoroughly completed and an investigation of Kinder Morgan's track record in such cases can be clearly outlined and presented to concerned parties.

One only has to look up the list of pipeline explosions in the 21st century to be very concerned about a 30 inch pipeline running through their community. Many of the "accidents" listed in the 21st century had pipelines of only 6-10 inches in diameter and yet the damage was monumental. Why would any community agree to allow such a risk into their neighborhoods willingly?

Please stop Kinder Morgan from using their might to bully another small community into accepting their proposal and empty promises.

**20150818-5024**

August 17, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission (FERC)  
888 First Street, N.E.  
Washington, DC 20426

RE: Environmental Impact Statement under FERC Docket No. PF14-22

Dear Secretary Bose,

The "Purpose and Need" section of Tennessee's Resource Report 1 discusses "the basic market forces of supply and demand" putting "considerable downward pressure on energy prices" and "the expanded natural gas pipeline transportation infrastructure will ensure greater reliability and fuel certainty in the electric generation sector."

The Alternatives section of Tennessee's Resource Report 10 should properly address project alternatives. Rather it discounts all methods of energy efficiency, conservation, and renewable resources in the following statement.

*"While these measures could impact the overall demand for electricity from fossil fuel generation, the energy conservation and renewable alternatives do not meet the purpose and need of the Project, which will provide additional natural gas pipeline transportation capacity to its customers, including LDCs that will ultimately provide additional natural gas supplies to their customers for residential and commercial heating, drying and cooking, and industrial uses. Accordingly, energy conservation and renewable resources will not be an alternative to meet the purpose and needs of the Project."*

Therefore in Resource Report 1 Tennessee suggests flooding New England with extra capacity of home heating fuel would lower electric rates. However in Resource Report 10, they grossly ignore that under this same "supply and demand" scenario, flooding the electricity market with conservation and alternatives would reduce gas demand by power generators therefore releasing gas in existing pipeline capacity for

heating, drying, cooking and industrial uses. Repurposing existing capacity would support the “No Build” alternative by defeating the project need and alleviating short and long term environmental impacts caused by construction and operation of NED.

Please look at Energy Conservation, Energy Efficiency, Wind Power, Solar Power, Geothermal Power, Coal, Fuel Oil, Nuclear, Hydroelectric Power, Electric Generation, Fuel Cells, and Other Energy Sources as methods of reducing the demand on current gas capacity to generate electricity. Specifically please look into the following:

1. The cumulative effect of Energy Conservation reducing the demand on current gas capacity to generate electricity. Further this reduction in demand allowing for repurpose of gas in existing pipelines for heating, drying, cooking and industrial uses.
2. The cumulative effect of Energy Efficiency reducing the demand on current gas capacity to generate electricity. Further this reduction in demand allowing for repurpose of gas in existing pipelines for heating, drying, cooking and industrial uses.
3. The cumulative effect of Renewable Resources reducing the demand on current gas capacity to generate electricity. Further this reduction in demand allowing for repurpose of gas in existing pipelines for heating, drying, cooking and industrial uses.

Please consider all of these alternatives in the environmental impact statement when comparing construction and operation of NED versus the “No Build” alternative.

Insulation is a proven method of Energy Conservation. It reduces the amount of electricity required to cool a home in summer months and reduces the amount of gas required to heat a home in the winter months. Therefore Energy Conservation absolutely has an effect on the “purpose and need of the Project.”

Wood is a Renewable Resource. Burning wood to generate heat in a home reduces the amount of gas required to heat a home. Therefore Renewable Resources absolutely have an effect on the “purpose and need of the Project.”

Please request that Tennessee remove the following statement from Resource Report 10 as it is blatantly false.

“Energy conservation and renewable resources will not be an alternative to meet the purpose and needs of the Project.”

Sincerely,

Rob Chesebrough

**20150818-5026**

Jon L Bryan, Mason, NH.  
Kimberly D. Bose  
FERC  
888 First STREET, NE, Room 1A  
Washington, DC 20426

August 18, 2015

RE: PF14-22-000

Dear Secretary Bose,

I am writing to urge that you reject the Kinder Morgan (KM) “Northeast Energy Direct (NED) pipeline.” This project will cause irreparable harm to homeowners, businesses, and the environment, while providing little tangible value to the New Hampshire stakeholders.

The project has been falsely sold as a “bridge” solution. Instead, NED will seriously inhibit the progress of renewable clean energy. Given that both federal and state governments strongly espouse the growth of renewables, and in fact have made same “policy,” the approval of NED would be antithetical to achieving

that goal.

I also ask that FERC allow more time for public comments and analysis of NED, given that KM has provided potentially false information to the public. For example, KM states that the approval of NED will “help alleviate the high costs of electricity and natural gas in New England....” To the contrary, FERC’s own analysis demonstrates that the export of gas via NED could lead to an explosion of the region’s natural gas price as it rises to fungible global levels. Thus, the key premise for NED is fictional and should be rejected by FERC, as seen in your own global pricing data of June 2015.

Another issue that will surely be ripe for litigation is any issuance of a certificate of “public convenience and necessity” for a pipeline that provides little energy for New Hampshire and appears principally geared for the global market. Similarly, did Congress intend that our land be ripped away from American citizens through the widespread use of eminent domain for the benefit of global markets? I doubt that a Federal court would agree, if this issue is forced to litigation by a FERC approval. I suspect that nearly “zero” percent of NH landowners will enter easement agreements for NED, and FERC should weigh that clear sign of rejection in their “sliding scale” analysis and reject the proposal.

If KM or other pipeline companies wish to transport gas to export markets, they should enter into arms-length agreements with landowners and pay full and fair compensation. No citizen should be forced to suffer the economic and potential physical harm of this export-driven project – for private profit – through the taking of their property through eminent domain.

Again, for all of the above reasons, I urge you to reject NED.

Jon Bryan  
Mason, NH 03048-4803

#### **20150818-5052**

Lisa M Senus, Mason, NH.

My comments are regarding the Fitchburg Lateral portion of the NED project.

Firstly, without any subscribed customers, the need for the lateral is questionable at best. The best option for this lateral is “no build”.

Secondly, as currently portrayed on KM/TGP’s route map, the Fitchburg lateral would amount to a “greenfield” project. It would traverse state-funded conservation lands (Fifield Tree Farm), a stratified drift aquifer which provides potable water for a large portion of Mason, wetlands, stream corridors, undeveloped forested areas, and residential lots. I would like to suggest closer examination of one of KM/TGP’s alternate routes for the lateral: following the Route 31 corridor. This corridor is an existing commercial route, and impacts to the environment would be significantly less than the proposed “greenfield” route.

Respectfully,

Lisa Senus  
Intervenor  
Mason, NH

#### **20150818-5059**

August 18, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE Room 1 A  
Washington, DC 20426

re: Tennessee Gas Pipeline Company, L.L.C., Docket No. PF14-22-000

Dear Secretary Bose,

Please find attached the information requested by FERC personnel at the Lunenburg Scoping Hearing on August 12th regarding Article 97 of the Amendments to the Massachusetts Constitution (“Article 97”), and public lands under its protection, impacted by the Kinder Morgan Northeast Energy Direct pipeline proposal described in FERC Docket PF14-22.

*“Article XCVII. The people shall have the right to clean air and water, freedom from excessive and unnecessary noise, and the natural, scenic, historic, and esthetic qualities of their environment; and the protection of the people in their right to the conservation, development and utilization of the agricultural, mineral, forest, water, air and other natural resources is hereby declared to be a public purpose. ...*

*“Lands and easements taken or acquired for such purposes shall not be used for other purposes or otherwise disposed of except by laws enacted by a two thirds vote, taken by yeas and nays, of each branch of the [state legislature].”*

The attached documents include:

- Text of Article 971
- Massachusetts Executive Office of Energy and Environmental Affairs Article 97 Land Disposition Policy2
- Compiled list of impacted properties

The compiled list of impacted properties is as it was known following the removal of the Worcester lateral on June 5th. A cursory comparison of existing maps with the view-only Google Map published by Kinder Morgan accompanying their July 24th filing shows at best minimal change to the huge impact of their proposal on public lands believed to be protected into perpetuity. There are over 100 conservation parcels impacted, including 85 protected by the Massachusetts Constitution. The parcels on the compiled list are all directly impacted or within Kinder Morgan’s survey corridor. All GIS data for these parcels is freely and publicly available on the Commonwealth’s Office of Geographic Information (MassGIS) website at: <http://mass.gov/mgis>

As Kinder Morgan’s recent filing of all Resource Reports and supporting documents, some 7,000 pages, occurred in the middle of FERC’s scoping meeting schedule, that mountain of data has not yet been completely analyzed. If we determine there has been any change in the number of Article 97 public land properties impacted by this latest Kinder Morgan release, an update comment will be submitted to the docket.

Thank you,

Cathy Kristofferson  
Ashby, MA 01431

1 <https://malegislature.gov/Laws/Constitution>

2 <http://www.mass.gov/eea/agencies/mepa/about-mepa/eea-policies/eea-article-97-land-disposition-policy.html>

CC:

Governor Charlie Baker  
EEA Secretary Matthew Beaton  
Senator Elizabeth Warren  
Senator Ed Markey  
Representative Richard Neal  
Representative James McGovern  
Representative Niki Tsongas  
Representative Seth Moulton  
MA Senator Stanley C. Rosenberg, President  
MA Senator Benjamin Downing  
MA Senator Jennifer Flanagan  
MA Senator Barbara L’Italien

MA Senator Jason Lewis  
MA Senator Joan Lovely  
MA Senator Thomas McGee  
MA Senator Kathleen O'Connor-Ives  
MA Senator Bruce Tarr  
MA Representative Jennifer Benson  
MA Representative Linda Dean Campbell  
MA Representative Gailanne Cariddi  
MA Representative Leah Cole  
MA Representative Colleen Garry  
MA Representative Sheila Harrington  
MA Representative Bradley Jones  
MA Representative Stephen Kulik  
MA Representative James Lyons  
MA Representative Paul Mark  
MA Representative James Miceli  
MA Representative Harold Naughton  
MA Representative Theodore Speliotis  
MA Representative Susannah Whipps Lee

-----  
Article XCVII. Article XLIX of the Amendments to the Constitution is hereby annulled and the following is adopted in place thereof: - The people shall have the right to clean air and water, freedom from excessive and unnecessary noise, and the natural, scenic, historic, and esthetic qualities of their environment; and the protection of the people in their right to the conservation, development and utilization of the agricultural, mineral, forest, water, air and other natural resources is hereby declared to be a public purpose.

The general court shall have the power to enact legislation necessary or expedient to protect such rights.

In the furtherance of the foregoing powers, the general court shall have the power to provide for the taking, upon payment of just compensation therefor, or for the acquisition by purchase or otherwise, of lands and easements or such other interests therein as may be deemed necessary to accomplish these purposes.

Lands and easements taken or acquired for such purposes shall not be used for other purposes or otherwise disposed of except by laws enacted by a two thirds vote, taken by yeas and nays, of each branch of the general court.

-----  
COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS

### **EOEA ARTICLE 97 LAND DISPOSITION POLICY**

**FEBRUARY 19, 1998**

#### **I. Statement of Policy**

It is the policy of EOEA and its agencies to protect, preserve and enhance all open space areas covered by Article 97 of the Article of Amendment to the Constitution of the Commonwealth of Massachusetts. Accordingly, as a general rule, EOEA and its agencies shall not sell, transfer, lease, relinquish, release, alienate, or change the control or use of any right or interest of the Commonwealth in and to Article 97 land. The goal of this policy is to ensure no net loss of Article 97 lands under the ownership and control of the Commonwealth and its political subdivisions. Exceptions shall be governed by the conditions included in this policy. This policy supersedes all previous EOEA Article 97 land disposition policies.

An Article 97 land disposition is defined as a) any transfer or conveyance of ownership or other interests;

b) any change in physical or legal control; and c) any change in use, in and to Article 97 land or interests in Article 97 land owned or held by the Commonwealth or its political subdivisions, whether by deed, easement, lease or any other instrument effectuating such transfer, conveyance or change. A revocable permit or license is not considered a disposition as long as no interest in real property is transferred to the permittee or licensee, and no change in control or use that is in conflict with the controlling agency's mission, as determined by the controlling agency, occurs thereby.

## **II. Conditions for Disposition Exceptions**

EOEA and its agencies shall not support an Article 97 land disposition unless EOEA and its agencies determine that exceptional circumstances exist. A determination of "exceptional circumstances" is subject to all of the following conditions being met:

1. all other options to avoid the Article 97 disposition have been explored and no feasible and substantially equivalent alternatives exist (monetary considerations notwithstanding). Note: The purpose of evaluating alternatives is to avoid using/affecting Article 97 land to the extent feasible. To that end, the scope of alternatives under consideration shall be commensurate with the type and size of the proposed disposition of Article 97 land, and must be performed by the proponent of the disposition to the satisfaction of EOEA and its agencies. The scope of alternatives extends to any sites that were available at the time the proponent of the Article 97 disposition first notified the controlling agency of the Article 97 land, and which can be reasonably obtained: (a) within the appropriate market area for private proponents, state and/or regional entities; or (b) within the appropriate city/town for municipal proponents.
2. the disposition of the subject parcel and its proposed use do not destroy or threaten a unique or significant resource (e.g., significant habitat, rare or unusual terrain, or areas of significant public recreation), as determined by EOEA and its agencies;
3. as part of the disposition, real estate of equal or greater fair market value or value in use of proposed use, whichever is greater, and significantly greater resource value as determined by EOEA and its agencies, are granted to the disposing agency or its designee, so that the mission and legal mandate of EOEA and its agencies and the constitutional rights of the citizens of Massachusetts are protected and enhanced;
4. the minimum acreage necessary for the proposed use is proposed for disposition and, to the maximum extent possible, the resources of the parcel proposed for disposition continue to be protected;
5. the disposition serves an Article 97 purpose or another public purpose without detracting from the mission, plans, policies and mandates of EOEA and its appropriate department or division; and
6. the disposition of a parcel is not contrary to the express wishes of the person(s) who donated or sold the parcel or interests therein to the Commonwealth.

## **III. Procedures for Disposition**

Although legislation can be enacted to dispose of Article 97 land without the consent of an EOEA agency, it is the policy of EOEA to minimize such occurrences. To that end, and to ensure coordination, EOEA agencies shall:

1. develop an internal review process for any potential Article 97 land disposition to ensure that, at a minimum, the conditions in Section II above are met;
2. develop, through the Interagency Lands Committee, a joint listing of all requests, regardless of their status, for the disposition of Article 97 land;
3. notify the Interagency Lands Committee of any changes to the Article 97 land disposition list;
4. monitor all legislation that disposes of Article 97 land, and communicate with legislative sponsors regarding their intent;
5. recommend to the Secretary that the Governor veto any legislation that disposes of Article 97 land, the purchase, improvement, or maintenance of which involved state funds, on and for which the EOEA

agency has not been consulted and received documentation (including information on title, survey, appraisal, and a MEPA review, all at the proponent's expense);

6. obtain the concurrence of the Secretary of EOA for any proposed Article 97 land disposition decision prior to finalizing said decision;

7. if recommending an Article 97 disposition, attach to all Article 97 legislative recommendations and TR-1 forms a justification of the disposition and an explanation of how it complies with this policy, signed by the EOEA agency head;

8. ensure that any conditions approved by EOEA and its agencies to any Article 97 land disposition are incorporated within the surplus declaration statement submitted to and published by DCPO as required by M.G.L. C. 7, §40F and 40F1/2 and throughout the disposition process, and if such conditions are not incorporated in said statement throughout the disposition process, the EOEA agency head shall recommend to the Secretary that the Governor veto any resulting legislation;

9. recommend to the Secretary that the Governor veto legislation that disposes of Article 97 land of which the agency disapproves; and

10. ensure that any Article 97 land disposition is authorized by enacted legislation and approved by all municipal, state and federal agencies, authorities, or other governmental bodies so required and empowered by law prior to conveyance.

#### **IV. Applicability of the Policy to Municipalities**

To comply with this policy, municipalities that seek to dispose of any Article 97 land must:

1. obtain a unanimous vote of the municipal Conservation Commission that the Article 97 land is surplus to municipal, conservation and open space needs;

2. obtain a unanimous vote of the municipal Park Commission if the land proposed for disposition is parkland;

3. obtain a two-thirds Town Meeting or City Council vote in support of the disposition;

4. obtain two-thirds vote of the legislature in support of the disposition, as required under the state constitution;

5. comply with all requirements of the Self-Help, Urban Self-Help, Land and Water Conservation Fund, and any other applicable funding sources; and

6. comply with EOEA Article 97 Land Disposition Policy [note: the municipality must also file an Environmental Notification Form with EOEA's MEPA office].

After the effective date of this policy, any municipality that proposes, advocates, supports or completes a disposition of Article 97 land without also following the terms of this policy, regardless of whether or not state funds were used in the acquisition of the Article 97 land, shall not be eligible for grants offered by EOEA or its agencies until the municipality has complied with this policy. Compliance with this policy by municipalities shall be determined by the EOEA Secretary, based on recommendations by the EOEA Inter-agency Lands Committee.

*Trudy Coxe, Secretary*

*Executive Office of Environmental Affairs*

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### **Kinder Morgan Proposes to Bulldoze 110 Conservation Parcels with its Northeast Energy Direct Pipeline**

#### **15 CONSERVED FARMS**

»**Bardin Farm**, Dalton; »**Bitzer Farm**, Montague; »**Holiday Farm**, Dalton; »**Smith-Healy Farm**, Dracut;

»**Square Roots Farm** – Berkshire Natural Resources Council, Lanesborough; »Square Roots Farm – BNRC,

Cheshire; »**Bear River Farm** - Franklin Land Trust, Ashfield; »**Lilly Farm**, Ashfield; »**Lilly Farm 2**, Ashfield;

»Peffer Farm, Deerfield; »Melnik Farm; Deerfield; »Musante Farm, Dalton; »Windy Ridge Farm; Lanesborough;  
»Shallcross Farm - Franklin Land Trust, Conway; »Waryjasz Farm, Plainfield; »Williams Farm, Deerfield

#### 5 STATE FORESTS

»Pittsfield State Forest, Hancock; Pittsfield State Forest, Lanesborough; »Northfield State Forest; Northfield;  
»South River State Forest, Conway; »Willard Brook State Forest, Townsend; »Harold Parker State Forest,  
Tewksbury

#### 5 STATE WILDLIFE MANAGEMENT AREAS

»Montague Plains Wildlife Management Area, Montague; »Peru Wildlife Management Area, Peru; Peru Wildlife  
Management Area, Windsor; »Upper Westfield River Wildlife Management Area, Windsor; »Chalet Wildlife  
Management Area, Cheshire; Chalet Wildlife Management Area-Formerly Crane, Dalton; »Squannacook River  
Wildlife Management Area, Townsend

#### 5 SECTIONS OF NATIONAL SCENIC TRAILS

»Appalachian Trail Corridor - Nat'l Scenic Trail, Dalton; »New England National Scenic Trail, Northfield;  
»Brush Mountain Town Conservation Area - NE Nat'l Scenic Trail, Northfield; »Northfield Town Forest - NE  
Nat'l Scenic Trail, Northfield; »Richardson CR-Alexander Hill Nat'l Park Service Cabin-NE Nat'l Scenic Trail,  
Northfield

#### 8 CONSERVED DRINKING SUPPLY WATERSHEDS

»Pittsfield Watershed, Hinsdale; »Windsor Brook Watershed Easement, Hinsdale; »Water Dept Land, Montague;  
»Watershed Protection Area, Montague; »Lynnfield Center Water District, Lynnfield; »Water Department Land,  
Wilmington; »Norris Brook Water Department Land, Peabody; »Windsor Brook Watershed Easement, Peru;

#### 11 LAND TRUST LANDS OR CONSERVATION EASEMENTS

»Constitution Hill, Lanesborough; »Cutler CR - Franklin Land Trust, Ashfield; »Crane CR - Berkshire Natural  
Resources Council, Dalton; »Martin/Corens CR - Franklin Land Trust, Ashfield; »West Mountain Wildlife  
Sanctuary – Mass Audubon –Plainfield; »Morse Memorial Forest – Mount Grace, Warwick; »Northfield Mount  
Hermon School CR-Mount Grace, Northfield; »Smithers CR - The Trustees Of Reservations, Windsor;  
»Notchview Reservation, The Trustees of Reservations, Windsor; »Poplar Mountain Conservation Area, Erving;  
»Torres Conservation Area, Townsend

#### 18 MUNICIPAL CONSERVATION AREAS, TOWN FORESTS, OR CONSERVATION EASEMENTS

»Richardson CR-Alexander Hill NPS Cabin-NE Trail, Northfield; »Ritchie CR, Dracut; »Old State Road Town  
CR, Erving; »Brush Mountain Conservation Area - NE Nat'l Trail, Northfield; »Northfield Town Forest - NE  
Nat'l Scenic Trail, Northfield; »Erving Town Forest, Erving; »Lunenburg Town Conservation Area, Lunenburg;  
»Methuen Conservation Area, Methuen; »Pheasant Ridge Green Area, Andover; »Hearthstone Village Con-  
servation Area, Andover; »Andover Town Conservation Area, Andover; »Shawsheen River, Andover; »Cedar  
Swamp Conservation Area, North Reading; »Martins Brook Conservation Area, North Reading; »Chestnut  
Street Conservation Area, North Reading; »Apollo Park/Martin Brook Area, Wilmington; »Norris Brook Wet-  
lands, Peabody; »Norris Brook Conservation Area, Danvers

#### 5 SPORTING CLUBS, GOLF COURSES, or ASSOCIATION LANDS

»Centralville Sportmans Club, Dracut; »Maplewood Golf Course, Lunenburg; »Methuen Rod and Gun Club,  
Methuen; »Sagamore Springs Golf Course, Lynnfield; »Brooks Crossing Common Land, Townsend

#### 1 NATIONAL WILDLIFE REFUGE

»Silvio O. Conte National Fish & Wildlife Refuge, Windsor, Peru, Plainfield, Ashfield, Conway, Shelburne,  
Deerfield, Montague, Erving, Northfield, Warwick

**If you care, tell FERC, DPU, Governor Baker, and Attorney General Maura Healey that more reasonable alternatives are available.**

Lands listed are on or within 200' of the NED route. June 9, 2015

### **20150818-5070**

Peter Cottrell, Stephentown, NY.

The proposed North East Direct 36" high-pressure gas pipeline passes through rural areas and is permitted to use lowered safety standards in construction and operation compared to that required in more densely populated areas. Yet the proposed pipeline will pass closely by hundreds of houses which will be located in the so-called incineration zone.

Our towns, and County, have passed resolutions expressing the people's will against the construction of this pipeline.

The proposed pipeline compressor plant located in Nassau, NY will burn gas contaminated with hydrofracking chemicals. Residents in that area, as well as those living downwind of it, will be breathing those contaminants. The compressor plant will operate 24/7 and its noise will reverberate for miles through the Burden Lake basin and the surrounding hills and hollows. The fumes and noise will become a constant presence in the lives of hundreds, if not thousands of residents in the vicinity. This is a highly scenic rural area with multiple recreation areas used by residents and visitors.

The proposed pipeline will reduce and degrade parts of the Rensselaer Plateau, which is a unique and irreplaceable natural area, and a reservoir of natural diversity.

Over thirty years ago we bought a derelict late 18th century farm house and barns on thirty-five acres. Much time, sweat, and money has been spent restoring the home and property. It is home. The proposed pipeline will slash through and bulldoze 200 year old stone walls, a sugar bush, a low and high blueberry bush, a rare lag gravel, vernal pools, and an aquifer recharge area. As bedrock is close to or even on the surface, I question what effect blasting or other excavation techniques might have on our water well.

The pipeline's approval would force us to sell at least several acres and create an unnatural leveled strip separating our house from the main part of our property. This is through what I call our backyard. The 36" high-pressure gas pipeline will pass closely around our house on two sides.

This strip, which will be owned by Kinder Morgan, will be a magnet for off-road vehicles running 24/7. I do not believe that they can ever successfully fence off or otherwise restrict this space.

The pipeline will reduce our property's value and destroy part of what we have worked for, saved, and accumulated. This amounts to an unfair taking of our property. This pipeline is not about convenience or necessity, but an industry taking profit by forcing risk and cost onto individual private property owners. This is wrong and un-American. It amounts to corporate piracy. Who benefits? Not us, Stephentown, Rensselaer County, NYS or anyone but the owners of Kinder Morgan. There is no public good. Public pain for private gain. Do not rubber stamp this deal as it amounts to larceny.

### **20150818-5120**

Dorothy Crawford, Fitzwilliam, NH.

I have many concerns about the NED project but the issue that scares me the most is the potential impact of the pipeline construction and operation on the Troy Mills Superfund site. It took several years and around \$50 million dollars to clean up this site, but more importantly the toxic nature of this event damaged the Troy economy for generations to come. Given all that went into cleaning up and containing of the toxins, why would FERC approve a project that would clearly involve extensive blasting into the bedrock adjoining the Superfund site. We have been told that the pipeline will be 30-36" and that it needs to be buried 30-36" from the top of the pipe. We are known as the granite state for a good reason. Please research all aspects of the pipeline proximity to the superfund site including locations of staging areas, blasting, construction,

maintenance, and possible leaks or explosions. Please coordinate with the EPA and other relevant agencies. Do not rely exclusively on what you are told from Kinder Morgan.

**20150819-0009**

**Town of CONWAY, Massachusetts  
Pipeline Task Force**

P.O. Box 240, Conway, MA 01341

Town Office: 32 Main St. . Town Hall: 5 Academy Hill Rd.

Phone (413) 369-4235, ext. 3 . (413) 369-4237 Fax

Stephen August, Presiding Officer  
Energy Facilities Siting Board  
One South Station  
Boston, Massachusetts 02110

August 12, 2015

RE: Tennessee Gas Pipeline / Kinder Morgan Northeast Direct (NED) Proposed Pipeline  
Project Docket Number: PF14-22

Dear Presiding Officer August:

It is our understanding that the Energy Facilities Siting Board (EFSB) is charged with “ensuring a reliable energy supply for the Commonwealth with a minimum impact on the environment at the lowest possible cost” I. Further, according to information presented by presiding officer James Buckley at the EFSB Hearing held in Greenfield on August 5, 2015, the EFSB will include comments received on this matter with their comments to the Federal Energy Regulatory Commission (FERC) and also make recommendations as to modifications that should be made to the proposed NED pipeline project in order to meet Massachusetts environmental and safety concerns.

Please accept these preliminary comments from the Town of Conway Ad Hoc Pipeline Taskforce and consider them in your comments to FERC. Initial comments were presented by a member of the Ad Hoc Pipeline Task Force on behalf of the Town of Conway at the August 5th hearing. This written testimony is intended to provide additional details and more specific areas of concern. However, as the EFSB is aware, the project details provided by Kinder Morgan (KM) regarding the proposed NED pipeline are incomplete. It therefore follows that the comments pertaining to the environmental impact of the proposed NED pipeline are incomplete. The Ad Hoc Pipeline Task Force will be submitting additional comments to the FERC and reserve the right to amend and add to our comments as missing and incomplete data are provided by KM. Included as relevant for this project are a copy of a letter from the Conway Conservation Commission to the PERC and a copy of the BioMap 2 report for the Town of Conway. Lastly, The Conway Planning Board in concert with other town boards and the Franklin Regional Council of Government (FRCOG) has submitted additional topics and concerns for the EIS which are supported by the Planning Board and included by reference thereof.

**General**

The Town of Conway is located in the Connecticut River or Pioneer valley, in the foothills of the Berkshires. It is a region rich in agriculture and history. Conway is heavily forested and pastured with little industrial and commercial business. Conway is the first ‘hilltown’ northbound on Route 116, one of seven designated Scenic Byways in Western Massachusetts.

The proposed Tennessee Gas NED pipeline project will specifically and significantly impact the Town of Conway. As it stands, the proposal includes: 3.41 miles of a 30” (or 36”) diameter pipe across the Northern end of town; a mainline and ‘blowoff valve; a cathode protection ground bed, with associated infrastructure; a Horizontal Directional Drilling (HDD) operation; and numerous temporary work areas, temporary access roads, temporary right of ways (ROW), permanent ROW’s, and permanent access roads. The segment of

proposed pipeline through Conway is routed along side of an existing utility corridor of high power lines. The proposed pipeline detailed plans for the Horizontal Directional Drilling portion of the proposed pipeline were not included in the revised reports released by Kinder Morgan at the end of July. This is particularly disturbing as the proposed drilling project that begins in Conway and proceeds eastward under the Deerfield River into the town of Shelburne, is 4,400 feet, the longest in the Commonwealth. Further, site-specific water body crossing plans were not provided. ~ noted by the Conservation Commission the proposed route includes three (3) significant water body crossings that constitute environmentally sensitive areas. Lastly, KM notes in the revised reports that main line valve (MLV) locations are approximate with final locations confirmed prior to “final filing”. It is unclear how any duly appointed or elected board in the Town of Conway, absent detailed and complete plans, can comment on the environmental impact of the proposed drilling, ML V, and water body crossings, much less any aspect of this project without complete information.

### **Alternatives**

The Franklin Regional Council of Governments has or will submit detailed study and information requests as part of the Environmental Impact Statement (EIS). Please note the Task Force support for a detailed alternative route analysis to avoid permanently protected open space, rare and endangered species habitats, water resources, forests, and farmland. We request justification for “greenfield” locations, an assessment of the quality of resources impacted for the ‘preferred route’ as opposed to alternate routes, and full documentation of sources of information used to arrive at the conclusions. Full analysis of the ‘preferred’ and alternate routes should consider need for a new pipeline, and therefore consider the ‘no. action’ alternative.

### **Analysis of Need**

The FERC can only determine that the proposed NED pipeline is in the “Public Convenience and Necessity” where there is a demonstrated need for additional natural gas infrastructure. A full assessment of the need for this project should include a comprehensive analysis of alternative solutions and consideration of the cumulative environmental impact of the NED project in conjunction with ALL other projects purporting to meet the energy needs of the Commonwealth. Additionally your evaluation of the merits of this project results should incorporate the study commissioned by Attorney General Healy on the electric reliability needs, including natural gas capacity demand, for New England.

### **Water use and quality**

The Town of Conway has no public drinking water supply, but rather its residents are served by private shallow and deep wells, of varied age. Additionally, Conway serves as a watershed area for Deerfield’s and Northampton’s water reservoirs. Threats to the integrity of the water in Conway therefore are also threats to the integrity of the water in those communities.

Areas of concern specific to water in Conway include, but are not limited to, the following: impact of blasting on the flow rate and quality of the water in private wells, and on the underlying aquifer; contamination of the water during construction, pressure testing, and operation; the impact of JIDD on private wells, groundwater tables, aquifer, adjacent waterbodies, and watershed resources. Risk assessments regarding blasting, channelization of bedrock, HDD, excavations, waterbody crossings, and water quality necessarily must consider the potential impact to all water resources within the Town of Conway and neighboring communities.

### **Fish, Wildlife, and Vegetation**

Concerns related to fish, wildlife, and vegetation include the impact to environmentally sensitive areas not limited to vernal pools, cold water fisheries, braided stream systems, priority habitat for rare species, and permanently protected open space and farmland.

As previously mentioned, attached is a copy of a letter from the Conservation Commission for the Town of Conway. The Ad Hoc Task Force requests full consideration of the following statement in reference to a preliminary report commissioned on the environmental impact of the proposed NED:

... there are multiple and significant environmental issues effecting critical habitat, the environment, wetland areas, and river areas. There are at least three substantial stream and river crossings. Inthe submitted report we have highlighted four (4) critical areas as examples. This report is not intended to be conclusive as to all critical or impacted areas, but rather is to support that it will be crucial, given the highly sensitive nature of the ecosystems that may be impacted, to, before any work is commenced, carefully study and then condition any work to avoid impacts, minimize impacts, and mitigate impacts both to the aquatic system and supporting terrestrial ecosystems.

The Ad Hoc Task Force notes that the primary responsibility of an applicant to FERC is to avoid impacts to the environment. Additionally, as noted before site-specific detailed plans for water body crossings are not included in the revised resource reports released at the end of July 2015.

### **Noise**

Noise during construction of the pipeline and operation of the mainline and blowoff valves in an area characterized by hills and river valleys, where sound travels and echoes is a concern.

Current Federal standards for allowable noise levels from pipeline operation do not account for current low level ambient background conditions that exist in our community. Noise abatement technology exists today to minimize radiated noise from point sources. Given the topography of our town with its rolling hills and valleys that reflect sound we recommend that the allowable noise standard be no net gain in ambient noise at the TGP property borders. We request preconstruction and post -operational sound level monitoring to ensure compliance with these requirements. Such testing should be sensitive to the unique acoustical topography of the area

### **Air Quality**

The impact of planned, as well as unplanned, gas releases from the MLV and blowdown valve on the air quality, environment, and health of residents is a grave concern. The current NED proposed pipeline project includes MLV and blowoff valves located on a ridgeline north of the town population center. The town's population center is surrounded by hills and has been commonly known to be colder than the surrounding hill tops. While compressed natural gas (NG) in pipelines is presumed to be warmer than the ambient groundcover, rapidly expanding NG associated with routine or emergency venting is anticipated to be significantly colder than the ambient air. This denser, colder NG containing residual shale fracking chemicals could, with prevailing winds, drift to our town center resulting in potential health and safety issues, and potential contamination of organic farming operations. We request that air quality sampling be conducted to establish pre-construction background levels of known possible harmful chemicals.

### **Reliability and Safety**

Concerns related to reliability and safety pertain to all aspects of construction and operation.

#### *PHMSA 's Pipeline Safety program:*

The Pipeline and Hazardous Materials Safety Administration (pHMSA) was charged (p.L. 112- 90) in 2011 with developing and implementing interstate pipeline law to provide safety and environmental protection in the transportation of natural gas by pipelines. There are 42 Congressional mandates to be included in the reforms, requirements, and programs established under the law. That law is scheduled to expire in September 2015 with potentially unimplemented mandates. The current law requires pipeline operators to implement these mandated requirements within one year of promulgation on new or replacement pipelines. Given the enormity of this proposed NED pipeline project and its associated safety and environmental risks, TGP should be required to comply with all current and future mandated requirements that are promulgated under the law, or alternatively delay construction and/or operation until these important mandated requirements can be included in this project.

#### *Proximity of NG pipeline to high tension power lines*

Risks associated with the proximity of a natural gas pipeline to high tension power lines need to be fully explored. A drilling operations expert stated at a public meeting that NG pipelines should be 1000' from high tension power lines. A full and detailed independent risk analysis for the placement of the proposed NED pipeline in or adjacent to an existing ROW for high tension lines should be provided. Such risk analysis should include, but not be limited to, analysis of risk of equipment failure, longevity of sacrificial cathodes in cathode beds, and evidence based maintenance plans. The task force notes that according to a report "Local Government Guide to Pipelines" published by the Pipeline Safety Trust, equipment failure is the leading cause of significant incidents for NG transmission lines. "'Material, weld, and equipment failure' is the leading cause of incidents for transmission lines, whereas 'excavation damage' is the leading cause for gas distribution lines." 2 According to the report material, weld, and equipment failure accounts for 35.2% of transmission line failure. Corrosion accounts for an additional 17.3% of transmission line failure.

*Pipeline diameter, design strength and operational pressure:*

The potential impact blast radius (PIR) from a pipeline explosion has been shown to be correlated with pipeline diameter and operational pressure. The 30" pipeline as currently proposed for the 1.3 Bcfd/day natural gas (NG) flow capacity will operate at pressures that correlate with a predicted blast radius of 800 feet and represent an unnecessarily high risk for our community. PERC should insist that the pipeline be sized to meet the projected natural gas demands of only the Northeast, allowing for little or no growth as alternate sources of electrical energy, such as hydro, solar, and wind become mainstream sources of energy. Selection of the smallest possible pipeline diameter required to serve the Northeast's energy demands could reduce any associated risks to our community.

Given the potential blast radius of the proposed pipeline a detailed emergency response plan is necessary. A full independent risk analysis is requested that includes identification of risk scenarios and response, including equipment, communications, and personnel required to respond appropriately. Such an analysis should include not only the impact related to the thermal burn radius, but should also include the risk related to concussive impact following a blast and related shrapnel risk. Further, an analysis of potential risk related to pipeline failure should include an analysis of risk associated with NG build up and ignition in the valley areas downwind of the proposed pipeline.

*Emergency Response and Access*

The pipeline crosses the main road between the center of Conway and Shelburne Falls, bisecting the town west to east. Approximately 13% of residential structures in Conway are north of the proposed NED pipeline. In the event that Shelburne Falls Road were not passable, due to construction activities, road damage related to construction, or road damage related to a significant event, it is possible that Conway EMS (fire, ambulance, and police) would be unable to provide services to those north of the proposed NED pipeline. It is unlikely that Conway is alone in its concern for access of Emergency Responders in the event that construction or a significant incident impacts the integrity of roadways. Additionally, a full and independent analysis of town communication systems is necessary to ensure integrity in the event of a significant incident, especially given the potential for a multiple site mass casualty scenario.

It is expected that the applicant, KM, would be responsible for all costs associated with training of emergency management personnel, purchase, storage, and maintenance of all necessary equipment, and retain liability for any significant incident related to the proposed NED pipeline.

The impact to roadways, bridges, and related infrastructure.

The impact to the integrity of roadways in Conway is anticipated to be huge. Concerns relate to the impact both the weight of trucks and equipment traversing the roadways and the repetitive use of the roads by heavy equipment. Existing bridges and culverts are not currently rated for loads and use of equipment necessary for a major construction process. A full, detailed independent analysis of site specific road use is necessary. The analysis should include an assessment of load capacity for all roadways, bridges, and related infrastructure that may be used in the construction of the proposed pipeline. Road closures and alternative

plans should be included given that Shelburne Falls road is a major roadway and designated evacuation route in Conway, connecting neighboring communities. Analysis of impact of road closure should consider economic impacts to Conway and neighboring communities as well. Road closure analysis should take into consideration the impact to transportation for local schools as at least three school systems utilize Shelburne Falls road. Lastly, activities should be scheduled to avoid periods of seasonal thaw.

The town requests a detailed description of notification related to the construction of the proposed NED pipeline and a full disclosure of requirements, restrictions, and response time for the operational phase. It is expected that KM will again retain full liability for the project (during construction, operation, and decommissioning), maintain necessary insurance, and that the project will be fully bonded for the lifetime of the pipeline.

### **Concluding statements**

We request the following of the Energy Facilities Siting Board, of Governor Baker, and of FERC:

Restart the scoping process at such time as complete project information is available and can be evaluated appropriately in order comment on the environmental impacts of this project.

A full assessment of the need for this project should include a comprehensive analysis of alternative solutions and consideration of the cumulative environmental impact of the NED project in conjunction with ALL other projects purporting to meet the energy needs of the Commonwealth.

Additionally your evaluation of the merits of this project results should incorporate the study commissioned by Attorney General Healy on the electric reliability needs, including natural gas capacity demand, for New England.

We thank you for your consideration,

Meg Burch  
Board of Health  
Ad Hoc Pipeline Task Force, Chair

Sue McFarland  
Planning Board  
Ad Hoc Pipeline Task Force

Jim Moore  
Board of Selectmen  
Ad Hoc Pipeline Task Force

Marcelle Morgan  
Conservation Commission  
Ad Hoc Pipeline Task Force

1 <http://www.mass.gov/eea/energy-utilities-clean-tech/energy-facilities-siting-board/> accessed August 11, 2015.  
2 page 26. Source: PHMSA Significant Incident Files Aug 4, 2014

enclosures.

cc: Secretary Bose, FERC  
Governor Charlie Baker  
Attorney General Maura Healy  
Senator Elizabeth Warren  
Senator Ed Markey  
Senator Stan Rosenberg  
Representative Steve Kulik  
Senator Ben Downing  
Congressman Neal  
Selectboard, Town of Conway  
FRCOG Pipeline Advisory Committee

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**Town of CONWAY, Massachusetts**  
P.O. Box 240, Conway, MA 01341  
Town Office: 32 Main St. . Town Hall: 5 Academy Hill Rd.  
Phone (413) 369-4235, ext. 3 . (413) 369-4237 Fax

Federal Energy Regulatory Commission  
Attention: Kimberly D. Bose, Secretary  
888 First Street NE, Room IA  
Washington, DC 20426

July 30, 2015

Re: Tennessee Gas Pipeline CO.'s Northeast Energy Direct proposed gas pipeline project  
Kinder Morgan Project  
Project Docket number PF14-22-000

Mailed by United States Postal Service mail and sent electronically ,  
To Whom It May Concern ,

This letter is being submitted by the Conservation Commission for the Town of Conway, Massachusetts. We are requesting you consider the following and the enclosed information as you review the pending Tennessee Gas Pipeline CO.'s Northeast Energy Direct (TGPIKM) project application. Our comments are made as the duly appointed Conservation Commission for the Town of Conway, Massachusetts.

Our statutory and regulatory jurisdiction is pursuant to the provisions of Massachusetts General Laws (MGL) Chapter 131 section 40 (The Massachusetts Wetlands Protection Act), Chapter 258 of the Acts of 1996 (The Massachusetts Rivers Act), The Code of Massachusetts Regulations (CMR) set forth in 310 CMR 10.00 et. seq., and the Massachusetts Stream Crossing Standards. Our Commission is commenting only on issues within these areas of jurisdiction.

The proposed pipeline project in its projected location will cross the entire Town of Conway from west to east.

We have been advised, according to a notice issued by The Federal Energy Regulatory Commission (FERC) on June 30, 2015, that the Federal Energy Regulatory Commission, within its review of the TGPIKM project application, will analyze steps to "avoid, minimize or mitigate the impacts" of the environment. This submission is intended to address these issues. We have attached to this letter a report we have commissioned on these issues. As you can see from the report there are multiple and significant environmental issues affecting critical habitat, the environment, wetland areas, and river areas. There are at least three substantial stream and river crossings. In the submitted report we have highlighted four (4) critical areas as examples. This report is not intended to be a conclusive as to all critical or impacted areas, but rather is to support that it will be crucial, given the highly sensitive nature of the ecosystems that may be impacted, to, before any work is commenced, carefully study and then condition any work to avoid impacts, minimize impacts, and mitigate impacts both to the aquatic system and supporting terrestrial ecosystems.

It is our Commission's conclusion, supported by the report, that these issues must be fully evaluated and addressed in a Notice of Intent (the regulatory process for permitting proposed projects) to be filed by the applicant (we have been advised that the applicant intends to comply with the regulatory authority set forth in 310 CMR 10.00 et. seq.). These issues should be analyzed in detail and scientifically approached, and must be fully completed and submitted to FERC prior to any PERC approval of the project in order to allow FERC to analyze steps to "avoid, minimize or mitigate impacts" of the environment as FERC has indicated needs to be done (see above).

The report, submitted by the Commission as an attachment to this letter, is not intended to be a substitute for a full evaluation of the entire proposed project location; but rather the report submitted by the Commission is intended to support our determination that a complete analysis will be needed with evaluations along the entire proposed project location,

It cannot be stressed enough that the proposed project, whatever the merits are, is planned to go through highly sensitive ecosystems and thus the proposed work must be carefully conditioned to avoid impacts, minimize impacts, and or mitigate impacts to both the aquatic systems and the supporting terrestrial ecosystems.

We thank you for your consideration.

Very truly yours,

Conway Conservation Commission

PC: Selectboard Town of Conway

Pipeline Committee Town of Conway

Franklin Regional Counsel of Governments Pipeline Advisory Board

Enc: (1)

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**Stockman Associates LLC**

July 28, 2015

Mr. John Gates, Chair

Conway Conservation Commission

PO Box 240

Conway, MA 01341

Re: Preliminary Wetland Resource Area Review

Tennessee Gas Pipeline Company, LLC.

Northeast Energy Direct Project

Proposed Pipeline Route

Conway, MA

Dear Mr. Gates and Commissioners:

Per your request, Stockman Associates LLC performed a preliminary review of the wetland resource areas located within the proposed Tennessee Gas Pipeline Company, L.L.C. (TGP) Northeast Energy Direct Project pipeline route within the town of Conway. The proposed pipeline location was provided by the Conway Conservation Commission; the majority of the footprint is within and along the existing high-tension line easement. During the review process, a potential modification of the easterly extent of the proposed footprint, veering to the north of the existing easement was indicated by the Commission. The goal of the review was to assist the Conway Conservation Commission with an initial review and inventory of protected inland wetland resource areas.

Based on a desktop review of current MassGIS and USDNRC Soil Survey mapping as well as a field inspection of portions of the route, the proposed pipeline route crosses a number of sensitive wetland resource areas subject to protection under the Massachusetts Wetlands Protection Act (MA WPA) and its regulations, which the Conway Conservation Commission is charged with upholding. Inland wetland resources, which will be impacted by the proposed route include, Bank (310 CMR 10.54), Bordering Vegetated Wetlands (310 CMR 10.55), Land under Water Bodies and Waterways (310 CMR 10.56), Land Subject to Flooding (310 CMR 10.57), Riverfront Area (310 CMR 10.58) and potential vernal pool habitat. In addition, the proposed route will impact Priority Habitat of Rare Species, Estimated Habitat of Rare Wildlife, Core Bio Habitat and Coldwater Fish Resources designated by the Massachusetts Natural Heritage Endangered Species Program (MA NHESP) and the Massachusetts Division of Fisheries and Wildlife. The pipeline route may also contain isolated wetlands subject to federal and state protection under Section 401 and 404 of the Clean Water Act.

As stated in 310 CMR 10.00, any proposed work within protected wetland resource areas is subject to the associated performance standards set forth in the regulations for each specific inland resource area. While certain projects may be permitted as limited projects under 310 CMR 10.53 (i.e., utilities), these limited projects must demonstrate that the proposed activity meets the regulatory definition of a limited project and meets the required performance standards to the maximum extent feasible. Avoiding, minimizing and mitigating for impacts is an essential component of the protection of wetland resource areas at the eight interests

of MA WPA. which they serve.

The attached information summarizes the findings of four (4) specific areas visited along the proposed pipeline route. This information serves to provide an example of some of the unique ecosystems located along the proposed route and should not be considered as a complete inventory. On the contrary, the entire route throughout Conway contains numerous protected ecosystems, both mapped and unmapped, all of which require diligent study, delineation, and review to ensure necessary protection.

Sincerely,

Emily Stockman, M.S., P.W.S  
Senior Scientist/Owner  
Stockman Associates LLC

**{27 pages of maps, charts, reports, etc., not reproduced here}**

**20150819-0010**

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**TOWN OF DEERFIELD**  
**Board of Selectmen and Board of Health**  
6 Conway Street  
South Deerfield MA 01373  
Voice: 413.665.1400x. 104  
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August 12, 2015

Stephen August, Presiding Officer  
Massachusetts Energy Facilities Siting Board  
One South Station  
Boston MA 02110

Re: Request for Comment on Northeast Energy Direct Project proposed by Tennessee Gas Pipeline Company (hereafter "TGP")

The Town of Deerfield (hereafter "Town") recognizes that the Energy Facilities Siting Board (hereafter "EFSB") has primary jurisdiction over the siting of intrastate natural gas pipelines in the Commonwealth of Massachusetts, and participates actively in the Federal Energy Resources Regulatory Commission siting process. At the EFSB Siting Board hearing on August 5, 2015 in Greenfield, Massachusetts, the Town stated its position on the Northeast Energy Direct project (hereafter "Project"). However, we would like to take this opportunity to submit the following written comments for your review.

Dear Mr. August:

The Town of Deerfield (hereafter "Town") recognizes that the Energy Facilities Siting Board (hereafter "EFSB") has primary jurisdiction over the siting of intrastate natural gas pipelines in the Commonwealth of Massachusetts, and participates actively in the Federal Energy Resources Regulatory Commission siting process. At the EFSB Siting Board hearing on August 5, 2015 in Greenfield, Massachusetts, the Town stated its position on the Northeast Energy Direct project (hereafter "Project"). However, we would like to take this opportunity to submit the following written comments for your review.

On August 20, 2014, the Board of Selectmen voted a resolution to ban the project from the Town of Deerfield. In addition to that action, on October 22, 2014, the Board of Health issued an order banning construction and operation of the project. Both documents are attached to this letter for reference.

The bottom line, as the Town of Deerfield perceives siting evaluation of the project, is whether this Project benefits the public good. With that in mind and on behalf of the residents, business owners and institutions of the Town of Deerfield, we respectfully request that the following items be considered as part of the siting process by EFSB:

**PUBLIC SAFETY**

The Town of Deerfield considers public safety of vital concern. With terrorism threats rising around the

world the Town is very aware that an attack on the pipeline could be a considerable threat to the residents and visitors in the area. The resources necessary to secure the pipeline, and protect residents and the region at large, both during construction and after the pipeline is operational, will require significant investment, money that the Town does not have.

## CONSTRUCTION

We believe that construction impacts will be a significant detriment to the Town's infrastructure. Additionally, we are concerned that there could be an adverse effect on railroad infrastructure and environmental remediation activities, as well as harm to private property.

## ECONOMIC

The construction and operation of the pipeline could create significant impacts on farming and other agricultural activities, resulting in significant loss of revenue for established farms. Operational projects along the pipeline route are a very real concern. There is a real threat to revenue generated by recreation activities, retail establishments, and historical enterprises. Ultimately, if there is significant loss of income and adverse effects on commerce in Town, companies could relocate away from Deerfield; leading to a loss of tax revenue. That loss of tax revenue will put a substantial burden on home owners in the Town.

Evidence from other areas of the country shows that energy infrastructure projects adversely affect the sale, financing and insuring of private homes. Though Deerfield is not in an active drilling area, there is concern that lenders and insurers will increase rates and premiums, due to the proximity of the pipeline.

The Town is troubled that, in addition to these factors, both personal and private property tax revenue could be decreased. Obviously, this directly affects municipal budgets; the critical funding source of efficient and effective municipal operations. Despite the assurances of proponents of the Project that towns will see tax revenue from the pipeline, there is presently no information available to us that marked revenue may be realized. Directly related to the above, the Massachusetts Department of Revenue (hereinafter "DOR") will have sole control of the tax rates producing that revenue stream to towns. Again, there is no information by which towns can gauge the revenue; the lack of sufficient information is notable and disquieting. However, additional information may be forthcoming as evaluation of the project and its impacts proceeds.

As it is proposed presently, the cost of the construction of the pipeline will fall to the taxpayers of the Commonwealth of Massachusetts. This represents an unfair burden on residents of the state, particularly as many could face a devaluation of their property and hardships associated with that decrease in equity. Residents may not see any corresponding benefits from the increased transmission of natural gas through the state. It is a fact that the Commonwealth of Massachusetts is one of the most expensive states in which to live. Given the possible impact on residents' property valuations, this project represents yet one more hardship faced by taxpayers.

Mindful of the detriment the project will have on residents and property owners from a tax and property value perspective, the Town questions whether that the project will increase jobs beyond construction. However, as evaluation of the project continues, Tennessee Gas pipeline, LLC may be able to further clarify that issue.

## CONSERVED LAND, OPEN AND RECREATIONAL SPACE

Conserved and Preserved Lands, Open Space and Recreational resources are a major concern. Construction and operation activities will have a significant impact on agricultural and recreational resources. Activities along the open space and preserved lands near the Connecticut and Deerfield Rivers, the Pocumtuck Ridge hiking range, and bicycling routes are threatened.

## ENVIRONMENTAL

The environmental effects of the pipeline construction and operation loom large. Notwithstanding any other consideration or concern, we request that this project fully comply with the provisions of the Environmental Protection Act, the National Environmental Policy Act, the Endangered Species Act, the National Historic

Preservation Act, the Magnuson-Stevens Act, and the Massachusetts Environmental Policy Act ( MEPA ). Possible degradation of air quality, geology, and water resources will directly affect residents and visitors to the Town of Deerfield. The Town is concerned about the impact to water resource areas such as wetlands and drainage areas, both private and public water supplies, reduction of capacity in bedrock wells, and groundwater flow patterns. We are also concerned about the potential impacts from blasting during construction. The installation of pipe in the frost zone, and the lack of proper bedding, could reduce pipe integrity.

#### HISTORIC

The possible siting of a metering station on Routes 5 gr 10 could be a significant impact to both the historical and educational institutions nearby. Pocumtuck Valley Memorial Association and Historic Deerfield are world renowned for their preservation of Old Deergeid, and the region; the pipeline represents a very real threat to their conservancy efforts, and could impart Old Deerfield's vital historical presence. Old Deergeld hosts three important educational Institutions; Deerfield Academy, Eaglebrook School, and the gement School. These institutions maintain an educational mission natlonagy and internationally which is a direct benefit to the community. It is very important to the Town that these institutions not suffer any effects from the siting of the pipeline.

#### GOVERNMENTAL OVERSIGHT

If this project is approved by the FERC, the Town respectfully requests that, as with any large project, the Town retains its authority to conduct Site Plan Review and Conservation Commission review in accordance with the gylaws of the Town of Deerfield, and the General Laws of the Commonwealth of Massachusetts. These review processes will allow the Town to implement conditions that, while not prohibiting the installation of the pipeline, will serve to minimize the impact of the project on local resources.

On a related note, we believe that the EFSB should consider possible impacts on the Commonwealth of Massachusetts of allowing TGP any relief from permitting requirements, induding fees and charges associated with said permits. It may be of vital importance to preserve those revenue sources due to the high costs of oversight associated with the project.

Attorney General Maura Healy has proposed to examine options to address electricity reliability needs in the New England Region. The study Is Intended to provide an assessment of costs and benefits, including price impacts, of each option, consistent with the region's energy and climate goals. A key focus of the study will be the question of whether more natural gas is needed in the region, and if so, how much more capacity is needed. Analysis Group, a Bostonbased economic and financial consulting firm, will begin work on the study, which is slated to be completed by October 2015. The Town supports Attorney General Healey's efforts and respectfully asks EFSB to request that FERC suspend their process until the report has been completed.

As you can see, there are many issues facing the residents and officials in the Town of Deerfiejd. We respectfully ask that EFSB consider these concerns as part of their siting process for submission to FERC. We believe it is vital for these issues to be represented to state and federal officials as there will be a detrimental impact on the Town and residents.

On behalf of residents in the Town of Deerfield, we thank you for your time and effort throughout the siting process.

Sincerely,

Carolyn Shores Ness, Chair  
Mark E. Gilmore  
David W. Wolfram  
Deerfield Board of Selectmen

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**TOWN OF DEERFIELD**

**Board of Selectmen and Board of Health**

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**RESOLUTION TO BAN KINDER MORGAN ENERGY PARTNERS AND ITS  
SUBSIDIARY TENNESSEE GAS PIPELINE CO.'S PROPOSED GAS PIPELINE  
EXPANSION IN DEERFIELD, MASSACHUSETTS**

WHEREAS, Kinder Morgan Energy Partners and its subsidiary Tennessee Gas Pipeline Co. have proposed to build a new 30"-36" high-pressure pipeline, also known as the Northeast Expansion Project, for the transport of "fracked gas" from Richmond to Dracut, Massachusetts; and

WHEREAS, the currently proposed route for this pipeline would cut across Deerfield, passing through or near several private residences, town property, and a number of environmentally sensitive areas, requiring roughly 75' Right of Way that would be denuded of all vegetation except grass and maintained through the use of herbicides; and

WHEREAS, high pressure pipelines of this kind carry inherent risks such as leaks and ruptures, and as conveyors of flammable gas, can and have caused accidents resulting in explosions and major fires that have been occurring across the United States with greater frequency; and

WHEREAS, town taxpayer money would pay for emergency response in the event of explosions, fires or other accidents since Kinder Morgan Energy Partners (as a gas utility) and its subsidiary Tennessee Gas Pipeline Co. is exempt from liability in addition to being exempt from the Clean Air Act, the Clean Water Act, the Safe Drinking Water Act, and the Superfund Act; and

WHEREAS, the pipeline, while being owned and operated by a private "for profit" company, would be paid for by Massachusetts ratepayers through an electric utility bill tariff; and

WHEREAS, the pipeline, with its environmental impact on scenic vistas, open space, farmland, and recreation, will adversely affect community appeal and quality of life in Deerfield; and

WHEREAS, landowners would be detrimentally affected through devaluation of property and difficulty procuring homeowners insurance; and

WHEREAS, this pipeline is inconsistent with what we treasure in Deerfield and would provide no benefit to the town or its residents; this gas is not intended for use in Deerfield and any monies paid to the Town by Kinder Morgan Energy Partners and its subsidiary Tennessee Gas Pipeline Co. would not compensate the Town for the environmental losses and liabilities caused by the pipeline;

NOW, THEREFORE BE IT RESOLVED that the Board of Selectmen of the Town of Deerfield, at a duly posted and called meeting, hereby stand in opposition to Kinder Morgan Energy Partners and its subsidiary Tennessee Gas Pipeline Co.'s pipeline expansion or any similar projects that may be proposed later within our Town borders; rescinds any permission that has been granted to Kinder Morgan and its subsidiary Tennessee Gas Pipeline Co. or its agents to survey Town of Deerfield property; and convey this resolution to the State and Federal Legislative Representatives of the Town of Deerfield and the Governor of the Commonwealth of Massachusetts, asking them to take action to prevent the construction of the pipeline within the borders of the Commonwealth of Massachusetts.

Given this Twentieth day of August in the year Two Thousand and Fourteen.

Carolyn Shores Ness, Chair  
Mark E. Gilmore, Selectman  
David W. Wolfram, Selectman

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TOWN OF DEERFIELD  
Board of Health

## BOARD OF HEALTH'S DECISION ON THE KINDER MORGAN PROPOSED PIPELINE

This matter has come before the Deerfield, Massachusetts Board of Health at the request of citizens of Deerfield that the Board hold hearings in order to determine whether the “fracked” gas pipeline Kinder Morgan Corporation proposes to build in Deerfield presents unreasonable risk to the health and lives of the citizens of Deerfield. For the reasons set forth below, the Board of Health of Deerfield does indeed find that the proposed pipeline presents an unreasonable risk to the health and lives of the residents of Deerfield and ORDERS Kinder Morgan or any of its subsidiaries or affiliated companies to immediately cease from carrying on activities in Deerfield associated with said pipeline.

### **I. Background**

Kinder Morgan is a Texas Corporation with headquarters in Houston, Texas and offices in Holyoke, Massachusetts. On or about February of 2014 Kinder Morgan announced that it planned to build a pipeline carrying natural gas produced by hydraulic fracturing–fracking–to transit the Town of Deerfield, Massachusetts.

On August 20, 2014 the Deerfield Board of Selectmen held a public hearing, at the request of Deerfield residents, to hear testimony about the concern many residents had over anticipated impacts of the proposed pipeline. In response, the Board of Selectmen issued a non-binding resolution in opposition to the installation of the pipeline on Deerfield's land.

Residents of the Town of Deerfield requested the Board of Health of Deerfield (“BaH”) on the same date, August 20, 2014, to hold hearings and determine, under the provisions of M.G.L. Ch. 111 §§s. 31 and 143, whether or not construction and operation of the proposed pipeline presents an unreasonable risk to the health and lives of residents of the Town of Deerfield. The Board of Health agreed to conduct the requested hearings and set a hearing date for September 9, 2014.

That same evening of August 20, 2014 BaH send an e-mail to the local representative of Kinder Morgan, notifying Kinder Morgan of the forthcoming hearing. (Ex.-1 at pg. 6). This e-mail communication was followed by a Certified Letter addressed to the General Counsel of Kinder Morgan on August 26, 2014 giving notice of the scheduled hearing. (Ex.-1 at pgs. 1-3). Joseph Listengart, General Counsel of Kinder Morgan, received the Certified Letter communication on September 3, 2014 (Ex.-1 at pg. 5). Kinder Morgan notified the BaH via telephone at approximately 12:30 PM on the day scheduled for the hearing, September 9, 2014, that Kinder Morgan would not be attending the hearing (Certified Transcript [“CT”] at pg.4).

The BaH went forward with the scheduled public hearing on September 9, 2014 as planned, at the auditorium of the Frontier Regional School in Deerfield. At this hearing the BaH introduced twelve exhibits into the hearing record (CT at pgs. 9-25). Exhibits 1-12 were introduced by the BaH for the truth of the matters asserted therein and without objection from Kinder Morgan.

Kinder Morgan was notified that the hearing had taken place in spite of their default absence and that BaH had granted Kinder Morgan fifteen days, ending on September 24, 2014, to comment on all matters and Exhibits presented at the hearing (CT at pg.5 and Ex.-13). Kinder Morgan defaulted failing to respond to the BaH request by the deadline set of September 24, 2014 at 4:00 PM (CT at pg. 24).

On September 24, 2014 Kinder Morgan wrote to the BaH, in a letter delivered on September 26, 2014, two days past the deadline, in response to BaH communications of August 26, 2014 (Ex.-1) and September 12, 2014 (Ex.-13).

In this defaulted letter, filed past the deadline set by the BOH, Kinder Morgan alleged that the Federal Energy Regulatory Commission (“FERC”) “will be the government agency responsible for reviewing”

the projected pipeline (Ex.-14). Kinder Morgan chose to ignore all facts introduced into the record of the BOH hearing of September 9, 2014.

## **II. Facts.**

### **a. Kinder Morgan’s subsidiary was convicted in California of six felony counts regarding the deaths of Javier Ramos, Israel Hernandez, Tae Chin, Victor Rodriguez and Miguel Reyes. (Ex.- 2)**

The Supreme Court of the United States has

... rejected the argument that political speech of corporations or other associations should be treated differently under the First Amendment simply because such associations are not “natural persons.” *Citizens United v. Federal Election Commission* Supreme Court of the United States 558 Us. 310at 343; 130 S. Ct. 876 at 900; 175 L. Ed. 2d 753 at 784 (2010)( citations omitted)

The order of the Supreme Court establishing that corporations cannot be treated differently from “natural persons”, albeit in the context of the First Amendment, gives clear indication to the BOH that a corporation cannot be treated differently from “natural persons” in the context of felonies committed.

Felons have limited rights in Massachusetts, i.e., cannot participate in elections as they cannot vote while incarcerated, cannot be members of the Gaming Commission, etc.

The Deerfield BOH hereby finds that a corporation convicted of felonies resulting in the tragic deaths of five people presents an unreasonable risk to the health and lives of residents of Deerfield if such felon were to be allowed to build a massive, high pressure fracked-gas pipeline, the dangers of which will be enumerated in the sections which follow.

### **b. Kinder Morgan’s Safety Violations and Accidents (Ex.2)**

Kinder Morgan was cited by the Hazardous Materials Safety Administration for violating its regulations five times in 2011 (Ex.-2 at pg.-4).

In Texas, alone, from 2003 to 2014 Kinder Morgan experienced 36 “significant incidents” resulting in fatalities or hospitalization, fires, explosions or spills (Ex-2 pgs. 4 and 5, describing the incidents in detail with adequate references).

The Deerfield BOH hereby finds that allowing a corporation known to have acted with such willful disregard for regulations enacted to prevent injury to or death of residents and citizens to build and operate a massive high pressure “fracked” gas transportation pipeline through the town would present unreasonable risk to the health and lives of residents of Deerfield.

### **c. Kinder Morgan Has a Record of Bribery, Pollution, Fraud, Scams, Thefts, Deaths, Felonies, Environmental Disasters, Labor Violations, Unsafe Working Conditions, and Influence Buying. (Ex.-4 at pgs. 7-11).**

Kinder Morgan’s operations in Portland, Oregon, have been home to pollution, lawbreaking, and even bribery. (Ex.-4 at pg. 7).

The Federal Bureau of Investigations determined that between 1997 and 2001 “Kinder Morgan systematically scammed some of its customers, including the Tennessee Valley Authority (‘TVA’), a publicly owned provider of electricity in the mid-South” (Ex.-4 at pg.-7).

The same federal investigation found that at its Grand River Terminal in Kentucky, Kinder Morgan officials took coal from a customer’s stockpiles and resold nearly 259,000 tons (Ex.-4 at pg.-7).

In another case the US Environmental Protection Agency (“EPA”) fined Kinder Morgan \$613,000 for violations of the Clean Air Act after “regulators discovered that the company had been illegally mixing an industrial solvent described as a ‘cyclohexane mixture’ into unleaded gasoline and diesel” (Ex.-4 at pg-7).

In 2010 the federal government fined Kinder Morgan \$1 million for repeatedly violating the Clean Air Act. The US Department of Justice found that “among other crimes” Kinder Morgan managers lied in permit applications, stating that the company would control its pollution when all the while they knew the control equipment was not being operated or even maintained properly (Ex-4 at pg.-7).

Currently, Kinder Morgan is under investigation by the EPA for violating the federal Renewable Fuels Standard. Officials believe that Kinder Morgan purchased conventional fossil fuels while filing falsified documents certifying that the fuels came from renewable sources (Ex.-4 at pg-8).

The Deerfield BOH hereby finds that if allowed to build and operate a massive fracked gas transportation pipeline through the town, a corporation on the record as having acted with such willful disregard for regulations enacted to prevent injury to or death of residents and citizens would present unreasonable risk to the health and lives of residents of Deerfield.

**d. Kinder Morgan's Pipelines Have Endangered Lives in Many Communities across the United States and Canada.**

In 2007 a Kinder Morgan pipeline ruptured in Burnaby, British Columbia, forcing 50 families to evacuate their homes as oil rained down on a residential neighborhood (Ex.-4 at pg. 8).

In January of 2012 a Kinder Morgan storage facility in British Columbia spilled roughly 29,000 gallons of crude oil into the community of Abbotsford (Ex.4 at pg. 90).

In April of 2004 a long stretch of a Kinder Morgan corroded pipeline ruptured, spilling 123,000 gallons of diesel fuel into a sensitive saltwater wetland on San Francisco Bay. Kinder Morgan pled guilty on four counts relating to that spill as well as an unrelated spill in Los Angeles Harbor (Ex.-4 at pg. 9).

In November of 2004 an oil pipeline of a Kinder Morgan subsidiary burst in the Mojave Desert, sending a jet of fuel 80 feet into the air. The break closed the nearby interstate highway and contaminated more than 10,000 tons of soil in the habitat of the federally endangered California Desert Tortoise (Ex.-4 at pg. 10).

In 2005 Kinder Morgan spilled 70,000 gallons of fuel into Oakland's inner harbor, and then 300 gallons into the Donner Lake watershed in Sierra Nevada. And in 2007 the City of San Diego sued Kinder Morgan for falsifying records of the clean-up of a fuel leak that contaminated the aquifer (Ex.-4 at pg. 10).

In May of 2011 the US Pipeline and Hazardous Materials Safety Administration announced a proposed \$425,000 fine against Kinder Morgan for safety violations following a federal investigation into Kinder Morgan's having spilled 8,600 gallons of hazardous liquids in New Jersey (Ex.-4 at pg. 10).

In December of 2011 a two-year-old Kinder Morgan natural gas pipeline leaked in Ohio, spewing 127,000 cubic feet of natural gas and forcing residents to evacuate their homes (Ex.-4 at pg. 10).

The Deerfield BOH hereby finds that allowing a corporation with a known record of endangering the lives of residents across North America to build and operate a massive fracked gas transportation pipeline through the town would present unreasonable risk to the health and lives of residents of Deerfield.

**e. Pipeline Transportation of Fuels is a Dangerous Operation in the United States and Worldwide.**

From 2000 to 2009 there were 460 accidents on record related to pipeline discharges of fuels, whether gas or liquids, in the United States (Ex.-5 at pgs. 1 to 23). Pipelinelated incidents have brought pipeline safety to national -and presidential - attention (Ex.-6 at pgs. 1-5).

From 1994 through 2013 the United States had 745 serious incidents with gas distribution, causing 728 fatalities, 1059 injuries, and \$110 million in property damage (Ex.-7 at pg.-2).

National Public Radio reported in January of 2014 that more than 6,000 leaks of gas had occurred in the District of Columbia alone (Ex.-8 at pgs. 1-4). In Massachusetts in the last ten years it has cost consumers more than \$1.5 billion for fuel leaked from pipelines (Ex.-9 at pgs. 1-4).

The Deerfield BOH hereby finds that there is a danger to the health and lives of residents of Deerfield if the BOH were to permit construction and operation of natural gas pipeline within the town of Deerfield, particularly when the company constructing and operating the pipeline is Kinder Morgan, as per sections a to d above.

**f. Kinder Morgan's Official, Mark Hamrich, Reported at a Public Meeting Held at Greenfield Community College on July 14, 2014 that Kinder Morgan Does Not Know the Composition of the Gas Resulting from Fracking to be Transported in the Proposed Pipeline.**

Fracking is a process designed to extract gas from shale buried in the soil. Fracking fluid is a toxic brew consisting of multiple chemicals which may include toxic materials such as petroleum distillates, ethylene glycol, methanol, polyacrylamide and many others (Ex.-11 and Ex-12 at pgs. 1-3).

Kinder Morgan has not denied that some of these fracking chemicals might be present in the fracked gas to be transported through the pipeline.

The Deerfield BOH finds the statement by Mark Hamrich of Kinder Morgan at an open meeting disingenuous as the actual composition of the gas in the pipeline can be established at any time by simple gas and/or liquid chromatography analysis.

The Deerfield BOH hereby finds that the unknown composition of the gas in the pipeline does indeed present a danger to the health and lives of residents of Deerfield if the BOH were to permit construction and operation of natural gas pipeline within the town of Deerfield, particularly when the company constructing and operating the pipeline, Kinder Morgan, does not know the composition of the gas to be transported through the pipeline.

**g. Many Residents of Deerfield Have Shallow Wells Which Might Be Contaminated by Leaks from the Proposed Pipeline, and There is No Evidence that the Proposed Pipeline Will Not Disturb the Aquifer and thus Endanger Residents of Deerfield (CT at pages 21-22).**

The Deerfield BOH hereby finds that given possible contamination of the fracked gas with fracking chemicals from possible corrosion and leaks from the pipeline that installation of the massive pipeline through Deerfield will indeed endanger the health and lives of the residents of Deerfield by contaminating drinking water drawn from the shallow wells of many Deerfield residents.

**III. The Board of Health of Deerfield Has Authority to Prevent the Construction and Operation of the Proposed Pipeline Within the Confines of the Town of Deerfield.**

**a. The Board of Health of Deerfield Has Authority under M.G.L. Ch. 111 §§. 31 and 143 to Conduct Hearings and Determine Whether or Not the Proposed Kinder Morgan Pipeline Presents an Unreasonable Danger to the Health and Lives of the Residents of Deerfield.**

Kinder Morgan, in a belated letter arriving at the offices two days after the close of comments on the subject matter of the hearings (Ex.-14), implies that any resolution by the BOH in this matter is inconsistent with the Federal Constitution and Federal statutes, and thus that it is invalid under the supremacy clause of the United States Constitution, Art. VI, cl. 2.

This argument has been dealt adequately by the Supreme Court of Massachusetts in *Arthur D. Little v. Commissioner of Health of Cambridge* 395 Mass. 535; 481 NE.2d 441; 1985 Mass. LEXIS 1720(1985).

The Supreme Court considered the argument in light of two principles which are traditionally the basis of preemption analysis.

First, “[p]reemption ... is not favored, and State laws should be upheld unless a conflict with Federal law is clear.” *Attorney Gen. v. Travelers Ins. Co.*, 385 Mass. 598,602 (1982) (*Travelers 1*), vacated, 463 U.S. 1221 (1983), reaffirmed, 391 Mass. 730 (1984), *aff’d sub nom. Metropolitan Life Ins. Co. v. Massachusetts*, 471 U.S. 724 (1985). See *Commonwealth v. McHugh*, 326 Mass. 249, 265-266 (1950); *Exxon Corp. v. Governor of Md.*, 437 U.S. 117, 132 (1978). State law is not preempted merely by reference to some vaguely defined Federal policy, or on the ground that Congress has enacted a statute which is tangentially relevant to the subject at issue. Instead, the plaintiff here is obligated to show preemption “with hard evidence of conflict ... on the basis of the record evidence in this case.” *Grocery Mfrs. of Am., Inc. v. Department of Pub. Health*, 379 Mass. 70, 81-82 (1979), quoting *Kargman v. Sullivan*, 552 F.2d 2, 6 (1st Cir. 1977). Generally speaking, “a finding of no preemption is regarded as preferable because Congress can overrule it by appropriate legislation, while a finding of preemption cannot be changed by the states.” *Agency Rent-A-Car, Inc. v. Connolly*, 686 F.2d 1029, 1038 (1st Cir. 1982). See *Pacific Gas & Elec. Co. v. State Energy Resources Conservation & Dev. Comm’n*, 461 U.S. 190, 216 (1983).

Secondly, the Court argued that the Supreme Judicial Court of the Commonwealth and the United States

Supreme Court have been particularly reluctant to overturn State laws which are “deeply rooted in local feeling and responsibility.” *Travelers L supra* at 611, quoting *San Diego Bldg. Trades Council v. Garmon*, 359 U.S. 236, 243-244 (1959). *Massachusetts Elec. Co. v. Massachusetts Comm’n Against Discrimination*, 375 Mass. 160, 174 (1978). This principle applies with special force to laws designed to protect the public health and welfare, a subject of “particular, immediate, and perpetual concern” to any municipality 6 E. McQuillin, *Municipal Corporations* §24.01 (3d ed. rev. 1980). In fact, according to an early decision of the Massachusetts Supreme Judicial Court, *Vandine, petitioner*, 6 Pick. 187, 191 (1828), “[t]he great object of the city is to preserve the health of the inhabitants.” Accordingly, municipal health and safety regulations, such as that at issue here, carry a heavy presumption of validity and are only rarely preempted by Federal law. *Travelers L supra* at 612. See *Malone v. White Motor Corp.*, 435 U.S. 497, 513 n.13 (1978). “The States traditionally have had great latitude under their police powers to legislate as ‘to the protection of the lives, limbs, health, comfort, and quiet of all persons.’” *Metropolitan Life Ins. Co. v. Massachusetts*, 471 U.S. 724, 756 (1985), quoting *Slaughter-House Cases*, 16 Wall. (83 U.S.) 36, 62 (1873). *Huron Portland Cement Co. v. Detroit*, 362 U.S. 440, 442-443 (1960).

**b. The Federal Energy Regulatory Commission Cannot Prevent the BOH of Deerfield from Issuing Regulations Safeguarding the Health and Lives of the Residents of Deerfield.**

The law created by Congress designed to regulate pipeline transportation of natural gas in the United States is the Natural Gas Act, 15 USCS §§ 717 et seq. The Federal Energy Regulatory Commission is the agency created by Congress to enforce the Natural Gas Act.

The purpose of The Natural Gas Act is to protect consumers against exploitation .... The Natural Gas Act was intended to provide, through exercise of national power over interstate commerce, agency for regulating wholesale distribution to public service companies of natural gas moving interstate, which United States Supreme Court has declared to be interstate commerce not subject to certain types of state regulation .... Congress, in drafting Natural Gas Act, was not only expressing its conviction that public interest requires protection of consumers from excessive prices for natural gas, but was also manifesting its concern for legitimate interests of natural gas companies in whose financial stability gas-consuming public has vital stake .... Purpose of Congress in enacting Natural Gas Act was to create comprehensive and effective regulatory scheme, and to underwrite just and reasonable rates to consumers of natural gas .... Primary aim of Natural Gas Act is to protect consumers against exploitation at hands of natural gas companies; to that end, Congress created comprehensive and effective regulatory scheme .... Purposes of Natural Gas Act are to protect consumers against exploitation at hands of natural gas companies, to underwrite just and reasonable rates to consumers of natural gas, and to afford consumers complete, permanent, and effective bond of protection from excessive rates and charges .... Primary aim of Natural Gas Act is protection of consumers against exploitation at hands of natural gas companies, and congressional intent is to give Federal Power Commission [now FERC] jurisdiction over rates of all wholesale sales of natural gas in interstate commerce .... Natural Gas Act is intended to create, through exercise of national power over interstate commerce, agency for regulating wholesale distribution to public service companies of natural gas moving interstate, and is, for this purpose, expected to balance investor and consumer interests; Federal Power Commission’s [now FERC’s] responsibilities include protection of future, as well as present, consumer interests .... Fundamental purpose of Natural Gas Act is to assure adequate and reliable supply of gas at reasonable prices .... Basic purpose of Natural Gas Act is protection of public interest .... Purpose of Natural Gas Act is to underwrite just and reasonable rates to consumers of natural gas .... Protection of interest of consumers in adequate supply of gas at reasonable rates is overall purpose of Natural Gas Act. ... Purposes of Natural Gas Act, including that of protecting consumers from prices which are forced above just and reasonable level by market power of natural gas suppliers, impose limits on Federal Power Commission’s [now FERC’s] broad discretion to devise methods of natural gas regulation capable of equitably reconciling diverse and conflicting interests .... Purpose of regulation under Natural Gas Act is to provide reliable and adequate supply of gas for interstate market at

lowest reasonable cost; Federal Power Commission [now FERC] must regulate, through application of Act, in such manner as to encourage exploration, development, and dedication of natural gas to interstate market. ... It is not purpose or intent of Natural Gas Act to interfere with intrastate transportation, sale, or use of natural gas, and Act was not designed to limit state authority to prevent waste in its natural gas resources. [(Natural Gas Act 15 USCS §717 Section III (A) (2)] (Citations Omitted).

**c. Safeguarding the Health and Lives of Residents of Towns in Massachusetts by Boards of Health Is Not a Preempted Activity by The Natural Gas Act.**

These are the State Activities preempted by the Natural Gas Act according to the Statute and Court decisions, (Court Citations Omitted):

Natural Gas Act preempts regulatory powers over transportation and sale of natural gas in interstate commerce. . . . Congress meant by Natural Gas Act to create comprehensive and effective regulatory scheme, complementary in its operation to those of states and in no manner usurping their authority .... Natural Gas Act does not envisage federal regulation of entire natural gas field to limit of constitutional power, but contemplates exercise of federal power as specified in Act, particularly in that interstate segment which states are powerless to regulate because of commerce clause of Federal Constitution .... Congress, in enacting Natural Gas Act, did not intend to cut down state regulatory power, but rather to supplement it by closing gap between federal and state powers created by prior decisions of United States Supreme Court .... Congress, in enacting Natural Gas Act did not give Federal Power Commission [now FERC] comprehensive powers over every incident of gas production, transportation, and sale; rather, Congress invested Commission with authority over certain aspects of this field, leaving residue for state regulation; however, from fact that Congress intended to impose comprehensive regulatory system on transportation, production, and sale of gas, it follows that as to problem which is not, by its very nature, one with which state regulatory commissions can be expected to deal, Congress desired regulation by federal authority rather than no regulation. . . . Interstate sales of gas are not to be determined by case-by-case analysis of impact of state regulation upon national interest. ... Congress meant by Natural Gas Act to create comprehensive and effective regulatory scheme of dual state and federal authority, and, from this fact, it follows that as to problem which is not, by its very nature, one with which state regulatory commissions can be expected to deal, Congress desired regulation by federal authority rather than no regulation; when dispute arises over whether given transaction is within scope of federal or state regulatory authority, problem should not be approached negatively, thus raising possibility that “no man’s land” will be created; in borderline case where congressional authority is not explicit, crucial question is whether state authority can practicably regulate given area, and, if it cannot, federal authority governs .... Congressionally designed interplay between state and federal regulation under Natural Gas Act does not permit states to attempt to regulate purchasing decisions of interstate pipelines in mere guise of regulating natural gas production .... Congress, in enacting Natural Gas Act (15 USCS §§ 717 et seq.), did not envisage federal regulation of entire natural gas field to limit of federal constitutional power; rather, Act is designed to supplement state power and to produce harmonious and comprehensive regulation of industry, and neither state nor federal regulatory body is to encroach upon jurisdiction of other. ... In passing Natural Gas Act, Congress took care not to intrude unnecessarily upon state prerogatives; Congress did not intend Federal Power Commission [now FERC] to act as local forum on matters over which it had no regulatory jurisdiction .... Federal regulatory control is proper during period from time that Federal Power Commission [now FERC] has made determination that federal jurisdiction exists until conclusive upholding of such finding by last available court, and state authorities have no right to regulate unfettered merely because courts have not conclusively reviewed Commission’s finding of jurisdiction .... In borderline cases under Natural Gas Act (15 USCS §§717 et seq.) involving respective ambits of state and federal regulatory authority, courts ask whether it is within capability of states to regulate in accordance with purposes of Act, and if it is not, courts can preserve efficacy of Act only by determining that federal authority prevails .... Under Natural Gas

Act, regulation of interstate transportation and sale for resale of natural gas is committed exclusively to jurisdiction of Federal Power Commission [now FERC], and jurisdiction over such transactions cannot be asserted by state agency. Courts have subject matter jurisdiction under 28 USCS § 1331 in action in which companies sought declaration that zoning amendment providing for absolute prohibitions and limitations on siting of liquefied natural gas facilities was preempted by Natural Gas Act, and also sought injunction barring enforcement of amendment because complaint sought both declaratory and injunctive relief on grounds of preemption .... If Natural Gas Act, 15 USCS §§ 717 et seq., grants jurisdiction to Federal Energy Regulatory Commission over matter, its jurisdiction is exclusive .... Gas producers do not have “natural” monopoly power; that is, the industry does not possess the inherent technical characteristics that prevent its efficient and economical operation unless operated as a monopoly. Therefore, the theory that a regulatory agency is necessary to represent consumers when they bargain on rates with a natural monopolist like a utility no longer applies to gas production; FERC has a fundamentally different regulatory obligation, a narrower authority to administer the NGPA and to prescribe higher price ceilings only in certain circumstances .... Regulation of natural gas companies engaged solely in interstate commerce and sale for resale has been preempted by federal government. ... Natural Gas Act was so framed and enacted as to complement and in no manner usurp state regulatory authority .... Where natural gas company was not engaged in exclusively interstate operations, state control was not precluded by Natural Gas Act. Natural Gas Act 15 USCS §717Section III (B)(6) (Citations Omitted).

The Natural Gas Act is primarily concerned with safeguarding consumer financial protection from predatory practices of corporations involved in natural gas transportation. Thus it specifically pre-empts certain activities .... Order of state regulatory agency requiring interstate natural gas pipeline company to take gas ratably, in proportion to shares of various well owners and operators, from common gas pool and to purchase gas under nondiscriminatory conditions is pre-empted by comprehensive scheme of federal regulation .... When applied to “natural gas companies” within meaning of Natural Gas Act (NGA) (15 USCS §§ 717 et seq.), state statute under which state’s public service commission regulates issuance of securities by public utilities transporting natural gas in interstate commerce is preempted by NGA as regulation of natural gas companies’ rates and facilities .... Interstate natural gas pipelines operate within field--reserved under Natural Gas Act (15 USCS §§ 717 et seq.) for federal regulation--ofbuying gas in one state and transporting it for resale in another, so inevitably states are preempted from directly regulating such pipelines in such way as to affect pipelines’ cost structures . ... Needs of metropolitan area for adequate and efficient supply of natural gas outweighed state’s plan for community development, and therefore regional development commission’s action in refusing to issue permit for construction of natural gas plant was arbitrary and unwarranted imposition on interstate commerce in conflict with Natural Gas Act. ... Oklahoma statute providing that pipeline company, on request, shall furnish gas to one whose premises are crossed by its pipeline frustrates full effectiveness of Natural Gas Act because it frustrates exercise of power which Congress has delegated to Federal Power Commission [now FERC]; state statute violates supremacy clause and is without effect. ... Natural Gas Act (15 USCS §§ 717-717w) pre-empts state public utilities securities regulation law which requires public utilities, including natural gas companies as defined under 15 USCS §717a(6), operating in state to obtain approval of state’s public service commission before issuing long-term securities .... District Court properly determined that Oklahoma’s ratable take statute and implementing regulation, requiring interstate pipeline company to purchase natural gas from all producers of natural gas reservoir or field, was pre-empted by federal regulatory scheme established by Natural Gas Act (15 USCS §§ 717 et seq.) and Natural Gas Policy Act (15 USCS §§ 3301 et seq .... Under Natural Gas Act (15 USCS §§ 717 et seq.) Congress had implicitly preempted state regulation of interstate pipeline company’s direct transportation of natural gas from wellhead in Oklahoma to ultimate consumer in Michigan .... As applied to interstate pipeline construction, New York State regulatory scheme governing construction of natural gas transmission lines was preempted by Natural Gas Act (15 USCS §§ 717 et seq.), since Congress

intended to vest exclusive jurisdiction to regulate pipelines in FERC, and Congress had occupied field of regulation regarding interstate gas transmission facilities .... Oklahoma statute directly regulating interstate pipeline companies in their purchase of natural gas by rendering them liable to all royalty owners in entire drilling and spacing unit regardless of whether they had complied with their obligations to parties with whom they had contracted was preempted by Natural Gas Act (15 USCS §§ 717 et seq.) as amended by Natural Gas Policy Act (15 USCS §§ 3301 et seq.) insofar as state statute applied to interstate pipelines engaged in purchase of natural gas .... In case involving natural gas pipeline regulation, Iowa provisions regulated in federally occupied field because (1) Federal Energy Regulatory Commission (FERC) considered environmental concerns and specifically addressed issues of soil preservation and land restoration, which were very areas that board members wished to regulate, (2) there was substantial potential for collision between Iowa provisions and FERC plan in that Iowa regulations imposed additional requirements in number of areas, (3) imminent possibility of collision between Iowa provisions and federal regulatory scheme affected ability of FERC to achieve uniformity of regulation, which was objective of NGA, (4) it was undeniable that Congress delegated authority to FERC to regulate wide range of environmental issues relating to pipeline facilities, and (5) because FERC had authority to consider environmental issues, states could not engage in concurrent site-specific environmental review; thus, Iowa's regulations were preempted by Natural Gas Act (NGA), 15 USCS §§ 717 et seq., and trial court did not err in granting summary judgment to gas companies granting permanent injunction in companies' favor. ... Rhode Island's Coastal Resource Management Program's Category B Assent (licensing) process required by 04-000-010 R.I. Code R. § § 100.1(A), (D), 300.1, clearly conflicted with exclusive authority of Federal Energy Regulatory Commission (FERC), which it had exercised in instant case, to license siting, construction, expansion, or operation of liquefied terminals under 15 USCS § 717b(e)(I); by finding dredging activities were part of construction and operation of terminal facility, FERC interpreted dredging at issue to be within its jurisdiction, and thus, assent process utilized by Rhode Island clearly collided with FERC's delegated authority and was preempted .... Where natural gas company could have raised question whether Natural Gas Act (15 USCS §§ 717 et seq.) preempted state franchise law before FERC at same time that company was raising question in state court, Court of Appeals would not require FERC to reopen proceedings at late date in order to permit introduction of preemption question .... On review--under §§ 1 and 5 of Natural Gas Act (15 USCS §§ 717, 717d)--of FERC Order No. 636, which comprehensively restructured natural gas industry through mandatory unbundling of sales and transportation services, court would uphold (1) FERC's jurisdiction to regulate re-sale of interstate-transportation rights in general, as well as specifically its jurisdiction over local distribution companies (LDCs) who broker capacity to local end-users and over municipal LDCs, (2) uphold FERC's decision that state authorized "buy/sell arrangements" are pre-empted by FERC's capacity-release program, and (3) uphold FERC's decision to exclude Part 157 shippers .... Where established course of business of gas distributing company is predominantly interstate, mere fact that some gas is sold and delivered in state of its origin affords that state no superior power to regulate or control transaction .... State constitutional provision and statute which gives state users first priority at obtaining new natural gas that may be found in state is invalid as being violation of Supremacy Clause of United States Constitution since these state provisions clearly frustrate Congressional intent to provide adequate and reasonably priced supply of natural gas for entire nation with equal access to both intrastate and interstate markets . ... Oklahoma ratable take provision in natural gas statute and regulation is unconstitutional where state attempted to prevent discrimination in favor of anyone common source of supply as against another by allowing state to skew free market for gas, because federal law and policy to allow price to be determined by free flow of commerce among states preempts state regulation .... Federal Energy Regulatory Commission's granting of certificate of public convenience and necessity for bypass transportation of natural gas preempts regulatory power of state public service commission, where bypass will allow direct transportation of gas from Oklahoma facilities to Michigan steel plant, because 15

USCS § 717(b) applies to this approved interstate transportation of gas, which is neither “other sale” nor “local distribution” within meaning of residual regulatory authority of states .... In interstate natural gas pipeline companies’ suit against state utilities board members, state laws relating to pipelines and land restoration, Iowa Code ch. 479A and 199 Iowa Admin. Code chs. 9 and 12, were preempted .... Amendment to county zoning regulation, which provided for absolute prohibitions and limitations on siting of liquefied natural gas (LNG) facilities, was preempted under Supremacy Clause of U.S. Const. art. VI by Natural Gas Act (NGA) because 15 USCS § 717b(e)(1) provided Federal Energy Regulatory Commission (FERC) with exclusive authority over siting of LNG terminals; NGA governed virtually every step of LNG facility’s siting, construction, and operation; zoning amendment conflicted with NGA by impeding upon FERC’s jurisdiction; and, although 15 USCS §717b-1 (b) required FERC to consult with state agencies on matters of local concern and 15 USCS §717b(d) reserved to states their delegated authority under certain environmental statutes, Congress intentionally structured NGA to give states no decision-making authority .... Requiring plaintiff natural gas company to obtain permit under Connecticut’s Structures, Dredging and Fill Act, Conn. Gen. Stat. §22a-359 et seq., for pre-construction, construction, and operation of its federally authorized gas pipeline conflicted with Federal Energy Regulatory Commission’s certifying project, and permit requirement was therefore preempted by Natural Gas Act. ... Because Natural Gas Act, 15 USCS §§717 et seq., and Federal Energy regulatory Commission’s regulations promulgated thereunder govern virtually every facet of liquefied natural gas facility’s siting, construction, and operation, Congress has occupied entire field of natural gas regulation and thereby preempted state assent processes .... Natural Gas Act (NGA), 15 USCS §§ 717 et seq., delineates specific areas of federal regulatory authority; section 1(b) of Natural Gas Act (NGA), 15 USCS §§ 717 et seq., gives Federal Energy Regulatory Commission plenary jurisdiction over three areas, and three areas only: (1) transportation of natural gas in interstate commerce, (2) sale in interstate commerce of natural gas for resale, and (3) natural-gas companies engaged in such transportation or sale .... State commerce commission is without authority to regulate issuance of securities issued by natural gas pipeline companies to finance construction and acquisition of facilities subject to jurisdiction of Federal Power Commission [now FERC]. Natural Gas Act 15 USCS §717Section III (B)(7). (Citations Omitted).

#### **IV. Conclusion**

The Deerfield BOH finds that the proposed hydraulic fracturing-fracking-pipeline will endanger the health and lives of the residents of Deerfield, and hereby bans the construction and operation of such pipeline within the boundaries of the Town of Deerfield. The Board of Health of Deerfield has the authority to ban construction and operation of the proposed pipeline and the Federal Energy Regulatory Commission does not have the legal authority to preempt the decision of the Board of Health.

#### **ORDER.**

For all the reasons stated in this opinion the Board of Health of Deerfield orders Kinder Morgan or any of its subsidiaries or affiliated companies to cease immediately all its activities in Deerfield related to construction of the proposed hydraulic fracturing pipeline within the boundaries of the town of Deerfield, Massachusetts.

So ORDERED.

Carolyn Shores Ness  
Chair, Deerfield Board of Health

Mark E. Gilmore  
Member, Deerfield Board of Health

David W. Wolfram  
Member, Deerfield Board of Health

*{ end of 20150819-0010 }*

15 Silverwood Terrace  
South Hadley, MA 01755-1231  
mhh777@verizon.net

August 13, 2015

The Commonwealth of Massachusetts  
Energy Facilities Siting Board  
Stephen.August@state.ma.us  
dpu.efiling@state.ma.us

To Whom It May Concern:

In regard to the NED Pipeline project, I would like to assert that there is no site in Massachusetts where a new 30 or 36 inch gas pipeline would be acceptable.

This project has arisen in conjunction with the work of ISO-NE. ISO-NE wears three hats: overseeing day-to-day operations; developing and administering regional wholesale electricity markets; and managing comprehensive regional power system planning. I am wondering if ISO-NE is wearing too many hats, and has not had sufficient consultation and dialogue with the community about their recommendations.

In the "2013 Regional Electricity Outlook" report of ISO-NE, I see the genesis of the NED Pipeline developing. It is not entirely clear how ISO-NE arrived at the plan. They expressed concern with over-reliance on a single source of energy before then going on to enlist in more reliance on natural gas as a good thing. I am not sure it is a good thing that they have moved from concern to piling on the bandwagon for natural gas. Some thoughts could be offered.

~ "Cheap" gas from shale formations is not being offered at its true cost. The extraction of this resource is destroying potable water supplies and, where the developers are not liable for this harm, it is on the taxpayer's dime. A true assessment of shale gas expense involves including the cost of replacing what is irreplaceable and essential to life.

~ In light of these as yet untallied costs of shale gas, gas that can be obtained by way of an existing pipeline from Canada may be relatively inexpensive.

~ I have learned from the report mentioned above that ISO-NE has concerns over the reliability of energy from wind and solar. The wind may not blow as hard in summer and winter, and the sun is low on the horizon in winter. In another report, I have seen that ISO-NE forecasts declining development of energy efficiency measures. I have no consciousness of what is going on commercially, but have a strong belief that, at a residential level, energy efficiency is a largely untapped resource.

~ The Acadia Center has proposed hydroelectricity from Canada as a reliable back-up source of electricity. If that does not seem sufficient as a back-up source of power, I would offer that perhaps some of the oil-burning power plants that may be going offline can be retooled and upgraded at less cost to the environment and community good will than would result from development of the NED pipeline. If there could be creative financing to pay for a pipeline, I propose that such creativity could be applied in this different direction. While I am not knowledgeable, I would think it would be easier to use oil-burning plants as a supplemental source of energy than it would be to use gasfired plants in this way.

~ Finally, I see that the Massachusetts DPU has a lengthy report on your website about gas that is being lost in pipeline leaks. I am not sufficiently skilled to calculate how much energy could be generated from this resource that is being wasted, but I gather the amount is meaningful. I do not want there to be cheating by gas companies, but would think it might be fair to price recovered gas essentially as a new resource in order to give companies an incentive to fix leaks that is commensurate with the true value of the resource that is being squandered under present conditions.

Yours Sincerely,

Mary H. Hall

cc: Governor Baker, Senator Rosenberg, Representative Scibak, Congressman Neal, ISONE,  
Secretary Bose, Attorney General Healey, Berkshire Environmental Action Team,  
Acadia Center, Conservation Law Foundation, Toxics Action Center, Ms. Theberge

**20150819-0040**

August 5<sup>th</sup>, 2015

To The FERC

Re: Docket No. PF14-22-000

I am a landowner at 190Bixby Rd, Schoharie, NY 12157 in the town of Middleburgh, Schoharie County. I am opposed to the Tennessee Gas Pipeline that is proposed to be co-located with the Constitution Pipeline that has an eminent domain easement on our property waiting for water permits from the Department of Environmental Conservation.

This pipeline will divide the land running through hay fields, forests, and government designated "wetlands" that include 2 streams feeding our nearly 19 acre lake that has many Canadian geese, wood ducks, mergansers, mallards, and other ducks and herons. Also, American eagles and osprey feed from this lake. There are beaver, muskrats, and mink that use these two streams. Construction and maintenance will certainly discourage these waterfowl and disrupt seasonal migrations.

I am very concerned about the loss of value in the property of the whole 300- acre farm and the increased cost of insurance due to leaks or explosions as well as emissions from venting that will be done.

Another concern is what will happen to our excellent drinking water. They are avoiding largely populated areas because the hazards would involve fewer residents in case of tragedy. This tells me that there are dangers in these pipelines, a very big concern.

American Medical Association has passed a resolution to have serious, all-inclusive health impact studies done on pipelines and compressor stations. Surely the health of our residents is important

I apologize to Eric Mossey and his staff at scoping meetings. Very few residents of our Schoharie County are as discourteous as several speakers were at the meeting I attended in Schoharie.

Margaret G. Bixby  
190 Bixby Rd  
Schoharie, NY 1215

**20150819-0087**

Hand written card, Kim Griffin, 1495 Turnpike Rd, New Ipswich, NH 03071, opposing

**20150819-0088**

Hand written card, Larry Griffin, 1495 Turnpike Rd, New Ipswich, NH 03071, opposing

**20150819-0089**

Hand written card, Robin Babin, 10 Goen Road, New Ipswich, NH 03071, opposing

**20150819-0090**

Hand letter card, Nathaniel Plaza?, 6 Plass? Ave, Hudson, NH 03051, opposing

**20150819-0091**

Hand written card, Jessica O'Leary, 306 Able Rd, Rindge, NH 03461, opposing

**20150819-0092**

Hand written card, Carol Latour, 306 Able Rd, Rindge, NH 03461, opposing

**20150819-0093**

Hand written card, Robin Babin, 10 Goen Road, New Ipswich, NH 03071, opposing

**20150819-0094**

Hand written card, Theresa Robbitts, 122 Jaffrey Road, Fitzwilliam, NH 03447, opposing

**20150819-0097**

*{duplicate of 20150812-5040 above}*

**20150819-0101**

170 Fish Hatchery Road Richmond  
New Hampshire 03470  
newoodnh@ne.rr.com

August 13,2015

The Honorable Norman Bay Chairman FERC  
888 First Street, NE Washington, DC 20426

Subject NED pipeline

Dear Mr. Bay:

Neither you nor I know whether the proposed pipeline will have seriously damaging effects upon our Richmond environment. We both do know, however, that there will be no positive, to be desired, impacts. I am a layman environmentalist. That means,for one thimng, that I treasure the wonderfully cold pure water we enjoy at my house near the pipeline. We are above an aquifer. No ons knows how the blasting and heavy machinery employed to bury the pipeline may affect that aquifer. It would be a day by day real blow to our quality of life were that aquifer to be damaged to the point where sediments or less pure water were to find a way into it.

That risk and the fact that my house and lot and another lot I own right next to the lot abutting the pipeline path are in what you folks call the "Incineration " zone should the pipe rupture where it crosses my road. I am 88. My wife is 83. The inevitables of life point to the necessity of a move to an elder care facility probably within the next months or very few years. Who will buy my house? Will anyone? Is not a realtor required to state full disclosures about a property?

I have yet to meet any of my fellow townsmen who are in favor of the pipeline. We read much and have yet to see justifying demand for the NED project. Without that demand and with the widespread objections in towns all along the 71 mile New H~mpshire leg on what basis Gould fERC rationally approve NED?

Sincerely,

Norman E. Woodward

**20150819-0105**

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Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1 A  
Washington, DC

August 11, 2015

My name is DeVeda Brokenshire Prochilo. Summer and fall I live at 119 Sandy Pond Road, Richmond, New Hampshire.

My grandfather, John J. Brokenshire was a minister in Rhode Island and wanted a summer place in the country for his five sons to be able to run and explore. He bought our place with a house and 12 acres in 1910. The house was already 100 years old, 1810. Over a period of years, as the sons grew to men, they bought additional acreage, woodland and lakefront on Sandy Pond, 179 acres total. Our property borders the power line north and south. The proposed pipeline will be very close to our family gravesite and our backyard. My dad and mom, sister, uncle and cousin are all buried in this woodland graveyard behind our house. The proposed pipeline is a threat to all of this.

My father, a former minister, and my mother were both teachers, as well as I. We spent our summers at Hillside, our property, named by my grandfather. I am 76 years old and have missed only one summer since I was 6 months old. My daughter was always with me. My father was a woodsman and spent every day working in the woods and hiking. A very spiritual man, this was the way he rejuvenated after a year of teaching. The rest of the family came here to de-stress and find peace and quiet, to enjoy the great outdoors. It is and always has been my favorite place to be. I am like my dad. I love waking up to the sound of birds and to sit on the bottom porch and watch the hummingbirds and bees work the garden while I have my morning cup of coffee. The dog sits with me waiting to take our morning walk down the road.

One can not climb behind our house over the historic old carriage road past the power line to the 100 foot ledges, sit on the rock and look at Mount Monadnock and the beautiful landscape, viewing the miracle of it all, or sit on the shore of Sandy Pond and not believe in God. Sandy Pond is approximately 6 and half miles long and is fed solely by the brook that runs thru our property. Possible leakage of the pipeline not to mention the changes to the underground aquifers due to blasting is a threat to our water and the wells of Camp Wiyaka and all those living in this area and the pond, which is inhabited by beavers muskrats, turtles, salamanders frogs and a variety of fish. It is soft water pristine and free from contamination. I have been swimming in it all my life. Swimming to the end and back for exercise and enjoyment. It is my favorite thing to do, my dog too. Leaking into the pond will cause contamination and end Sandy Pond as we know it.

**IF THE PROPOSED PIPE LINE GOES THROUGH IT WILL THREATEN ALL WE HOLD DEAR. AS WELL AS THE ANIMALS AND THEIR HABITAT AND OUR WELL WATER AND THE BROOK THAT FEEDS SANDY POND.**

There are 6 property owners surrounding Sandy Pond including us, 3 that have cabins on the lake and Camp Wiyaka, which is affiliated with the Athol, MA YMCA. The rest is woodlands. Camp Wiyaka was created from a swamp and has existed since 1921. Many boys and girls have had life changing experiences there, turning into productive individuals. The Wiyaka Spirit is repeated every night in the mess hall before dinner. It was written by Alexander (Johnny) Johnston and is as follows: "We have tented with nature and as her children have learned the ways of woods and winds: she has ministered to us with rain and sunshine and made us sturdy: the spirit of forest and lake is ours and we yearn to be upright as the trees and pure as the waters. May we keep our Wiyaka Spirit and hold fast that which is good: and know that "every perfect gift is from above" and that the spirit of God dwells in us, may we live as men who are sons of God"

It is still that kind of camp today. The children sleep 8 in a tent on canvas bunks. There is swimming lessons, boating, kayaking sailing, hiking, and campfires every night, plus nature activities. Although I only went to camp 1 year, our family was always welcome to participate in their activities: swimming lessons all the way through to senior life saving, playing ball on our field, which they still do, hiking and campfires. Many great childhood memories. Some of the best times of my life,

I was sitting at our cabin the other morning and saw a mother deer and her fawn come down to the water to drink. Beautiful sight.

The proposed pipeline is a threat to the lake surrounding its surroundings. **DON'T ALLOW THIS CONTAMINATION!**

The pipeline will affect property values. Access roads will destroy the landscape.

Noise pollution will be horrendous due to blasting through some very big granite rocks. There will be debris from the blasting creating dust affecting our family allergies and for those of us prone to bronchitis (me being one) it could cause lung problems. Also the debris will spread into yards and surrounding areas possibly causing injuries to those of us who are near the blasting area.

If there should be an explosion, and it cannot be guaranteed that this or a leakage couldn't happen, our whole area would be wiped out. We are within the incineration area. There are not adequate personnel or equipment or medical facilities since everything depends on a few volunteers who work elsewhere during the day.

The pipeline will be of no benefit to us as NH already produces more energy than they need and will raise the surcharge on our utility bills. Why should we pay for private outside the state companies to make a profit? No compensation (or this pipeline would ever be enough. Peace, quiet, and love of nature have no price.

I see pictures of spectacular places around the world. I can't imagine more beautiful place than what we have here. I have always referred to it as "my little bit of heaven on earth". If the pipeline goes through it could turn it into "my hell on earth". Please do not let this pipeline go through.

The fifth generations of Broken shires are coming here now. Please do not allow it to be destroyed for further generations.

Please do not allow our environment to be destroyed.

Enclosed are pictures of our property, Sandy Pond, Camp Wiyaka and surrounding areas.

HOW CAN YOU JUSTIFY DESTRUCTION OF THIS BEAUTIFUL LAND?

Sincerely,

DeVeda Brokenshire Prochilo

*{9 pages of photographs, not reproduced here}*

**20150819-5005**

**Bowditch  
& Dewey  
Attorneys**

Vincent DeVito  
Fax: +1508-929-3019  
Email: vdevito@bowditch.com

August 18, 2015

Kimberly D. Bose, Secretary  
Nathaniel J. Davis, Sr., Deputy Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

Re: DOCKET NO. PF14-22-000

Tennessee Gas Pipeline Company, LLC, Proposed Northeast Direct Project

Dear Secretary Bose:

On behalf of Northeast Energy Solutions, Inc. ("NEES"), kindly accept these further comments concerning the Tennessee Gas Pipeline Company's ("TGP") proposed Northeast Energy Direct Project (the "Project").

On October 29, 2014, NEES filed with the Federal Energy Regulatory Commission ("FERC") comments (enclosed) that included the following statement:

"During the pre-filing stage of the FERC proceeding, NEES looks forward to thoughtful input from

other stakeholders and the public at-large. NEES will also work with relevant state agencies and regulatory bodies throughout the Northeast.

**Further, NEES will pursue the Company's promise of being open to adjusting its proposal during the pre-filing process. In fact, NEES has already reached out to the Company. Should NEES directly or indirectly learn the Company's promise to be a vaporous one, NEES will duly inform the FERC and all relevant agencies for appropriate action" [emphasis added].**

Unfortunately, NEES is compelled inform that, despite NEES' good faith efforts, TGP has not made an attempt to facilitate a meeting with NEES. Initially, TGP's responses to NEES were sporadic but promissory of such a meeting. However, during the last five (5) months, TGP has completely ignored NEES' request and left all communications unreturned.

NEES has a stated desire to meet with TGP during the pre-application phase to address concerns including, but not limited to:

- Increasing demand for natural gas in the region versus peak demand during certain weather events;
- The current ability of distribution companies' to meet non-peak load demands;
- Pipeline capacity and pricing for end-users;
- Developer guarantees of lower energy costs as a condition precedent;
- Optimal pipeline-to-port routes for exporting natural gas to new and expanding markets;
- States entering the pipeline capacity market;
- Energy efficiency and leak remediation, versus new infrastructure;
- Requirement of "de-bottlenecking" before pipeline expansion;
- Federal protection of conservation lands and watersheds;
- Natural gas for thermal use versus generation needs;
- Increasing storage capacity for natural gas and liquefied natural gas;
- Pipelines safety; and,
- Segmentation and cumulative impacts analysis, including industry activities related to natural gas production and processing.

The last communication NEES received from Jacquelyne M. Rocan, Assistant General Counsel of TGP, was on March, 18, 2015 (enclosed). As such, should TGP attempt to file an application concerning the Project, FERC should determine that TGP has failed to make progress during the pre-filing process towards resolving issues and that any such application is not ready for processing. Specifically, NEES respectfully requests the FERC to duly reject any attempt by TGP to formally file an application until they have kept their promise of openness and cooperative actions and have met, in good faith, with NEES.

Very truly yours,

Vincent DeVito

Enclosures

cc: Governor Charles D. Baker  
Congressman James P. McGovern  
Commissioner Tony Clark, FERC  
Commissioner Cheryl A. LaFleur, FERC  
Chairman Norman C. Bay, FERC  
Commissioner Philip D. Moeller, FERC  
Commissioner Colette D. Honorable, FERC  
President Stanley C. Rosenberg, MA Senate  
Jeff C. Wright Director, Office of Energy Projects, FERC  
Jacquelyne M. Rocan, Assistant General Counsel, TGP

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**Bowditch  
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October 29, 2014

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Room 1A  
Washington, DC 20426

Re: Tennessee Gas Pipeline Company, L.L.c., Docket No. PF14-22-000

Dear Ms. Bose:

I am writing on behalf of Northeast Energy Solutions (“NEES”) to recognize that Northeast Direct, a natural gas pipeline project proposed by Tennessee Gas Pipeline, LLC, (“the Company”), is under pre-file review by the Federal Energy Regulatory Commission (“FERC”).

NEES is an organization comprised of economic stakeholders, including conservation land owners, and is committed to investigating and providing sound and thorough energy infrastructure analysis and advocacy regarding the economics and routing of energy transportation projects in the Northeast. NEES is concerned about the effect of energy infrastructure development as it relates to economic vitality and environmental impacts. The mission of NEES is to thoroughly analyze and advocate for responsible energy infrastructure development by means of public education and formal advocacy. The participants of NEES include former DOE senior management and non-partisan professionals who hold sophisticated expertise regarding industry, market, municipal, and grassroots concerns. NEES intends to use its assets to eruditely inform FERC throughout this matter.

During the pre-filing stage of the FERC proceeding, NEES looks forward to thoughtful input from other stakeholders and the public at-large. NEES will also work with relevant state agencies and regulatory bodies throughout the Northeast. Further, NEES will pursue the Company’s promise of being open to adjusting its proposal during the pre-filing process. In fact, NEES has already reached out to the Company. Should NEES directly or indirectly learn the Company’s promise to be a vaporous one, NEES will duly inform the FERC and all relevant agencies for appropriate action.

Independently, by way of its members, NEES has immediate and direct interests that will be impacted by the proposed project and, as such, NEES will be an aggressive participant in the pre-filing -----’pml’GGess-ane---subs~pr-esoodings,i:f..a~el~BS-as-a-regiooal-eeatitif)-fi-Wi.l+\_ptlfStle’-flreacl,P’,t’-. ---- concerns, in a detailed fashion, that are potentially impacted by the proposed project. Such concerns include, but are not limited to:

- Increasing demand for natural gas in the region versus peak demand during certain weather events;
- The current ability of distribution companies’ to meet non-peak load demands;
- Pipeline capacity and pricing for end-users;
- Developer guarantees of lower energy costs as a condition precedent;

- Optimal pipeline-to-port routes for exporting natural gas to new and expanding markets;
- States entering the pipeline capacity market;
- Energy efficiency and leak remediation, versus new infrastructure;
- Requirement of “de-bottlenecking” before pipeline expansion;
- Federal protection of conservation lands and watersheds;
- Natural gas for thermal use versus generation needs;
- Increasing storage capacity for natural gas and liquefied natural gas;
- Pipelines safety;
- Segmentation and cumulative impacts analysis, including industry activities related to natural gas production and processing; and,
- Archeological protection.

Analysis of these concerns will help address the uncertainty and confusion surrounding the need for the Company’s proposed project in a regional context. Therefore, at this stage, NEES welcomes any available-analysis the Company can provide-regarding regional’ demand-Also; the Company-should---- - provide initial information about how their project will meet end-user needs. Further, the Company needs to answer this question: Will the proposed project meet only thermal energy requirements? In addition, the Company should thoroughly and soon respond to the broad belief that the proposed project, including any embedded future expansion, is intended for customers outside of the Northeast.

While NEES anticipates industrious, direct discussions with the Company about the questions and concerns raised herein, we also look forward to being fully engaged in the FERC’s process. Thank you for the opportunity to provide this correspondence.

Sincerely,

Vincent DeVito

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DeVito, Vincent

From: Rocan, Jacquelyne M <Jacquelyne\_Rocan@kindermorgan.com>  
 Sent: Wednesday, March 18, 2015 11:36 PM  
 To: DeVito, Vincent  
 Cc: Pierre-Louis, Cassandra  
 Subject: RE: Meeting

For a meeting, please let me know what issues/topics you are interested in (land; permitting; others) and times when you and your client are available. I will then coordinate with the appropriate team members internally as to availability for a meeting. Thank you, Jacquelyne

\*\*\*\*\*

Jacquelyne M. Rocan  
 Assistant General Counsel  
 Kinder Morgan Inc.  
 1001 Louisiana Street  
 Houston, TX 77002  
 Telephone: (713) 420-4544  
 Facsimile: (713) 420-1601  
 jacquelyne rocan(a)kindermorgan.com

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From: DeVito, Vincent [mailto:vdevito@bowditch.com]  
Sent: Monday, March 16, 2015 9:40 AM  
To: Rocan, Jacquelyne M  
Cc: Pierre-Louis, Cassandra  
Subject: Meeting

Hi,

Just checking on your schedule for a potential meeting in BOS, NYC, or WAS; or, kindly advise on how best to schedule. Thank you.

Best,

Vincent

## 20150819-5012

suzanne cashman, Fitzwilliam, NH.

There is no need for the gas that would be transported through this pipeline. Not only is there no need, but if leaks in the existing pipeline were to be fixed, as energy leaders are suggesting, if we were to want to increase natural gas supply, it could be done without the disruption that building a new pipeline will pose. The route is near a super fund site and is sited through an area of quiet natural beauty with ubiquitous wetlands and plentiful vernal pools. Our well water will be in jeopardy--do not believe all the assurances that KM gives. Further, I urge FERC NOT to accept KM's filing until the Resource Reports are complete and its EIS reports have specified the many open areas where "to be determined" appears in the text.

thank you.

Suzanne

## 20150819-5088

*{10 pages} skip to end of 20150819-5088*

August 19, 2015

Eric Tomasi, Project Manager for PF14-22

cc: Kimberly D. Bose, Secretary

Federal Energy Regulatory Commission

888 First Street NE, Room 1A

Washington, DC 20426

Re: Tennessee Gas Pipeline, Northeast Energy Direct, PF14-22-000

**Topic: "Open House" meetings - perverted from "obligation to inform" into "opportunity to sell".**

Dear Mr. Tomasi,

At the August 12, 2015, Scoping Meeting in Lunenburg, MA, several complaints were voiced about the conduct of the "Open House" meetings hosted by Kinder Morgan ("KM"). These complaints alleged that misinformation had been disseminated by KM staff, in some cases appearing to include willful deception.

Your response was that FERC needed to be informed about such problems and would take them seriously. While some in the audience pointed out that such reports were already part of the Docket, it did seem possible that you might not have been aware of the extent of the problem.

In an effort to help clarify this issue I have performed a search in the PF14-22 Docket looking for the phrase "open house". Several dozen reports were found in this way - I have included below the accession numbers

for these submissions along with partial quotations from their contents.

There may be other relevant reports in the docket which did not happen to include the literal phrase “open house” - these will not have been located by my search, hence will not have been included below.

I also must point out that, from what I have heard and read, these reports represent only “the tip of the iceberg”. Emails, social media, discussions in meetings of Town officials and Boards and private discussions are rife with reports of KM providing incorrect, incomplete, or misleading information.

At every opportunity I have tried to persuade people of the importance of filing reports of such problems with FERC for inclusion in the official docket. More often than not I encounter some variant of the “FERC has been completely captured by the industry they are supposed to regulate, so there is no purpose in filing reports which will simply be ignored...”. I find such wide-spread assumptions of pervasive corruption in a Federal commission very disturbing; I hope they are incorrect. They certainly result in a significant under-reporting of the problems witnessed by citizens who attended the “Open House” meetings.

Some, but not all, “Open House” meetings were attended by FERC staff or contractors - who received plaudits in several of the submissions listed below. I know that they were greatly outnumbered by KM staff and were kept extremely busy during the “Open House” meetings, and often long after KM staff had disassembled their displays and left. Nonetheless they certainly would have received clear impressions from the questions of the people they spoke with, as well as from conversations they overheard.

I recommend that you “debrief” these individuals concerning these issues. What they have to tell you should cause you considerable concern.

The potential for this sort of abuse seems fully foreseeable. KM is a for-profit enterprise which normally operates by “selling” its products or services. “Selling” speech is an energetic effort to manipulate the listener for the benefit of the speaker. In the hurly burly of commerce it frequently includes appeals to biases, efforts to prejudice, propagation of mis-information, disparagement of competitors, and deceit in all its various forms. The bottom line is to “sell” the recipient. As one FERC staffer said, commercial companies do tend to “spin”; a euphemism for deception, and surely an understatement when billions are at stake.

“Adult supervision” was needed, desperately, but FERC was sleeping soundly... Time to wake up!

Cordially,

Garth Fletcher  
Mason, NH 03048

### **List of complaints in FERC docket PF14-22 about the conduct of “Open House” meetings**

20150120-5085 Maryann Harper, Rindge, NH

“Open Houses” that utilized sales techniques have been scheduled quickly

20150122-5184 David Moloney Hollis NH

...excerpts from the following PDF on the Kinder Morgan website ([http://www.kindermorgan.com/content/docs/NED\\_Competition.pdf](http://www.kindermorgan.com/content/docs/NED_Competition.pdf)) to help explain why there is such confusion and consternation over Tennessee’s current posture toward affected populations. In the following discussion where Tennessee contrasts the NED proposal with that of a competing Algonquin pipeline system, they expound upon the importance and efficacy of public outreach in defining project scope:

*“Ultimately, until the competing company proposes specific pipeline facilities, shows where these facilities will be installed, what land will be required, what resources will be impacted and starts to conduct public outreach, it is impossible to provide a meaningful comparison”*

20150223-5005 Kaela Law, Pelham, NH

At the Open Houses, many of my town’s and neighboring town’s residents noticed the maps KM are working from seemed to be around 25 years old.

Over the last two nights I have attended two separate Kinder Morgan Open Houses regarding the transmission pipeline they intend to bring through Pelham, NH. The level of real information that KM reps were able to provide to affected landowners was sub-par. The pictures on their poster boards were gross misrepresentations of this proposed 36" pipeline and its components.

How a KM representative at an informational session could utter the words "I don't know" in response to a simple and pointed question is beyond my comprehension, and I heard it frequently.

Also, different representatives were giving different answers to the same questions

At the Open House, in answer to my question about how they keep the easement corridors clear I was told by a Kinder Morgan rep, "We don't use herbicides on our pipeline easements, despite what the opposition wants you to think, we use mowing."

...meeting minutes where one of our Selectmen read a letter to the town about "Tennessee Gas Pipeline Notice of Routine Maintenance of Pipeline with Herbicide 56 Applications Notices sent out to affected areas"

20150223-5032 William D. and Lucy S. Jackson. Stephentown, NY

NOT ONE of the questions we posed to various members of the KM team at this event was answered to our satisfaction.

20150223-5069 Frank Gullotto, Wilmington, MA

Residents had hoped to get many of the project details at the February 17 Kinder Morgan open house in Andover, Massachusetts, but unfortunately, most of the answers were vague

I spent some time speaking with a Kinder Morgan rep about the risk of running gas pipelines through a town's drinking water supply and he said it is safe to drink water that has been contaminated with gas. This was a stunning answer

20150224-5031 Hiel Lindquist, Fitzwilliam, NH. What I learned at the Rindge, NH KM open house.

When I asked a specific question to Kinder Morgan as to whether or not my residence was within the danger zone of the pipeline in the event of a rupture I did not receive any answer, other than the statement "there will not be a rupture"

I had heard about how some areas might be designated as High Consequence Areas (HCA's), so I asked some of the Kinder Morgan reps what HCA's were all about. They didn't know the answer and so I talked to the Kinder Morgan engineer again. He gave me some nebulous answer and said that FERC establishes HCA's and Kinder Morgan is responsible for meeting the requirements in an HCA.

Next, I went over to one of the easels where a Kinder Morgan rep was "explaining" why New England needs the NED pipeline. The Kinder Morgan rep claimed, "most of the coal based electric power generating facilities in New England will be closing soon". Among the nebulous "many power plants statements" was a specific statement that the "Seabrook, NH nuclear station would be closing soon", so New England needed the pipeline and new natural gas generation facilities to replace the Seabrook electric output.

Every answer I received from Kinder Morgan didn't sound correct to me. When I verified and fact checked the answers I found that, in fact, most of the answers were incomplete or at worst, outright lies.

20150224-5036 Hiel Lindquist, Fitzwilliam, NH

The amount of misinformation provided by Kinder Morgan is getting ridiculous. I would have included the following on my last comment, but I just received more information.

At the Rindge, NH Open House last night (Feb 23, 2015) I told a Kinder Morgan rep that I had seen many statements as to how big a right-of-way Kinder Morgan would require for the NED. I said I had heard numbers such as 400 feet, 150 feet, 125 feet and 100 feet. It was confusing and I wanted to hear from Kinder Morgan exactly what they would require. He told me quite specifically that they would need a 50-foot right

of way. He said that the 400 feet was probably referring to the “scooping” requirements of the project. He didn’t know where those other numbers I referred to came from.

OK, fair enough, finally some factual information. However, I was just speaking with a property owner impacted by the pipeline. He told me the Kinder Morgan letter he received is asking for a 100 foot right-of-way for construction and 50 foot for the pipeline.

I went away from the meeting believing there would be a 50 foot clear-cut for the pipeline. Now I find out it will be 100 feet. I wonder how many other people went away from the meeting with the same impression?

Why is it that I never get a straight answer from Kinder Morgan? Why didn’t the rep say it was 100 feet?

20150224-5169 Nick Miller, Groton, MA

It has been stated that Kinder Morgan did not inform FERC of this week’s rescheduled Open Houses. If this is so, it seems an intolerable situation. First FERC’s “strong recommendation” to Kinder Morgan that it reschedule Open Houses planned for the week of February 16th is ignored by the company hoping to gain approval for this huge and disruptive project. And then Kinder Morgan does not inform FERC of another set of Open Houses rescheduled for this week?

The proper question to FERC at this point seems to be “Who is in charge of this process?”. I thought it was FERC, but the answer seems to be coming back more and more as “Kinder Morgan”

20150225-5057 David Yachnin, Andover, MA

I am writing to notify FERC of the misinformation provided by Kinder Morgan at the “open” house held in Andover on February 17th.

When Kinder Morgan representatives were asked direct questions about the pipeline they knowingly and consciously lied. As the Kinder Morgan representatives were all well briefed and trained for this meeting, their lies and misinformation were conscious and deliberate acts.

For example, when asked about the safety record of Kinder Morgan the response was it was “impeccable”. When the same representative was asked to clarify and comment on the documented accident rate, he remained silent and would not comment further

Another example is when a representative was asked about the co-location of the pipeline with existing utility corridors; the response was that the pipeline would be “within the existing corridor”. When pressed by the fact the survey teams are surveying 150 from the corridor the same representative stated that “Kinder Morgan” was doing their best efforts where it was feasible”. When pressed about the actual facts, and that Kinder Morgan was not making best efforts the representative again remained silent

20150225-5148 Maryann Harper, Rindge, NH, Dear FERC: Where were you on February 23, 2015

I, along with many other residents of Rindge, NH and nearby communities, braved sub-zero temperatures for a chance to talk with FERC about our concerns regarding the Tennessee Gas proposed NED pipeline project. ( PF-14-22-000)

While we were subjected during the evening to a variety of vague statements from TGP and given no real answers to our questions, many of us attended and waded through this mire of sleazy sales tactics by TGP for a chance to talk with FERC.

We were told that representatives from FERC attend the Open Houses and are available to answer questions.

The Open House was scheduled during the week of school vacation, perhaps you had a similar scheduling conflict.

20150225-5292 David S Beach, Amherst, NH

I attended the open house in Milford, NH on February 24th, 2015. At that meeting I had the opportunity to pose several questions to Kinder Morgan employees and company representatives. Some of the answers

were informative, others were clearly evasive. Some answers conflicted with prior information from KM, and some responses seemed to be intentionally misleading.

The primary purpose of this note however, is to show my appreciation for FERC's attendance at the meeting and John Peconom's performance in particular

20150226-5008 Joseph Cigna, Wilmington, MA

I had hoped to get many of the project details at the February 17 Kinder Morgan/Tennessee Gas Pipeline Company open house in Andover, Massachusetts. Unfortunately, most of the answers were vague or Kinder Morgan representatives told us the route might be changed but could provide no details or guarantees.

20150302-5004 Liz Fletcher, Mason, NH

At the February 24th Open House in Milford, NH, I found responses by some Kinder Morgan staff were vague, confusing, and conflicting

Since about half of the powerline ROW in Mason crosses shallow to bedrock soils, I was concerned about blasting that would be involved in construction. When I asked KM staff Frank McSloy about blasting to lay the pipeline, he told me there would be no blasting

Rather incredulous, I asked him how KM proposed to bury the pipeline in the solid granite that's clearly visible along the powerline. He told me they use a chisel. I asked for some information about this chisel – maybe it would work for soft rock but granite??? Frank dismissed me by telling me to go look at the poster that showed how they install the pipeline. I did, and all it showed was an ideal image of pipe being laid in a soft soil trench.

I was appalled. Not only did Frank lie about blasting, he disrespected my inquiry by pushing a KM propaganda poster that did not show realistic conditions of installing pipeline in New Hampshire soils

Another KM "land" staff responded very misleadingly to my question about co-location. I asked, does KM actually plan to put the pipeline entirely within the powerline ROW?

Oh yes, he said, they can bury it right between the legs of the pylons. What??!! I told him in Mason and most of the rural towns along the powerline, the wooden pylons don't have anything close to the 100 foot width that's needed for pipeline construction between their legs.

He admitted his statement only applied to areas where there are large steel pylons. I'd be surprised if many of the 70+ miles of NH powerline ROW have large steel pylons. But if I hadn't questioned his answer, he would have succeeded in creating the illusion that very little land outside the powerline will be disturbed. This appears to be KM's goal in its use of the misleading term co-location.

KM engineer James Lucas gave me a clear answer on this: the gas pipeline will be offset 100 feet from the powerlines. So the swathe of disturbed land for the pipeline will be at least 100 feet wide along the 70+ miles adjacent to the powerline

When I asked if compressor stations were staffed, Mr. Lucas was somewhat vague, saying that a station could have staff sometime on a weekday, a staff would be assigned to a region and would travel about. When I asked how large a region a staff member would have to cover, he couldn't tell me.

KM staff Doug Carey was able to answer my concerns about blasting realistically. He described how they use a blanket over the blasting area so that it's possible to blast for a new pipeline close to an existing pipeline. I was concerned about the subsurface effects of blasting on groundwater. Doug told me that KM tests wells pre- and post-blasting for quality and quantity, and set seismic sensors up to 200 feet from the site. This is somewhat re-assuring, although it's known that blasting can affect wells much farther than 200 feet away. Pelham's blasting ordinance requires testing up to 500 feet away for small projects and up to 1,000 feet for the largest blasting projects such as road building. FERC should require testing well beyond the 200 foot radius in all blasting areas.

In contrast to the sometimes difficult to believe responses of some KM staff, I would like to commend

the FERC staff who was there at the Milford Open House. Environmental Biologist John Peconom gave straightforward, thoughtful answers to a wide range of questions

In conclusion, I am concerned that many Open House visitors who spoke with KM staff may not have received clear answers to their questions. These events can be more murky than transparent, depending on which staff member a visitor happened to speak with. FERC cannot assume that because these Open Houses have been held that the public has now been fully informed about this pipeline

20150302-5046 Marilyn S. Griska, Rindge, NH: Inconsistent answers from Kinder Morgan

The Open House in Rindge at Hidden Hills with Kinder Morgan regarding the proposed natural gas pipeline was a real eye opener

They were all very friendly and polite. However I found their answers to vague, generalized, superficial, contradictory and, at times, totally misleading

I approached at least three representatives with the same questions and astonishingly received different answers from each!

The answer I received as to how much land they might need/ take was different with each responder

I had read that they used herbicides to keep growth along the corridor down. One representative said they only employed mechanical means, the next told me the chemicals were used sparingly, and yet a third said they would meet with the homeowner to make the well safe!

20150302-5061 Nick Miller, Groton, MA:

The Damage Caused By Kinder Morgan's Deliberate Misinformation

One egregious example occurred when Kinder Morgan displayed a slide of a portion of a 6,130 HP compressor station in Pelham, NH while Allen Fore, a Kinder Morgan Vice President, stated:

*"We expect there will be a compressor station similar in size and scope to other compressor stations we have on our system. Not exactly what we have in Pelham, but you can get an idea of what compressor stations look like."*

The problem of course being that the actual compressor stations planned are large industrial complexes with capacities of 80,000 or 90,000 HP - up to 15 times that of the displayed unit. This was a deliberate attempt by Kinder Morgan to misinform and mislead the public about their plans and to lessen the public's resistance to those plans ***{Author's note: it gets worse, see 20150323-5074 for further details}***

This bad behavior continues even as the MA and NH Open Houses were concluded this past week. For example, members of the public approaching Kinder Morgan employees staffing the Open Houses were recently given wildly different answers to questions about the extent of new easements required for pipeline collocation with power lines – a critical issue for the updated pipeline route.

20150302-5172 Pamela Shuel-Sargent, Rindge, NH

I attended the local Kinder Morgan Open House. They gave us very, very few answers to our questions and the answers that they did give us doesn't seem to be accurate information

20150303-5005 Christina Miller, Pelham, NH

After attending a local Kinder Morgan Open House in Hudson, NH on 2/19/15, I found I was left with more questions than answers.

I very quickly noticed the maps that were being used were not current. There were many properties that were not even shown on the map even though the maps were dated 1/2015. This would make me wonder if all direct abutters have been notified to date

I also received many different answers to questions regarding loss of personal use of property, compensation for reduction in property value, impact on Homeowners Insurance for an "At Risk" property, the standard distribution of the "pigging" units on the transmission lines, addressing of noise and vibrations around

and nearby Compressor stations, impact on private drinking water wells, structural damage due to blasting during construction, degradation of local conservation land as well as habitat for local flora and fauna. There appeared to be no “experts” in these specific categories and many of the answers received were merely conjecture (“I think”, “I believe”, “In the vast majority of instances” on how a particular topic would/could be addressed.

20150306-5125 Alison Jaskiewicz, Mason, NH

I attended the Feb 24 KM Open House in Milford NH and was astounded by the overbearing and condescending attitudes of the KM representatives. I was told I had a ‘chip on my shoulder’ by Steve Martin

I was astounded by the outright lies being told to my face. I was told that all my current electricity is generated by natural gas, when more than 50% of New Hampshire’s electricity is nuclear generated from Seabrook and he could have no idea whether I have solar panels on my roof. I was told that the main pipeline would be situated only 5 feet from the electric power line right of way. The FERC rep told many of us that the minimum would be 25 feet and likely much more.

One KM rep bragged that FERC never denies KM projects.

KM reps ignored or avoided the tough questions. The Open House format is designed to divide and misinform.

The only sincere, straightforward and helpful information I heard at that Open House was from FERC representative John Peconom who spent three full hours answering questions from concerned citizens, the last hour while the entire Open House infrastructure was dismantled around us and we ultimately left a completely empty room. Kudos to John!

20150312-5038 Carolyn Sellars, West Townsend, MA

I attended the Hudson, NH Open House to gather information about the pipeline and in particular the newly proposed Fitchburg lateral which bisects Townsend, MA. There were maps that people could take home for NH affected communities but none for Townsend. Kinder Morgan representatives assured me that they would have copies of the the Townsend maps available at the Rindge, NH and Milford, NH Open Houses. They did not.

Many Townsend residents attended the Rindge and Milford Open Houses looking for these map. Townsend maps were not available until the very last Open House in Fitchburg.

20150312-5121 Townsend, MA, Conservation Commission

We would like to file a complaint in that the Open House held by Tennessee Gas for the lateral was held in Fitchburg, MA. There is no proposed pipeline construction in Fitchburg. Our municipal offices were not contacted about holding the initial Open House and when the Open House was postponed, we reserved sufficient space with parking at no cost for the Open House. We then contacted Kinder Morgan to ask that it be moved to Townsend, to no avail. Traveling in Massachusetts this February was difficult, particularly at night with high snow banks and narrow roadways where pedestrians were forced to walk because the sidewalks were buried. It was even more difficult for older citizens for a number of reasons

20150318-5089 Kathleen Padden, Warwick, MA

At open houses, they refuse to give clear, concise SPECIFIC answers about the proposed compressor stations, which would be 80,000-90,000 monsters.

20150320-5210 Nick Miller, Groton, MA: Chapter 3: FERC Allows The Public To Be Misled

But what if an energy company doesn’t keep its end of the bargain? What if it delays informing the public and then supplies vague, misleading and simply false information – so that the public is robbed of some of its opportunity to provide timely feedback to FERC?

During the snowiest New England winter weather in 81 years, FERC staff “strongly recommended” that

Kinder Morgan reschedule the public Open Houses planned for a week in February in order to insure that those planning to attend the meetings were not deterred by the record amount of snow and the two significant storms predicted for the upcoming week. Kinder Morgan thought it over and simply refused FERC's strong recommendation to reschedule.

Told the public that the pipeline would be constructed mostly within an existing power line right-of-way (ROW) when the truth is that it will be built parallel to but almost completely outside of the existing ROW. This is a huge difference to those along the pipeline's path.

Misleading ("There are no current plans to export any of this gas" and "Natural gas pipelines do not affect property values")

Misdirected (Mr. Fore loves to answer a question that has not been asked rather than the one that has been. When asked about his company's pipeline safety record, he talks about the many safety regulations that apply to pipeline companies. When asked about the environmental damage caused by pipelines, he talks about the licensing procedures.)

So it seems that Kinder Morgan is at best misbehaving and at worst deliberately lying to the public about their plans through omission and commission, while ticking off the "public information" check boxes that FERC requires of them. And what is FERC's response to the missing and blatantly false information being used by Kinder Morgan to "inform" the public? Nothing. Nada. Zilch.

From my vantage point, Kinder Morgan is pretending to accurately inform the public and FERC is satisfied to let that pretense stand. There appears to be no attempt at all by FERC to monitor the (lack of) quality of the information being supplied to the public by Kinder Morgan, much less to try to control it or to remediate the damage done when the public is deliberately misled. And FERC does not seem to be prepared to react to this situation at all, even when the public does report the misdeeds and misinformation to them. Here is a question for FERC to consider: Is the public interest served by informational meetings where the public is deliberately misled by those presenting the information?

With no sanctions being applied by FERC, why would Kinder Morgan ever be expected to mend their ways? Simply stated, Kinder Morgan does not want there to be an informed public. An informed public does its homework, asks pointed questions and does not passively accept vague and inaccurate answers. It is to Kinder Morgan's advantage to release as little information as possible, to delay its release as long as possible, to keep the information as vague as possible and to simply misinform when they can. An informed public will inevitably begin to question the need for a new pipeline as they realize what the actual short term and longer term costs of this massive new fossil fuel infrastructure would be.

#### Summary

So here we are. Kinder Morgan is pretending to properly inform and notify the public of their plans in a timely manner. And FERC is pretending that the public is being properly informed and notified. Check boxes are being checked and the plans for this pipeline are moving through the system. Apparently this is all simply business as usual for FERC. But this bogus "information" is misleading the public and it causes people to underestimate the true impact of the proposed pipeline. Shame on Kinder Morgan for perpetrating this sham and shame on FERC for standing idly by as it happens.

20150323-0057 John J. Serio, Stephentown, New York: Failed Public Participation Plan

A review of some of the eComments at FERC.gov reveals the following words and phrases used to describe Kinder Morgan and their tactics: lies; threatening; deliberate misinformation; not being transparent; need a flashlight to read their open house maps; maps not . current and missing properties; open house scheduled on 'school vacation and when bad weather is forecast; FERC not notified of an open house; different answers to the same question; answers didn't seem accurate; deceptive; discourage public feedback; property owners not informed there is a new route, etc., etc. You will see in numerous comments many more specific examples of deceit. How many more have not been reported?

20150323-5012 Ann Moser, Mason, NH

While attending KM recent open house that was billed as an informational meeting to inform the public of plans to install a pipeline through New England I found this not to be the case. I was struck by the amount of false information and outright lies that were promoted at the meeting.

All presenters avoided all direct answers to questions asked by people who attended the meeting. They also told complete lies stating that they always do their best to avoid sensitive areas and always mitigate if they do have to destroy a sensitive area!!!

20150402-5007 John Belliveau, New Ipswich, NH

Kinder Morgan representatives repeatedly lied outright about their companies safety record and denied knowledge of publicly available information during their open house, and again at the town meeting

20150512-5003 Linda Underwood, Castleton, NY

I am appalled at the outright lying by KM representatives to citizens at the KM open house on April 13, 2015 at Green Meadow School in Schodack. I didn't receive a single straight answer from anyone about any topic. From how many people would be employed to the route of the pipeline to the location of the compressor station, not one KM rep knew anything. Really? A project this big and not ONE detail is known at this point? I find that hard to believe. It begs the question - what are they hiding from the people?

20150513-5042 Debbie A McCarthy, Andover, MA

Kinder Morgan held an Open House in our area on February 17, 2015. This date fell within the Andover school vacation week and many interested families were not able to attend. A letter was written to Kinder Morgan requesting an alternate date by the Town of Andover as well as well as a letter signed by our local State Representatives and Congressman. Kinder Morgan ignored both letters and held their Open House on February 17

I attended the Kinder Morgan Open House in our area on February 17, 2015 with my neighbor. I found their representatives totally apathetic towards our local concerns.

20150518-0133 James P. McGovern, Member of Congress

It is my understanding that Tennessee's plans show a four-mile swath where it intends to locate a compressor station, but it has not provided notice of the pre-filing or of the open houses to any of the landowners within half a mile of the swath (except when co-located within the 400-foot-wide pipeline survey corridor).

I understand that open houses are sponsored by the applicant and that scoping meetings are sponsored by FERC. To say that these affected landowners will be notified of the scoping meeting is simply not enough. The stated goal of open houses is to "share information about [the Company's] project with the public." To exclude affected landowners from the very beginning of this pre-filing process because Tennessee has not yet identified a specific site for a compressor station is not acceptable, nor does it ensure an open and transparent process.

20150522-5133 co-signed by a large group of NGOs

During our exceptionally bitter and long winter, and in spite FERC's strongly worded letter to Kinder Morgan to postpone their open houses until conditions improved, they held them anyway along the newly proposed alternate routes through Massachusetts, New York and New Hampshire. It is significant, that regardless of subzero temperatures and accumulating snow, these open houses generated strong interest and those who attended raised important concerns regarding health, safety, environmental impacts and infringements on property rights, among other legitimate issues. Kinder Morgan provided few substantive answers to these concerns; it is now imperative that the impacted communities receive the benefit of a full disclosure of information with which to critically evaluate the far reaching impacts of this project.

20150522-5146 michelle scott, Mason, NH

Finally, Kinder Morgan has been doing Open House/Town Meeting events around our region. They promise to address questions, are polite and reassuring, but fail to follow through on answering our questions

20150615-5051 Alison Jaskiewicz, Mason NH

One KM rep at the Milford NH Open House stated, “All our projects are approved.” They believe they are ‘too big to be denied’. That being said they see no reason to expend effort in communicating honestly and fairly with potentially impacted landowners

20150617-5138 Carolyn Sellars, Townsend, MA

At the Open House, Curtis Cole from Kinder Morgan told us the lateral was to serve National Grid. I reviewed and commented on the National Grid Capacity Agreement MA DPU Docket (15-34). No where did it mention this lateral. National Grid’s request was all about an “Everett Lateral” and getting gas into the Greater Boston area

20150617-5200 deborah pomerleau, Londonderry, NH

Last night, I attended Hudson Open House Meeting with selectmen and Kinder Morgan. They are still showing small and old compressor stations, instead of one close to the size of the proposed New Ipswich

20150619-5123 deborah pomerleau, Londonderry, NH

I went to the Londonderry Open House with Kinder Morgan last night. Strangely, this had not been advertised much and many said that only found out about it shortly before 7pm

deceptive presentation of smaller compressor stations during these open houses, instead of a realistic drawing of what the large 80,000 hp compressor station will look like

20150714-5061 Polly Ryan, Plainfield, MA.

In addition, many questions were not addressed at Kinder Morgan Open Houses or their informational meetings. I, as well as many in my community, attended KM presentations and several open houses. Our consensus was that they intentionally avoided questions that would shed light on the cons of this project while only addressing questions that promoted the pros.

20150715-5072 Nick Miller, Groton, MA: “Open”, “Transparent”, “Accessible” – Seriously?

Kinder Morgan, at FERC’s urging, has held a number of open houses. These are public meetings ostensibly set up to educate the public about their NED pipeline proposal. At these sessions, various Kinder Morgan personnel have openly and repeatedly lied to the public. They lied in one-on-one sessions, they lied in small groups and they lied in presentations to hundreds of local residents. They lied with words and they lied with pictures. They lied by omission and they lied by commission.

Numerous attendees have filed comments with FERC documenting where, when and how these lies were told to the public by Kinder Morgan

Just what was an unwary citizen to think if they attended such a meeting, saw the FERC information booth and then heard Allen Fore, the main Kinder Morgan spokesman, telling them that “Natural gas pipelines don’t affect property values” or that “All of the gas that enters a pipeline makes it to the other end”? \*I have personally heard Mr. Fore say both of these things+

During the snowiest New England winter weather in 81 years, FERC staff “strongly recommended” that Kinder Morgan reschedule the NED public Open Houses planned for a week in February in order to insure that those planning to attend the meetings were not deterred by the record amount of snow already on the ground and the two significant storms predicted for the upcoming week. Kinder Morgan thought it over and simply refused FERC’s strong recommendation to reschedule. The open houses went ahead as planned, in very snowy conditions.

Rather than “Open”, “Transparent” and “Accessible”, I might suggest that FERC find itself a new set of

favorite words. Perhaps “Rushed”, “Rigged” and “Rubberstamped”? For many of those tracking the progress of the NED pipeline proposal through the FERC process, these latter terms would seem to provide a much truer picture of the FERC that we find ourselves dealing with. During the past year, I have witnessed firsthand the deception and the misdirection that Kinder Morgan uses in parceling out information to the towns and individuals impacted by their proposed pipeline. But as the FERC pre-filing process progressed, I also came to see that Kinder Morgan was in effect being given cover by FERC. Kinder Morgan would tell the public that FERC was in charge of the process, but in the meantime FERC would simply be looking the other way. As the months went by, FERC seemed to be acting more as a silent partner to Kinder Morgan than as the watchdog agency that I had (naively) assumed it to be. FERC exerted little or no control over the orgy of misinformation that Kinder Morgan provided to the public about their pipeline plans

*{end of 20150819-5088}*

**20150819-5090**

### **Kinder Morgan’s End Game - EXPORT**

To Everyone Concerned With and Concerned About the NED Pipeline Proposal,

Please understand that if additional natural gas pipelines are approved for New England, gas from here will then be exported to Canada to be compressed into LNG and shipped abroad. In the case of the NED pipeline, hundreds of New Englanders will face the threat of eminent domain takings from a private company in order that US gas can then be piped across their property to be exported as LNG. And if you think our local natural gas prices will be sure to drop and become more stable with additional gas pipelines, just wait until we start competing with export market natural gas pricing.

Maybe you’re not convinced that gas export is really being planned – after all, there are continued denials being issued by many here in the US. This is a recent article from Canada’s largest national newspaper detailing plans for two LNG facilities in the Canadian Maritimes. The first paragraph reads (emphasis is mine): “Two proposed liquefied natural gas projects have received approval from the National Energy Board to export LNG, but they are counting on the United States to build pipeline capacity into New England in order for them to obtain the supply needed to underpin their ambitious plans.”

Also please be aware of renewed attempts to implement a “pipeline tariff” in some New England states. Such a tariff is a new tax that would force all electric customers to subsidize the construction of one or more natural gas pipelines in our region. We would then be treated to the spectacle of a for-profit company taking private property from members of the public while being paid to do so by that same public.

Kinder Morgan spokesman Allen Fore has said on multiple occasions that any reports of plans to export gas from the NED pipeline are “purely speculative”. Allen, Allen, Allen. Such blanket denials in the face of news articles such as that referenced above do nothing to enhance your reputation for truthfulness. In fact, a thoughtful listener might consider them to be just one more reason to question your other blanket reassurances to the people of New England that Kinder Morgan gas pipelines don’t leak, that all of the gas put in one end of the pipe comes out the other end and that Kinder Morgan will be a good neighbor. You KM guys really need to get a better handle on that pesky Canadian media if you want your continued export denials to look anything but increasingly ridiculous here in New England.

Export is the end game for the NED pipeline. One that Kinder Morgan is desperately hoping that they can continue to publicly deny until after FERC has approved their NED pipeline plans. They well understand the public outrage that would accompany any admission from them that gas from the NED pipeline is indeed headed overseas.

Nick Miller Groton, MA

**20150819-5106**

**Testimony concerning Northeast Energy Direct Project Scoping Meeting Towanda PA 7/14/2015**

Diane V. Ward  
902 Grove School Rd  
Wysox PA 18854  
pekin\_2@yahoo.com

I am a PA resident and property owner in Bradford and Wyoming Counties, in the Marcellus Shale region, and I oppose the entire scope of the Northeast Energy Direct project from its origin in the gasfields of my home turf to its endpoint in Dracut MA. My opposition is based on the fact that the NE Energy Direct project is not driven by documented US customer or consumer need. To the contrary, the need for this project is a direct outcome of American Greed on the part of gas industry, both at the corporate and individual levels. Any customers or consumers who may be served as a result of this project are tangential to the real economic purpose of this project.

The people who oppose this project along the supply and market paths in NY, MA, and NH are clear that although they may pay some of the highest gas and electric prices in the country, this project is not in their best interest, or in the public interest. I support and applaud their efforts to insure that this project is not approved by FERC, and I think you should understand why.

Here in the Northern Tier of PA, the gas corporations were besides themselves in the rush to drill drill drill without regard to the short term need for additional gas supply. They drilled irresponsibly, cutting corners, polluting land and water, defiling our culture and ruining many lives. They rushed to insure long term lowest cost to themselves. The oversupply situation and the current low gas price problem are of their own doing. Gas industry economic health is the need behind this project, not customer need. The gas industry desires that this project come to fruition so that it can reap the rewards that it envisioned when it decided to drill with gusto, with reckless abandon. They know that the corrupt American systems which support the American economy can be counted on to assist them in counteracting any undesirable results of their rush to drill. They count on FERC itself to look the other way when omissions, contradictions, and unsound data fill their application.

This project does not end in Dracut MA as stated. The chief method by which the gas industry achieves its nefarious results is by phasing. They plan the first phase to be as acceptable as possible, obtain approval, and construct. When phase one results are unacceptable, they bring in phase two, now a dire emergency and necessity, a phase which carries with it the additional negatives that fuel the public's ire.

In this case, phase 2 goes beyond Dracut to Canada, and further beyond by means of LNG exports from Canada. Phase 2 cannot be stated, because it would eliminate the possibility of a positive outcome from the basic decision that FERC needs to make, that of public convenience and necessity. Phase 2 work has already begun, but this work is being ignored by FERC. Pieridae Energy has filed a federal application to send domestic natural gas from Massachusetts to Nova Scotia, where it would be converted to liquefied natural gas (LNG) and exported. Agreements are in place for a sale to Germany. The natural gas would travel through the Maritimes & Northeast Pipeline from Dracut, MA. Spectra Energy, who owns the pipeline, has already applied to reverse the direction of the pipeline flow to reach the Maritime Provinces.

The gas industry leaves off the unpalatable details and FERC swallows the story whole. Somehow FERC is able to believe that MA will be able to use all this gas, regardless of how unreasonable that may seem.

FERC itself is not an objective decisionmaking agency relative to its role as nay-sayer. FERC jobs and funding are linked directly to energy projects. The more projects, the more money and jobs. However objective FERC may be on other matters, such as choosing between various siting alternatives, FERC is beholden to the interstate energy industry. No project, no job. No nice cars, fine homes, college educations for the kids. No benefits, no retirement. It is the common human low level of American Greed, it resides in the psyche, and it is disguised by generally calling it ambition. And the culture rewards ambition.

While I oppose the entire project and request that it not be approved as a public convenience and necessity, I do also feel that several specific areas that need additional FERC attention in the current filing.

- Moving the pipeline from MA to NH but adding the Fitchburg lateral extension since that is really where

some gas is needed is an abomination. If you're going to build the pipeline, put it in MA where the service is needed.

- Do not use, or allow others to use, statements such as "82 percent of the planned pipeline route parallels existing pipeline and utility rights-of-way" as justification for a specific line placement. Once the pipeline is outside of the right of way, it impacts on the property owner just the same. Do not allow the valuation of the land adjoining the right of way to be lower than valuation of other land not adjoining utilities. To the property owner, it is all one and the same - his or her land - paid for and taxed the same. Whenever land never dug before is dug for the first time, it is a greenfield project. This project is still a greenfield project and don't try to get around it with omissions of data. What percentage of the 6,761 acres disturbed has never been disturbed before under the current plan? And please include estimates of the access roads, they are just as burdensome to the environment and the landowners.

- It is wrong to build 9 new compressor stations to support this unnecessary project. They will deliver pollutants to our environment so that the gas industry can achieve their envisioned profits by selling gas overseas (long term).

- It is wrong to build the "loops" since they are normally used for gas storage and not capacity.

Here in the gaslands of PA, some people may envision personal profits for themselves based on additional royalties that they will receive through larger volumes produced or higher prices at the wellhead. Their support for personal profit should not be construed as evidence to support that the project meets the measure of public convenience and necessity.

Many in PA have been taken for a ride, over and over again, by the greedy gas corporations who came to drill. Some of these corporations, such as Chesapeake Energy, are currently under investigation by the state Attorney General for cheating landowners out of their just due royalties. CHK is also being sued pertaining to this same issue. FERC should refuse to allow Chesapeake Energy's gas to move into the Northeast Energy Direct pipeline until all investigations concerning this fraud have been completed. An alternative would be to establish a fund where proceeds to Chesapeake Energy are withheld, pending the completion of said investigation. Otherwise, I would support the view that FERC could be guilty of negligence at a minimum, and of being a co-conspirator, at worst, relative to this royalty theft.

In the Bradford County area, FERC has already shown its true colors relative to treatment of landowners under threat of eminent domain. FERC allowed pre-filing of eminent domain to occur with the Marc 1 project before all negotiations were complete for reasons of schedule. Schedule should not be allowed to shorten the negotiation time for landowners to work in good faith with Tennessee Gas.

FERC has shown its willingness to look away and ignore the issues, such as the issue of the Marc 1 project being installed near the Wyalusing School, even when the project plans failed to show the school's existence despite its physical on the ground presence.

FERC has shown that it sides with the gas companies and we can expect nothing more. So supposing that FERC knows (but doesn't know on paper) that the gas will be exported to Canada and further east via LNG export. FERC may ignore this issue, and this cuts to the heart of the very decision that you are to make, that of public convenience and necessity. This project meets neither and that is how FERC must rule, if each individual within the FERC chain of decision-making uses the truth in his or her heart.

My challenge to FERC: if FERC goes ahead and issues an approval of this ill-advised project, state in the approval in no-nonsense wording that the gas carried by this pipeline, regardless of future situations, will never, ever leave the USA. Period. If this is made an irreversible condition of FERC's approval this will go a long way toward mitigating people's concerns.

Let the gas stay here in the ground in PA to support future uses and actual dire needs for energy. I stand shoulder to shoulder with those along the supply and market paths who also oppose the project. The construction of this pipeline would not fulfill an American need. It would only serve to condone and reward American Greed. I hereby request that FERC withhold approval of this project based on lack of demonstrat-

ed need and irregularities in gas usage projections.

Thank you,  
Diane Ward

P.S. I have a really simple request also. If you go ahead with this or any other pipeline project in the future, please classify waste thrown as roadside litter by pipeline contractors, subcontractors, suppliers, etc. while on or off the job as solid waste associated with the pipeline project. This would mean that the company in charge of the project would have to have a portion of their solid waste plan dealing with these behaviors and with remediating any issues that these workers create. Since this particular pipeline is so extensive, there will be thousands upon thousands of miles of local, mostly rural roadways littered upon by the workers, as they have been littering in and around all of the other projects. There need to be clear expectations, enablers, and incentives for workers who eat and drink on the run to dispose of their fast food containers, drinks containers and other waste in a proper manner. Our environment depends on FERC doing something about this. It has been a real eye opener in the rural areas, seeing so much litter where before there was so little. If you can't do anything else, please do this!

### **20150819-5117**

Crystal Giggi, MERRIMACK, NH.

Please take the time to review the NED pipeline and determine if it is really needed in NH. "New England needs more gas" is what they want us to believe, however the shortfall has only been in a couple states, where with proper planning the shortfall could be reduced or completely eliminated. To build a pipeline that is more than 5X the size that New England is expected to have for shortfall in 2029 is overkill, unless the real destination is for export. We will not save on our energy cost, we will pay for the pipeline to be built, and at some point those of us who use domestic gas will be completing with export prices which will be significantly higher. Only frackers and pipeline builders will benefit.

Late last year due to opposition in Massachusetts, the NED route moved from Massachusetts north into southern New Hampshire, would cross the state, and then drop back down into Massachusetts.

Year after year, more than half of the energy New Hampshire generates is supplied to our neighboring states. To run the pipeline through a state that does not need the gas is unreasonable and unfair. Why should New Hampshire have to shoulder the burden, share the cost of the pipeline construction, and disrupt water supplies, conservation land, property values, and our way of life in this beautiful state for the potential need in other states? Shouldn't the states that have a proven need actually bear that burden?

### **20150819-5118**

Dorothy Crawford, Fitzwilliam, NH.

Having reviewed recent maps on the NH Southwest Regional Planning Commission website, it is clear that Kinder Morgan proposes using Rockwood Pond Rd as an access point to the construction that crosses the Cheshire Rail Trail. The vast majority of the residents of Rockwood Pond Rd have sought out this area for its quiet natural beauty. Our's is a dirt road – totally unsuited to carrying these kind of trucks and earth moving devices which this project would require. The noise, the dust, the traffic – all of these issues are of grave concern. Please research the proposed timeline, time of year, extent of traffic, impact to our road and surrounding properties, and mitigation if damage is done. Will Kinder Morgan be responsible for repairing or even re-building the road once construction is complete? Will maintenance and repair vehicles use this same route? How will Kinder Morgan compensate us for our loss of peace and quiet, impact on our property values etc?

### **20150819-5162**

**TOWN OF SHELBURNE**  
**Conservation Commission**

51 Bridge Street  
Shelburne Falls, MA 01370

August 18, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

Re: Tennessee Gas Pipeline Company, L.L.C.  
Northeast Energy Direct Project - Docket No. PF14-22-00

## SCOPING COMMENTS

Dear Secretary Bose:

The Shelburne Conservation Commission is charged under Massachusetts Conservation Act to protect conservation lands and watershed resources in the Town of Shelburne. We are also responsible for administering and enforcing environmental standards set by the Massachusetts Wetlands Protection and Rivers Protection Acts for projects that affect wetlands and water bodies in the Town.

The Northeast Energy Direct Project (“the Project”) will have significant effects on wetlands and water bodies in Shelburne. Its proposed route will require directional drilling of the pipeline under the Deerfield River, crossing of several streams, and development in wetlands protected under the Wetlands Protection Act. All of these actions should require Tennessee Gas to file a Notice of Intent with the Shelburne Conservation Commission and the Conservation Commissions of other towns to secure its approval of the Project.

The Shelburne Conservation Commission is concerned that the current process for regulation of the Kinder-Morgan pipeline will allow approval without the input of local Conservation Commissions through the Wetlands Protection Act, thus bypassing critical local regulation that has proven to be highly effective in protecting wetlands and associated fish and wildlife resources. We therefore request that all parties involved (including Kinder Morgan, FERC, State of Massachusetts) in the approval process act to ensure that the Shelburne Conservation Commission has the opportunity to review any aspect of the construction of all new pipelines that will impinge the wetlands resources of the town of Shelburne, and that similar opportunities be guaranteed for all towns in the Commonwealth that are impacted by the proposed pipeline.

Before getting to scoping comments, we want to make FERC aware that the Shelburne Conservation Commission, like many others in rural areas that will be traversed by the proposed pipeline, is wholly made up of part-time volunteers. We do not have professional staff and generally meet just once a month. We join our state and regional representatives, fellow Conservation Commissions, towns, NGOs and countless individuals in calling for a longer period to comment on the 2nd Draft Environmental Report filed by Tennessee Gas on July 24, 2015. The 60-day comment deadline is unreasonable and should be extended by at least 45 days.

While the Shelburne Conservation Commission has not had time to fully review the 2nd Draft Environmental Report filed by Tennessee Gas, we have identified the following issues and lack of information that we believe must be fully addressed in the Draft Environmental Impact Statement (EIS) to be issued by FERC:

- Impact on water bodies. Provide details of project construction impacts on the Deerfield River, Shingle Brook, and other unnamed water bodies to be crossed by the proposed pipeline. We note that no details on directional drilling under the Deerfield River are included in the 2nd Draft Environmental Report.
- Impact on wetlands. Provide details of project construction and ongoing right-of-way maintenance impacts on wetlands that will be crossed by the proposed pipeline. Alternate routes to avoid wetlands should be identified and assessed.
- Impact on protected habitats. The Massachusetts Natural Heritage and Endangered Species Program have identified a land corridor with Priority and Endangered Species habitats along the Deerfield River. Provide details of project construction and ongoing right-of-way maintenance impacts on protected habi-

tats that will be crossed or disturbed by the proposed pipeline.

- Invasive species. Soil used to backfill the pipeline trench could introduce invasive plant species. Provide information on procedures that will be required by FERC to insure no invasive species are introduced. A long-term control plan for the right-of-way should be required.
- Blasting impacts. If blasting is required for creating an adequate pipeline trench, the FERC should require a geomorphologic study of the pipeline corridor to assess the potential for impacts on private wells and groundwater flow patterns. The Draft EIS should include a discussion of measures that will be taken to insure against or mitigate any adverse groundwater impacts.
- Geology. Massachusetts is regarded by USGS as a region of active geologic faults. Plans in the 1950s for a proposed hydroelectric dam on the Deerfield River above where the South River comes in from Conway were abandoned when it was determined that it would sit on an active fault. The proposed pipeline river crossing is in the same area. The Draft EIS should examine the geology under the river and adjoining areas in Shelburne and Conway to determine whether there is a threat to pipeline integrity in both the short and long-term and how to mitigate the risk.
- Fragmentation of farmlands and forests. Development of a cleared pipeline corridor will increase fragmentation of farmlands and forests in Shelburne, resources of natural and economic importance to the Town. To minimize economic and environmental impacts, the final pipeline route should be required to follow existing cleared rights-of-way, e.g., transmission lines, or major highways such as the Mass Pike (1-90). Pipeline development should be accomplished within, not expand, existing rights-of-way.
- Sediment runoff. The majority of roads serving the proposed pipeline route in Shelburne are narrow, rural, two-lane roads; some of which are gravel. Heavy equipment and construction traffic will damage these roads and create the likelihood of sediment runoff into brooks that run along many of the roads. The Draft EIS should identify the roads that will be used and the measures to control erosion and sedimentation. Provide details of plans for post-construction road repair.
- Noise. Shelburne is a quiet, rural area, but residents live throughout the town including the area of the proposed pipeline route. The Draft EIS should include an analysis of ambient noise levels and define an upper noise limit for project operation that meets the state noise regulations (not to exceed the average ambient noise the level by more than five (5) db(A)).
- Air quality. As noted above, many of the roads in Shelburne are unpaved, making them highly susceptible to dust production by heavy trucks and equipment. A plan should be outlined to maintain local air quality to minimize impact on residents living near the construction sites and on roads used for transport.
- Permanently protected open space. While the proposed pipeline route does not cross any permanently protected lands in Shelburne, the Conservation Commission wholly supports Article 97 of the state Constitution that provides this protection, and we oppose any effort to secure legislative approval to void this protection. Permanently protected open space reflects a more than century old public initiative to insure the natural heritage of the Commonwealth.

In closing, the Shelburne Conservation Commission wishes to state its endorsement of the more comprehensive scoping comments submitted by the Franklin Regional Council of Governments. We intend to participate actively in the oversight and monitoring of the construction and maintenance of the Northeast Energy Direct Project, should it be approved by FERC

Sincerely,

Norman Davenport  
Chair, Shelburne Conservation Commission

Allan Smith  
Shelburne Conservation Commission

Tom Miner  
Shelburne Conservation Commission

Steve McCormick  
Shelburne Conservation Commission

Todd Blake  
Member, Shelburne Conservation Commission

Cc: Members, State Legislative Delegation

**20150820-0010**

August 5th, 2015

To The FERC

Re: Docket No. PF14-22-000

Our farm is located in Schoharie County, town of Middleburgh in Ecker Hollow. A community of 60 homes, which includes a horse boarding business and a large campground.

I have lived here for 87 years and have made my living off this land, raised 4 children and hope to spend the rest of my life here. I am facing eminent domain easement on our land for the Constitution pipeline. The Tennessee Gas Line is looking to go alongside the Constitution Pipeline.

I am concerned with what this will do to my property value and our drinking water. It will disrupt the many waterfowl that use and raise young on our large pond. We have many deer, turkey, beaver, muskrats, eagles and osprey that call this valley home. This line will also cross 2 sections of large wetlands and 2 feeding streams.

The pipelines could be kept at the top of the hill and travel a little farther south through more woods and acres of abandoned land, affecting no crop fields and not close to any homes. You really need to visit this area to see what will destroy a quiet neighborhood and our 300 acres that has been in the Bixby family for over 150 years.

I am very much opposed to these lines and ask for you to not give your approval.

James E. Bixby  
190 Bixby Rd  
Schoharie, NY 12157

**20150820-0016**

Hand written card, Josie Nason, 151 Lower Pratt Pond Rd, New Ipswich, NH 03071, concerned about noise and air pollution.

**20150820-0017**

Hand written card, Daniel Nason, 151 Lower Pratt Pond Rd, New Ipswich, NH 03071, concerned about impact on endangered species.

**20150820-0018**

Hand written card, Josie Nason, 151 Lower Pratt Pond Rd, New Ipswich, NH 03071, concerned about private well and surface water.

**20150820-0019**

Hand written card, Karen Moorman, 50 Appleton Rd, New Ipswich, NH 03071, opposing

**20150820-0020**

Hand written card, Karen Moorman, 50 Appleton Rd, New Ipswich, NH 03071, opposing

**20150820-0021**

Hand written card, Jackie Skidmore, 358 Poor Farm Rd, New Ipswich, NH 03071, concerned about bedrock well.

**20150820-0022**

Hand written card, Harvey Green, 242 Old Country Rd, New Ipswich, NH 03071, opposing

**20150820-0023**

Hand written card, David Walsh, Davis Village Rd, New Ipswich, NH 03071, opposing

**20150820-0024**

Hand written card, Daniel Nason, 151 Lower Pratt Pond Rd, New Ipswich, NH 03071, concerned about safety, air, water, and resident health.

**20150820-0025**

Hand written card, Donna Parmenter, 23 Greenbriar Rd, New Ipswich, NH 03071, concerned about noise.

**20150820-0117**

**Town of Sharon, New Hampshire**  
432 NH Route 123 ~ Sharon, NH 03458  
603-924-9250 ~ FAX: 603-924-3103 ~ [www.sharonh.org](http://www.sharonh.org)

Re: Kinder-Morgan Proposed Pipeline.

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street N.E., Room 1A  
Washington, DC 20426

Re: Tennessee Pipeline LLC

Docket 8 422400 Proposed Northeast Energy Direct -NED

Dear Ms. Bose

The people of Sharon overwhelmingly oppose the construction of the Kinder-Morgan Pipeline, reflected by their response to a town wide survey. Of the 120 or so households, those responding voted 100 to 15 against the Kinder-Morgan project. The Sharon Board of Selectmen is unanimously and unequivocally opposed to this pipeline. As their elected representatives, we urge you to reject the Kinder-Morgan application out of hand on the following grounds:

1. Any purported economic benefit will be utterly eclipsed by higher costs to all of the state's residents. New Hampshire is a net exporter of energy. But under the NESCOE plan, the ratepayers will face a hike in their electricity bills to cover the costs of construction.
2. The pipeline is designed simply to provide a highway for fracked gas to reach Dracut, Massachusetts from which it will be piped north to the Maritimes for export to the European markets. This will effectively raise costs on the domestic market, including New Hampshire.
3. The pipeline will blast its way through 71 miles of granite in a thirty-yard corridor of destruction, crossing thousand of acres of conservation land, rivers, streams, aquifers, and woods to the degradation of the entire Monadnock Mountain Region.
4. While Sharon, like neighboring Temple is not among the 17 communities facing direct devastation from this project, like Temple we will get the fallout. We have no town water. Blasting and cutting into the aquifer within a few miles of Sharon has the potential to destroy the safe use of many of our drinking water wells.
5. The planned 40,000HP compressor station or neighboring New Ipswich will dramatically damage the quality of life for Temple and, to a lesser extent, Sharon with forty blow downs a year and the consequent release of dangerous chemicals into the air we breathe.
6. Finally, the Mount Monadnock Region is an iconic resource for the entire eastern seaboard. The pipeline

has the potential to impact or destroy tourism in this region.

It is the largest area of unspoiled woods, waters, and mountains within easy reach of millions of city dwellers. Its uniqueness is preserved by the thousand of acres of conservation land from bequests over many years intended to keep it a living habitat forever.

But should FERC approve this project Kinder-Morgan may by law disregard all that, ignore EPA standards, misuse eminent domain for private profit, and despoil a semi-wilderness intended for those who come after Us.

Again, we urge you to reject the Kinder-Morgan application

The Sharon Board of Selectmen

Linda Paris, Chairperson

Carl Newton

Ted O'Brien

## **20150820-4001**

To: Federal Energy Regulatory Commission

From: David Barnard, 115 Elm Ave, Delmar, NY12054

6/15/2015

1 Your charge is to oversee the progress of energy development and energy projects in our nation.

These times require a much deeper analysis of energy solutions. Is the technology up to date? What are the serious impacts, of greenhouse gas emissions? How much gas, coal, nuclear, solar, or wind? How does it effect our communities?

2 Your charge is to assure that appropriate technology is applied to the nationwide energy transmission systems. It appears that the impact of this pipeline on populations near compressor sights is very serious. Serious enough to require independent design and planning. There is a basic conflict of interest with profit and impact on populations and environmental issues. This mandates that this nationwide design plan be independent of business or gas companies. All the public stakeholders should have a say before the plans are firmed up by pipeline industries. It would appear that the present plans shown to the public are much too late in the design process. This public hearing process is done in such a way as to limit the effectiveness of public input into the planning process. That is to say, that the industry has already set the technical design and routing priorities and the public must accept the plan without much ability to change. It would seem that large energy hungry compressor stations that produce tremendous noise pollution and leak gas are outdated technology. It would seem that, as we plan for the future we need to require a noise free and pollution free technology. Natural gas leakage is a serious greenhouse gas, many times more serious than carbon dioxide. In this day and age this is unacceptable.

Why can't a nation that could send people to the moon and send a perfect mission to Pluto also produce a quieter gas infrastructure? Why can't a nation that could produce safe underground urban roads also produce a non polluting gas infrastructure? Why can't our nation find ways to prevent massive disruption to rural communities all across the country as we progress in building our new energy infra structures?

The answer is we can. We can if the agencies of government, like FERC and all stake holders prevent short sighted profit motives from taking technology shortcuts. Industry must not be in charge of national infra structure design. National and community welfare requires the charge be given to independent energy planning agencies responsive to public concerns and environmental science. Lets get the smart young engineers with vision and knowledge to design our energy future not the gas companies. (fthe cost is more then this IS the cost of THIS energy. Let the cost be on the end-consumers not the home owners along the way.

We pay the taxes to support responsive agencies like FERC and we, the concerned citizens of these communities and of this nation require you to take a more proactive role in the design of our future. Thankyou,

Russell Bennett  
14 Calkins Farm Road  
Averill Park, NY 12018-4914  
rbennet2@nycap.rr.com  
(518) 674-5546

July 14,2015

Re: Scoping Notice; Tennessee Gas Pipeline Company, I.L.C., Docket No. PF14-22-000  
Northeast Energy Direct Project

I am submitting these comments for purposes of seoping in relation to the proposed Northeast Direct Pipeline.

Hudson River crossing. The Hudson River is a Superfund site for two hundred miles from Fort Edward south to NYC. The crossing at Coeyman's Landing and Schodack is just 20 miles south of the Troy dam, where General Electric has performed an expensive dredging and cleanup operation of PCB deposits in the sediments to prevent their further downstream migration. The river is over 1400 feet wide at the proposed crossing point. This is much wider than can be crossed with horizontal drilling, suggesting that the applicant will use open blasting. It should be determined whether and how Kinder- Morgan's river crossing method will disturb and re-suspend PCB deposits at the crossing site. FERC should study the effect on downstream communities such as Rhinebeck and Poughkeepsie which use the Hudson River for drinking water. Additionally, the Town of Bethlehem uses wells adjacent to the Hudson at its Clapper Road treatment facility, in very close proximity to the proposed pipeline crossing. The Hudson is an estuary river which changes its direction of flow four times per day. The danger to the public water supply requires a hard look.

Nassau compressor station (Market Path Mid Station 1). The proposed 90,000hpcompressor station is just 2800 feet from the southern tip of Burden Lake in an area that is otherwise extremely quiet. Portions of the lake are within the half-mile buffer from the compressor. Once sound reaches the lake, there is no topographical barrier to attenuate the noise or prevent its travel over the water. The extremely loud sounds produced by blow downs will be carried far further than in other locations, particularly since the prevailing winds are from the south and running directly to the lake. As pointed out in NYSDEC's SGEIS on the Oil, Gas and Solution Mining Regulatory Program in New York State, even a six decibel increase in sound pressure can be annoying against existing rural background levels of only thirty decibels. (See Final SGEIS, May 2015, Vol. I, page 6-301.) FERC should study the effect on the sound impact of the topography, prevailing winds and quiet background.

Burden Lake hosts a children's summer camp and Wounded Warriors events for recreation and recovery of severely disabled veterans. It is inconceivable that we would subject these veterans, many of whom may be suffering from post-traumatic stress syndrome or traumatic brain injury, to constant, sudden and extreme noises or to force them to find another host site after forging a strong community connection for so many years here in an ideal site.

Aside from hosting a nesting population of bald eagles and numerous osprey, Burden Lake is a regular stopover for migratory waterfowl in the spring and fall. These include large numbers of Canada geese, bufflehead ducks, mergansers, loons, wild swans, and mallards, etc. FERC should study the impact of the compressor station on resident and migratory birds.

The sound from the compressor station could be mitigated by employing a number of smaller stations with electric motors instead of natural gas engines, installing silencers and mufflers, erecting sound containment structures, moving the facility to a less sensitive location, or, preferably eliminating it altogether.

Pipeline compressor stations typically employ stadium type lighting for security purposes, despite the fact that these stations are generally hidden from view by the topography and are unattended. Lighting of the sort contemplated would pollute the night sky, preventing any view of the stars from Burden Lake and unneces-

sarily interfering with activities of night animals such as bats and owls. FERC should study these impacts and whether there is a reason why night vision security cameras could not be employed as a mitigation measure. There is no reason why the facility cannot meet Dark Sky guidelines for shielding of glare.

The proposed compressor station is 9,000 feet from Eastfield Village, a collection of colonial buildings in an historically authentic setting, used for educational and study purposes at 104 Mud Pond Road in East Nassau. The constant sound would be incongruous with the site's mission and purpose.

The pipeline would run just north of the former Dewey Loeffel landfill, a Superfund site. FERC should study the compound effect on the affected lands and the waters of Nassau Lake of a potential leak from the pipeline flowing through the landfill area.

Rensselaer Plateau. The pipeline would bisect the 105,000 acre Rensselaer Plateau, one of the largest and most ecologically intact native habitats in New York State. The pipeline would isolate and fragment wildlife on either side of the line, defeating the goals of the Rensselaer Plateau Alliance's conservation plan, recently ranked #5 nationally by the U.S. Forest Service Legacy Program. Running the pipeline adjacent to existing electric power easements exacerbates the problem by widening the gap separating contiguous habitats. The impact on the Plateau's animal and plant life should be closely studied. Consideration should be given to burying the pipeline deep enough to permit reforestation.

The Plateau is characterized by steep topography. Construction across such areas creates a potential for flash flooding, affecting lakes and streams at lower elevations. Glass Lake and Crooked Lake are particularly vulnerable to flows from higher elevations in high volume storm events. The dams along Wynantskill Creek are not capable of withstanding additional loads. Catastrophic collapse would threaten communities as far away as the City of Troy.

Thank you for the opportunity to comment.

Sincerely,

Russell Bennett

### **20150820-4003**

I would like to address the very real health consequences to residents in close proximity to these compressor stations. I am referencing a 2014 scientific health study of air quality around natural gas drilling wells and compressor stations in 5 states. This study was co-authored by Dr. David Carpenter, Director of The Institute for Health & The Environment at the University at Albany.

The Institute was created with the primary purpose of promoting and supporting research in the area of environment and public health. In June 2015, the Institute was redesignated as a World Health Collaborating Center in Environmental Health.

The study found:

Air samples taken near existing compressor stations in Pennsylvania revealed unsafe concentrations of benzene and formaldehyde in levels that EXCEEDED Environmental Protection Agency (EPA) levels.

Benzene is a known human carcinogen. Chronic exposure to benzene increases the risk of leukemia. Benzene exposure also increases risk of birth defects, respiratory effects including pulmonary edema, laryngitis and bronchitis. The study specifically includes benzene as a fugitive emission along numerous points of production such as compressors and pipelines.

Formaldehyde is a suspected human carcinogen. It can effect nearly every tissue in the human body leading to acute dermal (skin), allergies, asthma, and chronic health effects including neuroreproductive, genetic and pulmonary toxicity, and cellular damage. It was another volatile compound that exceeded health-based risk levels near compressor stations in Pennsylvania, Wyoming and Arkansas. As with benzene, formaldehyde emits along the production chain and is "a product of incomplete combustion emitted by natural gas-fired reciprocating engines at compressor stations".

Other toxins, specifically hexane and hydrogen sulfide can affect the central nervous and respiratory systems. The study states that where high concentrations of hexane were found in samples taken around compressor stations in Wyoming suggests a combination of leaks, spills and fugitive emissions as potential causes.

In a radio interview yesterday, on Capitol Pressroom, WCNY, Dr. Carpenter stated that in his 5 state study, compressor stations were the greatest source of pollution and adverse effects to human health. He stated that breathing in carcinogens and toxic chemicals are agents that cause cancer and would have long term effects. He named hydrogen sulfide as an emission which would, in the short term, cause degradation to the central nervous system, and disrupt the quality of life with symptoms of headaches, "brain fog", and fatigue.

When asked specifically if fracking and transporting of natural gas could be done safely he responded, it could, if the industry's feet were held to the fire. The problem, Dr. Carpenter expressed is "that whole industry has been exempted from all the regulation other industries have to apply" by the federal government. When asked again if he thought it was safe under these existing, current political parameters Dr. Carpenter concluded "Absolutely not. The industry is not held to the same standard as every other industry is held".

In every interview, whether print or media Dr. Carpenter has concluded the lack of federal regulations a contributing factor to the risk to human health caused by the fracked gas industry. The multi-billion dollar oil and gas development industry enjoys special status and are exempt from complying with environmental protective laws like the Clean Air Act and Clean Water Act. They are only required to self monitor and report incidents.

This scientific health study is not supposition, conjecture, or a hypothetical. It's fact. It's evidence. Whereas a fracked gas pipeline carries potential danger, compressor stations are a definite hazard to human health.

That being said, I don't know why this, alone, isn't enough to deny a license to Kinder Morgan/Tennessee Gas.

No company or government agency should have the right to impose suffering, illness and death on a human being. When did human lives become so expendable? This is contrary to everything our country stands for. The ability of a government to force law abiding tax payer to give up their land, the peace and security of their homes and the safety of their families so a few can profit is imperialism at it's worst.

Our forefathers, members of my family, members of my husband's family and I'm sure your family, too, served this country and were prepared to give their lives to protect our way of life, and the ideals and freedoms we hold so sacredly. Hundreds of thousands of our young men and women died to save us from exactly this: unjust taxation, seizure of land and property, exploitation of our forest lands and natural resources, and most important of all, the callous disregard for human life. This nation has fought wars with countries who treat their people like this.

Our health and safety should be every government agency's primary concern. To allow a 90,000 horsepower compressor station to be inserted into a populated rural residential zone and threaten the health and lives of citizens is unjust, Un-American, inhumane and inhuman.

Granting this application would be giving Kinder Morgan a license to kill.

Thank you,

Shelley Bennett

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Macey et al. Environmental Health 2014, 13:82

<http://www.ehjournal.net/content/13/1/82>

RESEARCH

Open Access

**Air concentrations of volatile compounds near oil and gas production: a community-based exploratory study**

Gregg P Macey<sup>1</sup>, Ruth Breech<sup>2</sup>, Mark Chernaik<sup>3</sup>, Caroline Cox<sup>4</sup>, Denny Larson<sup>2</sup>, Deb Thomas<sup>5</sup> and David

O Carpenter6\*

## Abstract

**Background:** Horizontal drilling, hydraulic fracturing, and other drilling and well stimulation technologies are now used widely in the United States and increasingly in other countries. They enable increases in oil and gas production, but there has been inadequate attention to human health impacts. Air quality near oil and gas operations is an underexplored human health concern for five reasons: (1) prior focus on threats to water quality; (2) an evolving understanding of contributions of certain oil and gas production processes to air quality; (3) limited state air quality monitoring networks; (4) significant variability in air emissions and concentrations; and (5) air quality research that misses impacts important to residents. Preliminary research suggests that volatile compounds, including hazardous air pollutants, are of potential concern. This study differs from prior research in its use of a community-based process to identify sampling locations. Through this approach, we determine concentrations of volatile compounds in air near operations that reflect community concerns and point to the need for more fine-grained and frequent monitoring at points along the production life cycle.

**Methods:** Grab and passive air samples were collected by trained volunteers at locations identified through systematic observation of industrial operations and air impacts over the course of resident daily routines. A total of 75 volatile organics were measured using EPA Method TO-15 or TO-3 by gas chromatography/mass spectrometry. Formaldehyde levels were determined using UMEx 100 Passive Samplers.

**Results:** Levels of eight volatile chemicals exceeded federal guidelines under several operational circumstances. Benzene, formaldehyde, and hydrogen sulfide were the most common compounds to exceed acute and other health-based risk levels.

**Conclusions:** Air concentrations of potentially dangerous compounds and chemical mixtures are frequently present near oil and gas production sites. Community-based research can provide an important supplement to state air quality monitoring programs.

**Keywords:** Benzene, Community monitoring, Formaldehyde, Grab and passive samples, Hydraulic fracturing, Hydrogen sulfide, Oil and gas

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6 Institute for Health and the Environment, University at Albany, Rensselaer, New York, USA

Full list of author information is available at the end of the article

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## 20150820-4004

Hand written FERC comment form, Kathleen Brown, 748 Baldwin Road, Summit, NY 12175, opposing

## 20150820-4005

Testimony by Bob Cohen, Esq.

Scoping Hearing, NED Pipeline Project

July 15, 2015

Good evening. My name is Bob Cohen. Thank for the opportunity to testify tonight. I am a resident of Schodack in Rensselaer County. I am also the **Policy Director of Citizen Action of New York**, an organiza-

tion with thousands of members in New York State, including here in Rensselaer County. I share the views of so many speakers tonight and last night in regard to the safety and environmental issues presented by this massive project. I will expand the argument I'm presenting tonight in comments I will shortly file with the Commission.

My focus tonight is the bogus job claims made by Kinder Morgan as to the positive jobs impacts of a pipeline. I share the concerns of our union brothers and sisters here that we create jobs locally, but this pipeline is not the way to do it. Quite simply, a June 2015 study funded of the Massachusetts impacts by the Beacon Hill Institute at Suffolk University found that only 1,713 temporary jobs will be created in that state. The study concedes that much of the jobs and other income generated by the pipeline will go out of state, for example, in the form of skilled workers brought into Massachusetts to work to build it.

Long term, the study only projected 9,420 jobs by 2020. And these jobs will only materialize if we accept the study's projections, which are not certain, that decreased energy prices will result from the increased supply of gas, which will in turn expand the state's business climate. New York is not currently slated to get the fracked gas, so we won't even get anything close to this number of jobs in New York, even assuming the BHI is right about Massachusetts.

More importantly, the BHI study-funded by Kinder Morgan and performed by an Institute that has received large amounts of Koch brothers funding - does not even consider the alternatives: the positive employment effects that would come (rom investing in alternative fuels like wind. water and solar and increased energy conservation.

Estimates are spending on green investments creates roughly three times as many jobs as spending the same amount of money on maintaining our existing fossil fuel sector. This is primarily because clean energy jobs are more labor intensive and a greater proportion of spending would stay in our country. And a study done by several Stanford professors has projected that conversion to 100% clean, renewable energy by 2050 would create 104,000 permanent construction and operations jobs in Massachusetts - tar more than the 9,420 jobs created by the pipeline. In New York, the figure would be 277,200 jobs.

In short, neither the Commission nor the public should rely on this highly questionable study. In light of the environmental and safety concerns highlighted by other local residents, this dangerous white elephant should be rejected. Thank you.

Bob Cohen, Esq.  
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bcohen@citizenactionny.org

## **20150820-4006**

FERCseeping hearing 7/14/15 at Birch Hill Catering Castleton- on - Hudson, NY 12033  
In regards to the proposed Northeast Energy direct pipeline Docket # PF 14-22-000

Comments presented by:

Dr. Lisa Dietrich Zimmerman DVM  
80 Rice Road  
Nassau, NY 12123

I have multiple concerns of Kinder Morgan/ Tennessee Gas' proposed NED pipeline.

Environmental, Air, Water and Soil Quality concerns:

1. The effects of the construction process: On the compaction of soils on our farm, the aquifer, the quality of life of the residents, and the presence of wild life including bald eagles sighted on Clark's chapel and Rice Roads.

2. The potential for contamination of the ground water through streams supplying the aquifer. It is an unconsolidated aquifer which flow east to west to the Hudson River.
3. Continual noise levels from the proposed compressor station exceeding SS deb at the nearest house especially during blow downs.
4. Toxic chemicals emitted by compressor station blow downs including formaldehyde, benzene and toluene and radon with serious health effects according to MSDS sheets.
5. Significant light at the compressor station affecting wildlife, migrating birds, bats and the quality of life of surrounding residents.

#### Public Safety

1. There will be co-location of the NED with two other pipelines that will parallel the NED from Wright to Iape Road in Schodack. A crack in aged pipelines from frost heaves or corrosion and leakage could lead to a catastrophic explosion in populated areas like Glenmont, Bethlehem or Castleton especially if all 3 pipelines are affected.
2. Potential for terrorism especially if the compressor station is left unmanned and not fenced with a significant structure.

#### Socioeconomic Concerns

1. It is well known that the production of Marcellus shale fracked natural gas far exceeds the capacity for use in the northeast. There is enormous pressure from both the natural gas industry and Wall Street investment firms who financed them to export this gas out of the United States. Excessive gas exportation could raise US domestic gas prices, use a finite resource, and allow excessive construction of infrastructure that does not directly benefit US citizens.
2. Gas transported in the proposed NED will not benefit Rensselaer County and most of the natural gas will not benefit NYS or New England.

#### Solutions to stop or mitigate the effects of the proposed NED pipeline:

- a. Stop the NED pipeline application process thereby denying construction of the NED.
- b. Move the proposed pipeline out of Albany and Rensselaer counties
- c. Require Kinder Morgan and Tennessee gas pipeline companies to replace the existing pipelines with new pipes from Wright to Iape Road.
- d. Decrease the pressure of the NeD from 1460 psi to 740 psi and the diameter from 36" to 30" to make an explosion less dangerous.
- e. There must be continual monthly monitoring by KM/TGP before and after construction of areas within a mile around the compressor station to detect dangerous chemicals in the air, soil and water of surrounding landowners.
- f. Move the compressor station to another less populated area
- g. Size down the compressor station with a total cap of no more than 10,000 HP gas turbines
- h. Require a large sound proof 50 foot high barrier around the compressor station,
- i. Require all Jighting to be no more than 10 feet off the ground and on motion sensors as to not allow continual lighting
- j. Providing 24 hour armed guards to a locked facility around the compressor station.
- k. Require the pipeline to be buried at least 4 feet below the ground not 3 feet like it is proposed
- i. Study the Bald eagle population sighted on Rice and Clark's chapel road for nesting sites.

I ask you to deny the Certificate of Public Convenience and Necessity. If the project moves forward then please do not close the scoping comment period until 60 days after Kinder Morgan files new complete resource reports since there is still too much to be determined.

Usa Zimmerman

**20150820-4007**

Hand written card, Michael Dundon, 18 Brdley St, Binghamton, NY 13904, supporting

**20150820-4008**

Hand written letter, Dave Dupino, LiUNA local 190, supporting

**20150820-4009**

Submission for Federal Energy Regulatory Commission Scoping Hearing

1 Celebration Way, Castleton-on-Hudson, NY

July 14, 2015

Thank you for giving me the chance to speak. When I first moved to Malden Bridge 27 years ago from Albany I figured I could hang my laundry out to dry in the country air. I didn't reckon on Kinder Morgan's compressor station two miles up the road which spewed ash out of its stacks onto my sheets from pipelines they drove under the formerly pristine Kinderhook.

97 percent of scientists agree that global warming is caused by co2 emissions from carbon fuels. Every significant study of our environment for the past twenty years has shown we must switch from carbon fuels to green energy, or else the earth as we know it will be doomed: our seas warmed until their fish are gone, our lands raked by monster storms and heat waves, our shores invaded by rising salt water, our glaciers gone, and droughts world-wide. However a switch is being made to solar, wind and geothermal energy at such a tremendous pace, providing a greater abundance of jobs involving installation and maintenance of new systems than in the natural gas industry, that by 2020 the energy requirements for New York and New England will be increasingly met without resorting to fossil fuels. Indeed a recent article in Scientific American documents that this switch is outpacing prior predictions due to the rapidly dropping cost of solar panels.

Kinder Morgan's plan to drive a pipeline underneath our homes, woods, streams and pastures is a rape of our land, pure and simple. It is a short sighted, selfish, last ditch attempt by a corporation too cheap and greedy to invest in or convert to green energy, to wring yet more profits from a flawed and dangerous technology, whose compressors vent polluting gases and whose pipelines rust and explode. No more pipelines. Not in my backyard, not in anyone's backyard. Isay Kinderhook, not Kinder Morgan .

Respectfully Submitted by:

Bob Elmendorf  
524 Shaker Museum Road  
P.O. Box 76  
Malden Bridge, NY 12115  
(518) 766-299  
poetapoetus@taconic.net

**20150820-4010**

Comments Of David & Patricia Flint For FERC Public Scoping Meeting

Castletown-On-Hudson, Tuesday, July 14,2015

We are Rensselaer County landowners with property abutting the proposed Kinder-Morgan NED pipeline route. We estimate that the construction area for the project will come within 100 feet of our house and well.

The amount of gas proposed to be delivered at high pressure through this 36-inch pipe is far more than needed in Massachusetts and New Hampshire. The stated need has been reported as 0.7 billion cubic feet per day for regional electrical generation - and that's only on some 10 to 27 peak demand days per year. The

proposed pipeline is supposed to deliver 2.2 billion cubic feet per day. So most of the gas is intended for export up to Nova Scotia and overseas - export to benefit Kinder-Morgan and the natural gas industry. No gas for New York State or Rensselaer County is intended from this pipeline.

But we shoulder the risks, the economic costs, the legal costs, the irreparable damage to our wells, the plummeting property values. We even pay tax on any minimal compensation we get for easements - as if it were some kind of windfall.

Congressman Chris Gibson does not support this proposal. "Our community should not bear the burden of the project, take on all the risk, and not benefit from the construction and placement of the pipeline," he said. U(And)with several other projects recently approved or close to approval, it is important that we not over-develop, which could increase risk and significantly decrease any offsetting economic benefits to local communities,"

Please investigate the abysmal status of pipeline safety oversight. Recently the National Transportation Safety Board has spoken of systemic weaknesses in how natural gas providers maintain their pipelines. and the top official at the Pipeline and Hazardous Material Administration has admitted that he has "lively few tools to work with" in enforcing safety rules. At the State level, the New York State Department of Environmental Conservation says that they conduct no air monitoring at compressor stations and rely on self-reporting by pipeline companies for any incidents. If suspicious they simply ask the company to conduct a study.

Please note too that frost in our area this past winter was reported to be as much as six feet below ground. Kinder-Morgan proposes to lay the pipeline only three feet down.

We are not qualified to suggest any alternate route for this pipeline. We believe this pipeline is not needed and is convenient only for Kinder-Morgan. Please deny the Certificate of Convenience and Necessity.

**20150820-4011**

Sheila DS Foraker

205 China Hill Road  
Nassau, NY 12123  
sdsforaker@gmail.com

Cell: (707) 318-4240  
Tel: (518) 766-2047

July 15, 2015

FERC

re: Docket Number PF14-22

ENVIRONMENTAL IMPACT

I represent a non-profit religious organization incorporated in California. In 2008 we relocated from Napa, California to Nassau, NY at great cost and sacrifice. I donated nearly 40 acres of land that has been in my family for almost 100 years to build a center for our organization. The headquarters are located at 202 China Hill Road, Nassau, NY. The center is used by local, national and international members and non-members to come for retreats in a peaceful rural setting. It has been an ideal location with its contemplative environment offering a place for silence, serenity to meditate and pray. It has been a safe place. The air is pristine, the spring water is clean and pure, and the atmosphere is peaceful and quiet. We have an organic garden and we raise honeybees.

If a 90,000 horsepower compression station were to be built on Clarks Chapel Road, within walking distance of our property, all this would change. We would be bombarded by noise pollution 24 hours a day as the fracked gas aided by three Titan 250 gas turbines would be pushed along the pipeline, which is proposed to be on our property. The light and noise and off-gases periodically to regulate pressure will disrupt our peaceful environment 24 hours a day, a Public Nuisance. The compression station would pollute the air and the water. We would no longer be in a safe environment. The noise alone would inhibit our ability to practice our faith. The dangers that a pipeline in our backyard and a compression station very close to our property would make it an unsafe place to hold retreats, let alone to live.

We also protest the robbery of the community's wealth by Kinder Morgan through their proposed compression station and pipelines. As soon as they would be established all the property values will go down to nothing. After all who wants to live next to a pipeline and a compression station?

Would any of you members of FERC, members of our government, anyone from Kinder Morgan live in a place where there is a fracked gas pipeline and a compression station of 90,000 horse power in your backyard? I think not Well, we don't want it in our backyard either. We want the same right to peaceful quietude as the decision makers. Please find another place that is not populated to put your fracked gas pipeline and your compression stations.

FERC, we know that you have never denied a pipeline application. But now you should for the first time deny Kinder Morgan's pipeline and compressor stations application. There is no place for them in our populated area. We know that the truth is hard to accept. But look at the truth, the scientific evidence, and the track record of safety of Kinder Morgan and other pipelines and compressor stations. You know that the pipeline and compressor stations will be devastating to our communities and it will destroy us. If we are to survive, then we must not be consumed by corporate greed, money, and power. You must make a decision that will be for the good of the people, for humanity, for the environment, for our government, which is of the people, for the people, by the people. After all as the Declaration of Independence says, "...we are endowed by the Creator with certain inalienable rights, that among these rights are life, liberty, and the pursuit of happiness." Do not take away our life, liberty or our ability to pursue happiness. Deny the application for the pipeline and compressor stations in our communities.

Humbly submitted by a peaceful homeowner and board member of our non-profit religious organization  
Sheila OSForaker

#### **20150820-4012**

Tyler Gamache & Elizabeth Reilly, 149 Clark's Chapel Road, Nassau, NY 12123. Across from proposed compressor site. Concerned about 6-year old child with genetic extra sensitivity to toxins. Also about their maple syrup business.

Enclosing medical diagnostic lab report (not reproduced here) plus copies of relevant reports which can be downloaded from:

<https://sites.google.com/site/drjoneskids/mthfr>

<http://www.news.cornell.edu/stories/2006/05/acid-rain-causing-decline-sugar-maples-say-researchers>

<http://www.bt.cdc.gov/agent/benzene/basics/facts.asp>

#### **20150820-4013**

Katie Garrity, 1224 Averill Park Rd, Nassau, NY 12123

When my husband and I were looking for a home 11 years ago, one of the main characteristics we wanted was a rural setting. Being an asthmatic, as well as being prone to migraine headaches, the quiet setting, and clean fresh air of country living was important to my health. I love where I live, it is rural, but not desolate. I have many neighbors, and often hear the sounds of their children and pets playing outside. I love my neighborhood. Now however Kinder Morgan wishes to move a monster into my neighborhood. This 90,000 hp death machine threatens our neighborhood in so many ways. Having done some research on pipelines and compressor stations, I am concerned about my environment. Compressor stations are known polluters, releasing tons of hazardous chemicals each year. In research by the Southwest Pennsylvania Environmental Health Project, it has been found that high levels of toxic chemicals have been found at compressor stations, as well as in the surrounding air, land, and groundwater. These chemicals include benzene, toluene, formaldehyde, methane, and methylene chloride to name a few. These are dangerous chemicals that are known carcinogens, and nervous system attackers. There are concerns about radon, and radioactivity in the vicinity of compressor stations. Anecdotal records show high percentages of breathing issues, skin problems, and

cancer in people living within a 2 mile radius of these polluting stations. Then there is the light and sound pollution of this station. My migraines are triggered by sounds and smells. The constant low frequency drone of a compressor station has been shown to cause vibra-acoustic disease in a five to eight mile radius surrounding the station. This disease can cause migraine headaches, ruptured eardrums, loss of hearing, depression, anxiety, and even brain damage.

In looking at the documents that were sent to me by Kinder Morgan, I find that my home is approximately 300 feet from the proposed compressor station property. I will likely suffer with illnesses caused by compressor station pollution. I worry that being so close will put me in the incineration zone. How is it possible in our free democratic SOCIETY that homeowners can be involuntarily forced into living in fear of everything they love being incinerated in the case of a gas disaster. You might think that this rarely happens, but in looking into Kinder Morgan's safety record, I found that since 2003, there have been 36 major disasters in this groups pipelines. Property damages in the millions, fines in the millions, loss of property, loss of wild-life habitats, pollution of bodies of water, groundwater, and surrounding land, and the most costly damage of all, death of several humans. In most cases, improper pipeline maintenance was found to be the main contributing factor. This is just the cases in which Kinder Morgan was involved. In the same amount of time, there have been 180 significant disasters based on pipelines. I do not wish to be a part of one of these disasters. The probability of there being an accident with the compressor station, or the pipeline in my area is high. I feel that it is necessary to do more research into Kinder Morgan's safety record before even considering issuing approval for this project.

This pipeline is not needed. Studies in New England show that there is not a need for this extra natural gas. The plan for this gas to be sold as an export shows that the citizens of this country do not have a need for this gas pipeline. This gas is not meant for me, and will not benefit my family or neighborhood in any way. It is imperative that this proposal be denied, and that the pipeline be canceled, or at least find vacant land in which the daily lives of American citizens will not be negatively effected.

#### **20150820-4014**

- Tennessee Gas is now scheduled to file its formal application in October. The public comment period needs to be changed as well. The new deadline should be September 30th, not August 31st.
- Recent studies have been conducted by such organizations as the AMA and the Medical Society of the State of New York which state that they "support legislation that would require a comprehensive health impact assessment regarding the health risks that may be associated with natural gas pipelines." Time is needed for such an assessment.
- Another in a series of ongoing resolutions issued by town and COUNTY governing bodies was just released by Rensselaer County in support of the AMA's resolution that I just alluded to and asking, "the NYS Department of Environmental Conservation to implement an immediate freeze on new air and water quality permits for Kinder Morgan." Time is needed to examine the implications of the AMA's resolution.
- ...Kinder Morgan filed and was issued a docket number for this project almost a year ago. Since then, the ( market has changed. By the time the company files formally, the original application will be based on old data. It is common practice in many industries to re-evaluate such a massive project's viability on at arly if not an ongoing basis. .s p~t should be no ~xcq,tion~ FE;C n~ to stop, take a \ breath, step back from the pell-mell rush to grow the fossil fuel infrastructure and evaluate whether we really need, right now, more capacity.
- New laterals, loops, and route directions have been added, subtracted, and altered and we still don't precisely know where the thing is going to be. Until Tennessee Gas issues a concise plan with maps clearly identifying all the land, roads, and rivers it intends to bury its pipe under, there ought to be a delay in the permitting process to give the public a chance to examine the project as it really is, not as it might be.
- FERC should require Kinder Morgan to resolve all things that have a "To Be Determined" status. Once all the TBDs have been resolved, then and only then should the permitting process be continued. How can

you approve or disapprove of what isn't? You can issue contingency orders in the hopes that a \ company will either comply or be penalized by a regulatory party. But we all know that the regulatory \ enforcement agencies, like PHMSA, is hard pressed to enforce anything. Of course, that's not FERC's concern, but it is OUR's!

- Why don't we admit the truth - that nobody has the time or resources to adequately reflect on what our future energy needs and policies should be when we're rushing ahead, knee-jerking our way to a possibly disastrous future. Let's slow the process down and do the necessary research into cause and effect and determine what the real trade-offs should or should not be.

#### **20150820-4015**

Hand written letter, Anna Goebel, 10 years old, opposing.

#### **20150820-4016**

Hand written letter, Martha Goebel, 8 years old, opposing.

#### **20150820-4017**

William Hasting, 32 Pine Dr S, Nassay, NY 12123

Wall Street Worries About Kinder Morgan's

Safety Record

8C pipeline operator slashes and defers maintenance spending.

Eric de Place @Eric\_deP

This post is part of the research project; Northwest Coal li OJ! EM2[ll

Kinder Mol'!an is a titan In the North American enel'!)' sector and a major player in Northwest fC15S11 fuel shipments. The flnn was the author of a failed scheme to ell POrt hUll!! volumes of Coal on the Columbia River In Oregon, and It Is lobbyIns heavily to tdAle Its all AIOT:llne throufJh\_ British Cplumbia In a bid to move more tar sands 011 to Washington refineries and AsIan mar1<ets.

It is also, as Slightllne has documented, a dangerous and irresponSible company with a clear history of law breaking. deceit, and DOIllytloo.

Last week, a financial research finn t ~, released a scathln! report on Kinder Morgan that supports many of Sightlfne's conclusions. Aptly titled Is Kinder Momn Maintaining Its Stock Prices Instead of its Assets? (no longer available online), the report is mainly concerned with Kinder Mol'!an's books, but it Includes a few bombshells that should worry the public.

Consider just this sampling fnxn the summary section:

We believe that Kinder Morsan's high- level business strategy Is to starve Its plpeltoes and related Infra-structure of routine maintenance spending in order to maximize OIstnbutable Cash Row ...

In our view, Kinder Morgan cuts, defers, and eventually fmances the [Limited Partnership'sJ maintenance spending ...

A broader, and more Important concern Is the reliability and safety of Kinder Morsan's pipeline's. In 2012, Kinder Mol'Ban acquired EI Paso, then the largest natural gas pipeline company In the US, in a +\$306 deal; Kinder MOf!!an has already cut maintenance expenses by 70-99% and maintenance [capital expenditures] by -60% on most of those assets. In our view, it is alarming that Kinder Morsan supporters believe that this is a sound business practice.

The report goes on to detail specific maintenance spending deferrals, and It enumerates a few of the mis-haps-some of them deadly-that Kinder Morgan's pipelines have syffered in recent years.

The Hedgeye analysts made waves In the Investment community. It also came 10 for a bit of a .ll.wbbins

from company boosters ( ~ some of the ~ and Wlb) and I'm certainly In no position to weigh In on the accuracy of the report's assertions about finance. Yet we do know that the report Is consistent with Kinder Mors10's well-documented track record of law· bl:I:JIsIng pollution, and cover-ups.

Update 9126113: CfO Rlchord KInder tJeffU!dcd the firm's practlces On Q conference call, and Hedge"e hjt bad with Q rebuttal.

You can find more Sightline research on Kinder Morgan here:

REpqRT: ThC facts about Kinder Mollan. (Companion bIOI post \_.)

Northwest Utility Rejects Kinder Moryn's Coal Pollution

KInderMorsan's Coal pollution on theMIWssiPRi

Kinder Mo!'Sao's Coal Export Scheme Bites the Dust

## 20150820-4018

*{duplicate of 20150820-4017 above}*

## 20150820-4019

William Hasting, 32 Pine Dr S, Nassay, NY 12123

Sightline Institute » Research & Maps.. R p

The Facts about Kinder Morgan

Energy giant Kinder Morgan has big ambitions. Best known for its empire of oil and natural gas pipelines, the firm aspires to enlarge its role in coal transport too. Expanding its export terminals in Louisiana and Texas would increase Kinder Morgan's coal export capacity in the Gulf Coast region from roughly 5 million tons annually in recent years to nearly 29 million tons.

These coal terminal expansions could boost Kinder Morgan's profits, but they also raise questions about what the projects might cost neighboring communities. The company's existing coal export operations are well known for blighting neighborhoods and fouling rivers. In fact the company's track record is one of pollution, law-breaking, and cover-ups.-

Kinder Morgan has been found guilty of num r u violations:

Kinder Morgan has been fined numerous times by the USgovernment for stealing coal from customers' stockpiles, lying to air pollution regulators, illegally mixing hazardous waste into gasoline, and many other crimes.

Kinder Morgan's pipelines are plagued by leaks and explosions, including two large and dangerous spills in residential neighborhoods in Canada. One hedge fund analyst has accused the firm of "starving" its pipelines of maintenance spending.

Kinder Morgan was convicted on six felony counts after one of its pipelines in California exploded, killing five workers.

In Louisiana, Kinder Morgan's terminal spills coal directly into the Mississippi River and nearby wetlands. The pollution is so heavy that satellite photos show coal-polluted water spreading from the facility in black plumes. The same site generates so much wind-blown coal dust that nearby residents won a class action lawsuit because their homes and belongings are so often covered in coal dust.

In South Carolina, coal dust from Kinder Morgan's terminal contaminates the bay's oysters, pilings, and boats. Locals have videotaped the company washing coal directly into sensitive waterways.

In Houston, Kinder Morgan's terminal operators leave coal and petcoke, a highly toxic byproduct of oil refining, piled several stories high on its properties. The company's petcoke operations are so dirty that even the firm's promotional literature shows plumes of black dust blowing off its equipment.

In Virginia, Kinder Morgan's coal export terminal is an open sore on the neighborhood, coating nearby

homes in dust so frequently that the mayor has spoken out about the problem.

In Oregon, Kinder Morgan officials bribed a ship captain to illegally dump contaminated material at sea, and the firm's operations have repeatedly polluted the Willamette River.

Care to comment? The report is also featured on our blog.

Read the press release and listen to audio from a press call on this report.

## 20150820-4020

William Hasting, 32 Pine Dr S, Nassay, NY 12123

Fracking pipeline company's safety questioned

James Bruggers, eJbruggers

C-J WATCHDOG JOURNALISM

2:46p.m. EDT May 4. 2015

east one measure, the Tennessee Gas Pipeline Co. has the worst safety record for its type of business, according to self-reported filings of significant incidents with a regulatory agency.

Among pipeline transmission companies, Tennessee Gas reported more significant incidents to the Pipeline and Hazardous Materials Safety Administration than any other operator over the last decade, The Courier-Journal has found.

Tennessee Gas operates in 16 states including neighboring Ohio, West Virginia and Tennessee, and the Gulf of Mexico. And most of the reported incidents during the past decade occurred before the company was acquired in 2012 by Kinder Morgan as part of its purchase of the El Paso Corp.

Kinder Morgan's purchase of Tennessee Gas brought improvements in safety procedures, spokeswoman Melissa Ruiz said.

"Safety is Kinder Morgan's number one priority," she said.

RELATED: New plan for old pipeline, carrying toxic fracked liquids

Going back to 2004, an analysis of the records through May 2014 by USA TODAY and the C-J shows that of the 142 companies reporting incidents involving transmission lines, Tennessee Gas' 119 were more than twice the number of the second-highest company, Transcontinental Gas Pipeline Co., at 56. Twelve incidents were reported after Kinder Morgan announced its May 2012 purchase of Tennessee Gas.

The 119 incidents caused at least \$206 million in damage. The highest total, and at \$17,391 in damages per mile of pipe, the costliest damage rate per mile among the 10 companies with the most pipeline.

Natural Gas Pipeline of America, at \$10,268 per mile, the records show.

Tennessee Gas' incident rate per mile also was the highest among the 10 companies.

The newspapers' findings are consistent with a study covering 2006-2013 published last year by the Pipeline Safety Trust, an advocacy group. It found that Tennessee Gas had about double the rate of incidents per mile than the industry average.

"There seems to be a lot of evidence that they don't pay enough attention to safety," said Frankfort resident Bob Penky, a volunteer with Kentuckians for the Commonwealth. The group opposes a plan by Kinder Morgan to convert one of Tennessee Gas' pipelines to natural gas liquids.

Tennessee Gas' incidents over the past decade resulted in two injuries and no deaths.

Six incidents were in Kentucky, causing \$2.4 million in damage. One was a fiery July 22, 2006, blast in Clark County that propelled piping 200 feet and burned for more than an hour near Winchester, causing \$888,000 in damage. Others were in Allen, Greenup and Green counties.

The figures come from incident reports that pipeline companies file themselves with the Pipeline and Hazardous Materials Safety Administration for any incident that involves an injury, death or at least \$50,000 in

damage to its or others' property.

USA TODAY collected the data for a special report last year: "Look out below: Danger lurks underground from aging gas pipes." It focused on distribution lines operated by utilities, rather than transmission lines like those of Tennessee Gas.

Reach reporter James Bruggers at (502) 582-4645 or on Twitter @jbruggers. USA

TODAY's John Kelly contributed to this report.

## 20150820-4021

William Hasting, 32 Pine Dr S, Nassay, NY 12123

Federal Energy Regulatory Commission Safety Standards

The U.S. Federal Energy Regulatory Commission (FERC) allows high-pressure 30-42" diameter interstate natural gas pipelines to be built less than fifty feet away from occupied dwellings\_[22]

Thus a FERC-approved pipeline could be well within the blast radius of roughly 800-1100 feet for pipelines of those diameters\_[23]

Kinder Morgan Safety Violations [edit]

In 2009, the Pipeline and Hazardous Materials Safety Administration (PHMSA) cited Kinder Morgan for violating safety standards regarding the distance between a natural gas pipeline and a "high consequence area" such as a school or hospital; the pipeline was too close for safe operation in case of a leak.[24]

In 2011, PHMSA cited Kinder Morgan for these safety violations:

- failing to maintain update maps showing pipeline locations,
- failing to test pipeline safety devices,
- failing to maintain proper firefighting equipment,
- failing to inspect its pipelines as required, and
- failing to adequately monitor pipes' corrosion levels\_[25]

In 2013, the headline "Wali Street Worries About Kinder Morgan's Safety Record: BC pipeline operator slashes and defers maintenance spending" was a concern to anyone who lived or worked near a Kinder Morgan pipeline\_[26]

The Wall Street Journal asked, "Is Kinder Morgan Scrimping on its Pipelines?" after an investment analyst charged the company with starving its pipelines of routine maintenance spending in order to return more cash to investors\_[27] Deferred maintenance may account for the high number of Kinder Morgan pipeline accidents in the last decade.

Close examination of PHMSA's incident reports for Kinder Morgan's onshore gas transmission pipelines shows that faulty infrastructure causes 45% of onshore gas transmission pipeline significant leaks. Failure of the pipe, a cracked weld, and faulty pipeline equipment together account for 28.3% of pipeline leaks, and corrosion of the pipe causes 16.8%\_[28]

Accidents {edit}

In Texas from 2003 to 2014, Kinder Morgan experienced 36 "significant incidents", resulting in fatalities or hospitalization, fires, explosions, or spills,[29]

Throughout the U.S. since 2003, Kinder Morgan and its subsidiaries' pipelines have been responsible for at least 180 spills, evacuations, explosions, fires, and fatalities in 24 states.[30] Some notable examples (including spills in Canada):

- 2003

In August 2003, in Caddo County, Oklahoma, a Kinder Morgan Natural Gas Pipeline of America failed in a rural farming area about just east of the town of Stecker. A 2611 diameter pipe exploded, throwing a 54-foot long section of pipe 30 feet from the ditch. The cause was environmental cracking along the length of the

failed section parallel to the longitudinal weld seam.[131]

.. 2004

On April 27, 2004, an underground Kinder Morgan 14” pipeline ruptured at Suisun Marsh in Solano County, California, spilling over 120,000 gallons of diesel fuel directly into the marsh. The cause was pipe corrosion. The company failed to notify authorities about the spill for 18 hours, another safety violation for which it was later cited. Kinder Morgan was fined \$5.3 million for the spill, and agreed to enhance spill prevention, response and reporting practices. The company had 44 spills in 31 months, indicating “widespread failure to adequately detect and address the effects of outside force damage and corrosion.” according to an order issued in August 2005 by the U.S. Department of Transportation’s Pipeline and Hazardous Materials Safety Administration (PHMSA). [32][33]

On November 9, 2004, a Kinder Morgan pipeline in Walnut Creek, California was struck by a backhoe, causing a gasoline spill that ignited in an explosive fireball that incinerated five workers and severely injured four others. CalOSHA (California Occupational Safety and Health Administration) cited Kinder Morgan for failure to accurately mark or map the pipeline location.[134] In 2005, the California Fire Marshal fined Kinder Morgan \$500,000 for its role in the “completely preventable” tragedy. Kinder Morgan agreed to upgrade pipeline inspection methods and improve corrosion control.[35]

· 2005

A Kinder Morgan Energy Partners petroleum products pipeline was found to be leaking gasoline into Summit Creek, near Truckee, California, on April 1. About 300 gallons were spilled.[36][37]

In May 2005, a Kinder Morgan Natural Gas Pipeline of America 30” diameter pipe exploded near Marshall, Texas, sending a giant fireball into the sky and hurling a 160-foot section of pipe onto the grounds of an electric power generating plant. Two people were hurt, 40 evacuated. The cause was stress corrosion cracking.[138]

· 2006

On July 22, 2006, near Campbellsville, Kentucky, a Kinder Morgan Tennessee Gas Pipeline exploded. A 25-foot chunk of pipe blew out of the ground and landed 200 feet away, the pipe twisted and mangled, its external coating burned off. The 24” pipeline ruptured due to external corrosion more than two feet long at the bottom of a valley in an area of wet shale, known to cause corrosion on buried pipelines in this part of Kentucky.[139]

On November 11, 2006, a subcontractor on Kinder Morgan’s Rockies Express (REX) pipeline outside Cheyenne, Wyoming struck an existing pipeline, causing a rupture and explosion. Two months after this explosion, the Federal Energy Regulatory Commission threatened to shut the project down if REX didn’t improve its “poor compliance record” involving construction activity outside the approved work area.[40]

On November 27, 2006, the Kinder Morgan Plantation Pipeline at Charlotte, North Carolina released about 4,000 gallons of gasoline from a Plantation Pipe Line Company block valve on a delivery line into a terminal owned by a third party company.[141]

· 2007

On July 24, 2007, the Trans Mountain Pipeline, operated by Kinder Morgan Canada, released over 250,000 litres of crude oil (70,000 of which flowed into Burrard Inlet, requiring a C\$15-million cleanup) after a backhoe broke the improperly-marked line in Burnaby.[42][43]

• 2008

On September 23, 2008, a Kinder Morgan pipeline exploded and burned for more than ten hours at Pasadena, Texas. One person died; another was injured.[44] The cause of this significant event was corrosion. The Pasadena pipeline experienced at least 18 “significant incidents” 2004 to 2013.[45]

• 2009

In May 2009, near Palm City, Florida, a Kinder Morgan Florida Gas Transmission Company 18” diameter

natural gas pipeline ruptured in a sparsely populated rural area of Martin Co. and “displaced” about 106 feet of buried pipe onto the right-of-way between Interstate 95 and the Florida Turnpike (SR-91). About 106 feet of pipe weighing about 5,000 pounds was blown out of the ground. The rupture was near a high school that was within the 366-foot potential impact radius (PIR). Injuries included two people in a car that ran off the road and a Sheriff’s deputy treated for inhaling gas.[46] .

On July 15,2009, a pipeline accident at Sylvarena, Mississippi involved Boardwalk Pipeline Partners, Southern Natural Gas and Kinder Morgan in an explosion that killed one person and injured three.[47]

• 2010

On November 30, 2010, a 30” diameter Kinder Morgan Tennessee Gas Pipeline failed in a semi-rural area between Highway 1 and State Road 3191, two miles NW of Natchitoches, Louisiana, 1/4 mile NE of a country club, and 200’ south of a residential subdivision. Louisiana state police evacuated 100 homes. Pipe cracked: 52.5 inches long & about 0.5 inches in maximum width. The failure site is near where TGP had a previous failure in 1965, with multiple fatalities. That failure was attributed to stress corrosion cracking.[48]

• 2011

The Carteret, New Jersey, KMLT had a leak and fire during maintenance work on March 14, 2011. On April 4, 2013, the PHMSA Office of Pipeline Safety issued a Notice of Probable Violation, Proposed Civil Penalty and Proposed Compliance Order (NOPV) after an inspection. In 2013, KMLT paid a penalty of \$63,100 and was required to complete pipeline integrity testing and other corrective measures by May 2015.[49]

On August 17,2011, Kinder Morgan’s Natural Gas Pipeline Company of America had a flash fire and explosion south of Herscher, Illinois. Five employees went to the hospital. Kinder Morgan was cited for pipeline and workplace safety violations.[50]

On November 16, 2011, near Glouster, Ohio, a weld failed on a Kinder Morgan Tennessee Gas Pipeline 36” diameter pipe; the leak exploded, leaving a blast crater 30 feet across and 15 feet deep. Three homes were destroyed by the fire.[51] The leak was caused by “displacement produced by a landslide and an inadequate understanding by (TGP) of the influence of the geotechnical threats on the pipeline in this location. “[52]A girth weld failed due to earth movement, inadequate design, materials or workmanship, exceeding operational limits & gaps in integrity management.[53]

• 2012

In May .2012, at Arvin, California, a Kinder Morgan EI Paso Natural Gas pipeline’s relief valves and pipe supports failed, causing an explosion that damaged the Mojave facility and a surrounding cherry orchard, causing “the complete structural failure of the overpressure protection support system...,[54]

In June 2012, in Gray County, Texas, a Kinder Morgan Natural Gas Pipeline of America 2611 diameter pipe failed at Compressor Station 154, Mile Post 52,4 mi. east of Laketon. The gas ignited, blowing a crater 30 feet in diameter and burning 2 acres of agricultural land as well as two 500-gallon plastic tanks used to store liquid fertilizer plus two telephone poles and transformers. State Highway 152 was closed for several hours. The cause was a 50-foot-long longitudinal rupture in the pipe.[55]

On December 26, 2012, in West Melbourne, Florida, a Kinder Morgan Florida Gas Transmission Company pipeline exploded in a pasture.[56] The blast ejected a 20-foot section of 20” diameter pipe which landed about 15 feet from the rupture.[57]

• 2013

On May 8, 2013, a Kinder Morgan Tejas pipeline compressor station near Crockett, Texas, had a fire that caused \$7,502,188 in property damage. [58]

On June 18, 2013, in Louisiana, a Kinder Morgan Florida Gas Transmission Company 3011 diameter pipeline ruptured and exploded before dawn, jolting residents out of their beds in a rural, wooded area of Washington Parish. No one was seriously hurt but 55 homes were evacuated. The blast knocked down trees in an area about 200 yards across and the fire burned those within another 300 yards. “The ground around the

crater is completely bare. The dirt around it is just like it had been cooked in a kiln,” and an 80-foot section of pipe was destroyed.1591

•• 2014

On June 26, 2014 near East Bernard, Texas, a gas pipeline next to the Kinder Morgan compressor plant blew out, destroying the road and setting a truck on fire at FM 1164 just south of Highway 59. Flames shot as high as 150 feet.160]

## 20150820-4022

William Hasting, 32 Pine Dr S, Nassay, NY 12123

### 4 REASONS TO OPPOSE THE NEW KINDER MORGAN TRANS MOUNTAIN TAR SANDS PIPELINE

Developing Canada’s tar sands is not our vision for a clean energy future-it’s one of the dirtiest fossil fuel projects on the planet. Let alone the destruction to the environment caused by Alberta’s open mining tar sands pits, we won’t stand for transporting the highly corrosive stuff to be refined into oil any which way the industry tries to paint it: by rail, by pipeline or by tanker.

American energy company Kinder Morgan is proposing to nearly triple the capacity of its Trans Mountain pipeline, we’re standing together and saying ‘no’ with concerned citizens in North America and beyond. Their existing Trans Mountain pipeline already spans 1,150 kilometres (714 miles) from Alberta’s tar sands to British Columbia’s stunning, fragile coast.

Northern Gateway, or Trans Canada’s Keystone XL. Here’s why:

news:

1. It would increase the barrels per day it ships from 300,000 to 890,000 in 2017 (1). By nearly tripling the capacity of Trans Mountain, the demand to keep the pipelines full would mean that more tar sands would be mined, and more carbon dioxide would be spewed into our climate.
2. It would increase oil tanker traffic on North America’s West Coast to more than 400 giant vessels per year. Exxon Valdez? BP’s gulf spill? You don’t have to do a whole lot of research to see that oil tanker spills are expensive, if not impossible, to clean up. And tar sands is the worst on both accounts. Our economy, our tourism, our marine life, our wild and beautiful coast. ..there’s simply too much at stake. Learn more and track those tankers at [nup:lltarsanassos.org](http://nup:lltarsanassos.org)
3. Its pipelines and tankers won’t be carrying conventional oil. Tar sands isn’t oil. It’s a corrosive, thick substance injected with chemicals to make it just-liquid-enough to pump through a pipeline. This makes spills especially costly and damaging. Just think of the community of Kalamazoo, Michigan, the site of the US’s costliest onshore pipeline disaster, to remember the lasting devastation that tar sands can have.
4. Kinder Morgan doesn’t have a good track record (2):
  - July 15, 2005: About 210,000 litres (55,500 gallons) of crude leaked into the area surrounding the company’s Sumas Mountain storage facility in Abbotsford, BC, polluting Kilgard Creek.
  - July 24,2007: An oil spill occurred along the Kinder Morgan pipeline in Burnaby, BC, when a construction crew accidentally ran into the unmarked pipe. Almost 250,000 litres (66,000 gallons) of oil sprung from the pipeline, soaking a residential neighbourhood and seeping into the Burrard Inlet. 50 homes were evacuated.
  - May 6, 2009: A spill was discovered at the company’s Burnaby Mountain, BC, tank farm with had nearly 200,000 litres (52,800 gallons) of leaking oil
  - January 24,2012: A pipeline rupture at the Sumas Mountain tank farm in British Columbia spilled an estimated 110,000 litres (29,300 gallons) of oil. Communities nearby reported nausea, headaches and fatigue, and schoolchildren were kept indoors for fear of airborne toxins.
  - April 3, 2012: Another spill in at Sumas Mountain facility caused strong odors and air quality concerns

in surrounding neighbourhoods.

Citations:

2. <http://wildernesscommittee.org/tankers>

### 20150820-4023

William Hasting, 32 Pine Dr S, Nassay, NY 12123

Federal Court Rules FERC Violated Federal Law When Issued Approvals for NEUP Pipeline Project

Washington, DC: In a decision issued June 6, 2014, the United States Court of Appeals for the District of Columbia ruled that the Delaware Riverkeeper Network, the NJ Sierra Club and New Jersey Highlands Coalition were correct in their legal challenge to the Tennessee Gas Pipeline Company's Northeast Upgrade Project and ordered additional analysis and review.

The Court stated, 'On the record before us, we hold that in conducting its environmental review of the Northeast Project without considering the other connected, closely related, and interdependent projects on the Eastern Leg, FERC impermissibly segmented the environmental review in violation of NEPA. We also find that FERC's EIS deficient in its failure to include any meaningful analysis of the cumulative impacts of the upgrade projects, We therefore grant the petition for review and remand the case to the Commission for further consideration of segmentation and cumulative impacts.'

'On the record before us we find that FERC acted arbitrarily in deciding to evaluate the environment effects of the Northeast Project independent of the other connected action on the Eastern Leg.'

In May 2012 the Federal Energy Regulatory Commission (FERC) issued a certificate of public convenience and necessity to Tennessee Gas Pipeline Company authorizing construction and operation of its Northeast Upgrade Project. Delaware Riverkeeper Network, the NJ Sierra Club and New Jersey Highlands Coalition argued that the approval was inappropriate because FERC had illegally segmented its environmental review of the Northeast Project by failing to consider three other connected and interdependent projects--the 300 Line Project, the Northeast Supply Diversification Project, the MPP Project--and by failing to provide a meaningful analysis of the cumulative impacts of the projects.

Maya van Rossum, the Delaware Riverkeeper said about the decision "This is an important vindication of the rights of our communities and environment to be honestly considered and protected by our federal agencies. FERC has been allowing illegal segmentation by pipeline companies for years, it has ignored the pleas of the public for equity and for honest review of impacts, and as such FERC has been complicit with the pipeline companies in their ongoing efforts to avoid the rule of law and to ignore the devastating impacts they are having on our environment, impacts that will harm not just present, but also future generations. It is rewarding that a federal court has finally held FERC to account"

The case was argued before the Court of Appeals by Delaware Riverkeeper Network attorney Aaron Stemplewicz. Said Stemplewicz of the decision, 'The DC Circuit's decision today should put other pipeline companies on notice that the practice of segmenting pipeline projects before the Federal Energy Regulatory Commission will no longer be tolerated, and that the cumulative environmental impacts resulting from these projects must be fully considered before a project is approved.'

'This is a victory for clean water and environmental regulation over a fossil fuel pipeline. This is the first time the Court sided with the environment over a gas company but more importantly it sends a clear message to FERC that they cannot ignore the environment. We see this as a critically important precedent that will now require FERC to look at the real environmental issues of the projects they review,' said Jeff Tittel, Director, New Jersey Sierra Club,

Added Delaware Riverkeeper Maya van Rossum 'This decision is important and powerful for every pipeline, related infrastructure and LNG project to come, but sadly for the communities, forests, streams, wetlands and critters impacted by the four projects at issue here, the decision comes too late to ensure their full consideration and protection. We will be able to press for important mitigation and efforts to undo the harms

already inflicted, but as for avoiding the full array of harms, that is now impossible. FERC needed to do its job when it had the opportunity-but they were too busy servicing the gas pipeline companies to care”

Of particular note-all three justices ruling on this case concurred on the final judgment rendered. Case is titled Delaware Riverkeeper Network, et. al, v Federal Energy Regulatory Commission, Tennessee Gas Pipeline Company, United States Court of Appeals for the District of Columbia, Decided June 6, 2014.

Tennessee Gas Pipeline Company’s Northeast Upgrade Project (NEUP) Is an interstate transmission line upgrade project The project included pipeline drilling activities under the Susquehanna and Delaware Rivers, significant new grading and clearing of previously undisturbed forested land and steep slopes, 90 stream crossings 136 wetland crossings and 450 acres of land development within the Delaware River watershed alone Highpoint Slate Park and Delaware State Forest are among the public

**20150820-4024**

David M. Hunt, Ph.D.  
Rensselaer County Biodiversity Greenprint Project  
July 12, 2015

Federal Energy Regulatory Commission

RE: Scoping Hearing for Proposed Kinder-Morgan Pipeline, Rensselaer County.  
(Northeast Energy Direct Pipeline Project)

Important Biodiversity Features, Presence & Mitigation.

Dear Federal Energy Regulatory Commission,

Attached, please find written comments on 9 biodiversity features that I suggest be addressed in any environmental impact statement (EIS) for the proposed Kinder-Morgan Pipeline throughout Rensselaer County. These features relate to NEPA sections on fisheries, wildlife, vegetation, water quality, geology, and soils. The focus of my comments is on ecological features of regional importance for their rarity and/or outstanding biodiversity value. I suggest that their presence, importance, and mitigation of impacts all be addressed in the EIS. Associated with each feature are cited documents that detail the nature and relevant composition of important sites of that feature plus an estimate of how many sites of that feature are to be crossed or potentially impacted by the pipeline.

As someone who has studied and helped identify important biodiversity sites throughout the NE U.S. and New York for The Nature Conservancy and New York Natural Heritage Program and most intensively during the past 25 years throughout Rensselaer County, New York in a project entitled the Rensselaer County Biodiversity Greenprint Project, I hope that the numerous regionally important biodiversity features of various scales that are known along the proposed pipeline are addressed in the EIS. Features of importance include relatively large and intact forest landscapes, large roadless areas, large forest interiors, intact stream systems/aquatic networks, large examples of restricted ecosystem types, significant natural communities, rare animal/plant species populations, and special animal concentration areas. In addition to documentation of some of these features by federal and state agencies such as the US Forest Service and NY State Department of Environmental Conservation, and regional agencies such as the Rensselaer Plateau Alliance (the regional conservation plan), three site-specific reports that I recently wrote (see below) summarize important biodiversity sites throughout different sections of the pipeline route and probably contain the most detailed information on the regional importance of these various biodiversity features. I suggest that these documents be reviewed for the EIS and addressed there, plus ideally supplemented with more careful field surveys during the growing season for a sufficient evaluation of impacts at all important biodiversity sites along the Rensselaer County route.

Sincerely in conservation,

David M. Hunt, Ph.D., Conservation Ecologist  
Rensselaer County Biodiversity Greenprint Project.

348 Jay Hakes Road; Cropseyville, NY 12052 (518) 279-4124

Hunt, David. 2015. Proposed Kinder-Morgan Pipeline, potential Biodiversity Impacts. Rensselaer Plateau Segment, Towns of Stephentown, Nassau, New York. Ecological Intuition' Medicine. Initial Compilation: January 25-30. 4 pp with 6 map •.

Hunt, David. 2015. proposed Kinder-Morgan pipeline, Potential Biodiversity Impacts. Rensselaer County segments, Towns of Stephentown, Nassau, & Schodack New York. Ecological Intuition & Medicine. Draft 2: March 12. 2 pp with 8 maps.

Hunt, David. 2015. Town of Nassau, New York. Important Biodiversity Sites Along the Proposed Kinder-Morgan Pipeline. Ecological Intuition & Medicine. May 31. 25 pp with 11 tables, 4 appendices, and 9 maps.

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FERC Scoping Assessment

Proposed Kinder-Morgan Pipeline, Rensselaer County.

**Important Biodiversity Features, Presence & Mitigation.**

David M. Hunt, Ecological Intuition & Medicine

Rensselaer County Biodiversity Greenprint Project. July 12, 2015.

Several biodiversity features with global to local importance amounting to numerous individual sites have been identified to date by the Rensselaer County Biodiversity Greenprint Project (RCBGP), as summarized in 3 reports specific to portions of the pipeline in Rensselaer County, one for the new pipeline route across most of the county (Hunt, David. 2015. Proposed Kinder-Morgan Pipeline, Potential Biodiversity Impacts. Rensselaer County Segments, Towns of Stephentown, Nassau, , Schodack New York. Ecological Intuition' Medicine. Draft 2: March 12. 2 pp with 8 maps), one for the segment across the Rensselaer Plateau (Hunt, David. 2015. Proposed Kinder-Morgan Pipeline, Potential Biodiversity Impacts. Rensselaer Plateau Segment, Towns of Stephentown & Nassau, New York. Ecological Intuition' Medicine. Initial Compilation: January 25-30. 4 pp with 6 maps), and one for the Town of Nassau (Hunt, David. 2015. Town of Nassau, New York. Important Biodiversity Sites Along the Proposed Kinder-Morgan Pipeline. Ecological Intuition & Medicine. May 31. 25 pages with 11 tables and 9 maps). Additional information is also available in the Rensselaer Plateau Regional Conservation Plan and associated on-line DataBasins datalayers of the Rensselaer Plateau Alliance (RPA), and from ongoing field surveys starting April 2015 by the Rensselaer County Biodiversity Greenprint Project and the Capital District Friday Field Group (CDFFG). Many features associated with the Rensselaer Plateau are identified as important landscape components necessary for the ecological integrity of the Rensselaer Plateau, one of few remaining large relatively intact forested landscapes of New York and the Northeastern U.S. . Although most or all of those regionally-important landscape features are not well captured within legal regulations, they are no less important for biodiversity conservation than smaller-scale features that might have some legal protection.

1. Regionally- Intact Forest Landscapes. (numerous NEPA sections, especially vegetation) The Rensselaer Plateau has been identified as the single landscape most effective for the conservation of forest species for Rensselaer County by RCBGP. It has also been identified in various regional reports as a regionally-important forest landscape for the Hudson River Valley (Hudson River Estuary Program/HREP), New York (The Nature Conservancy), and the Northeastern U.S. (The Nature Conservancy, Wildlands & Woodlands). It has been identified as a Forest Legacy Area by the U.S. Forest Service. The EIS should generally address how the presence of the pipeline will impact this intact landscape. The Taconic Mountains, another regionally-important forest landscape, will also be crossed by the pipeline (near Rounds Mountain) and should also be addressed in the EIS.

2. Aquatic Networks. (numerous NEPA sections, especially water quality/fisheries definition, stream systems and associated lands and waters needed to maintain high water quality and intact sets of native aquatic plants and animals in those streams including natural riparian corridors and intact headwater sub-catchments). Five regionally-important aquatic network sites along the pipeline route have been identified as among those most effective for aquatic species conservation in Rensselaer County (RCBGP) and the Hudson River Valley (HREP). Details can be found in the 3 RCBGP pipeline reports and the Rensselaer Plateau

Regional Conservation Plan (RPA). All of these networks have been designated as trout streams by the New York State Department of Environmental Conservation (NYS DEC) and most have known native brook trout populations. These networks include ones for Tsatsawassa Creek, Black River, Roaring Brook, Pikes Pond, Valatie Kill, and West Brook. Two other networks of potential importance along the existing pipeline in Schodack that have neither been evaluated by RCBGP nor documented for pipeline impacts but should be evaluated include ones potentially associated with the Moordener Kill and Vierda Kill. The Hudson River, a Tidal River community, is regionally unique and important (see the NY Natural Heritage Program community database) and should also be evaluated for impacts as a network.

3. Regionally-Restricted Ecosystems (numerous NEPA sections) (definition: assemblages of similar natural community types in a shared physical setting). Three regionally-important sites along the pipeline route have been identified as among those most effective for habitat-specific species assemblage conservation for regionally-restricted habitat types, especially relatively large and intact rocky summits, lake complexes, peatlands, and tidal habitats, in Rensselaer County (RCBGP) and the Hudson River Valley (HREP). Details can be found in the 3 RCBGP pipeline reports and the Rensselaer Plateau Regional Conservation Plan (RPA). Details on tidal habitats can be found in Hunt 2000 (Hunt, David M. 2000. Conservation Sites of Statewide and Global Importance and Component Important Community Occurrences and Biota. Rensselaer County, New York. Draft 3: January. 19 pp plus map). These important ecosystems are Pikes Hill Complex (a rocky summit), Pikes Pond (a lake complex), and Schodack Marshes (tidal wetlands). Important peatland sites addressed in the RCBGP reports are Stump Pond Outlet Wetlands and Crum Pond Fen, both in Stephentown.

4. Forest Interiors. (numerous NEPA sections, especially Wildlife/Vegetation) Three regionally-important sites along the pipeline route have been identified on the Rensselaer Plateau as among those most effective for intact forest species conservation in Rensselaer County (RCBGP) and the Hudson River Valley (HREP) due to a relatively low degree of landscape fragmentation to forest cover. Details can be found in the Nassau RCBGP pipeline report and the Rensselaer Plateau Regional Conservation Plan (RPA) for several large areas over 300 acres including forest interiors associated with the Cherry Plain/Moore Hill, Pikes Hill, and Alps Mountain Blocks. Details on another large forest interior along the pipeline route associated with the Taconic Mountains (Taconic Mountains Berlin) can be found in Hunt 2000.

5. Matrix Blocks/Roadless Areas. (numerous NEPA sections, especially Wildlife) Several regionally-important sites along the pipeline route have been identified on the Rensselaer Plateau as among those most effective for terrestrial species conservation in Rensselaer County (RCBGP) and the Hudson River Valley (HREP) due to a relatively low degree of landscape fragmentation by roads. Details can be found in the Nassau RCBGP pipeline report and the Rensselaer Plateau Regional Conservation Plan (RPA) for several large areas over 800 acres including the Cherry Plain, Moore Hill, Moore Hill East, Pikes Hill, and Alps Mountain Blocks. Details on another large roadless areas along the pipeline route associated with the Taconic Mountains (Taconic Mountains Berlin) can be found in Hunt 2000. Three additional roadless areas over 400 acres were identified in the Nassau RCBGP pipeline report as regionally important within the Taconic Foothills region of the county, especially the Slivko Road Block, where a pipeline compressor station is planned.

6. Significant Natural Communities. (numerous NEPA sections) Over 21 regionally-important/significant sites have been identified as among those most effective for conservation of species characteristic of individual natural community types within Rensselaer County, as designated by the NY Natural Heritage Program (NYNHP) ecological community classification. Details for many of these sites can be found in the 3 RCBGP pipeline reports and the Rensselaer Plateau Regional Conservation Plan (RPA). Some information for state-important community sites may be in the state databases of NYNHP, but only those analyzed to date by that program (especially in or near the Hudson River tidal areas and the Taconic Mountain forest landscape). Details on several regionally-significant communities associated with the latter two areas likely to be along the pipeline route can also be found in Hunt 2000. A total of 11 regionally-significant natural community examples, mostly state significant, are documented from the Rensselaer Plateau route (streams, wetlands, lakes, plus lag gravel-a globally unusual geologically

6. Significant Natural Communities (continued). feature). An additional 3 examples are documented from the Taconic Foothills route of Nassau. An additional 10 examples associated with Pikes Pond and Pikes Hill are near the pipeline. Multiple significant tidal communities are expected at the Papscahee Creek crossing.

7. Vulnerable Natural Communities. (numerous NEPA sections) All community types identified as most vulnerable to impacts from pipeline leaks and explosions, especially stream communities, wetland communities, and lake communities, should be addressed in the EIS. Over 232 examples of vulnerable community types were identified by RCBGP in 3 pipeline reports including many from a comprehensive community map made for the Rensselaer Plateau (see the RPA Rensselaer Plateau Regional Conservation Plan) plus others mapped in the federal National Wetlands Inventory and National Hydrography Database and state databases for wetlands and streams (NYS DEC). A total of 154 such sites were identified from the Rensselaer Plateau and 78 more were identified from the Taconic Foothill region of Nassau. Many more unlisted examples are suspected from the pipeline route in the Town of Schodack and the part of the Town of Stephentown east of the Rensselaer Plateau. At least 2 large reservoirs on the Rensselaer Plateau were also identified as vulnerable to pipeline impacts.

8. Rare Species. (Wildlife/Fisheries/Vegetation) Known important populations of animals and plants identified as rare at various levels should be addressed in the EIS. These include global- and state-rare species designated by NYNHP and NYS DEC and county-rare species designated by RCBGP. Populations addressed should especially include those identified by RCBGP in the 3 pipeline reports, those mapped in the Rensselaer Plateau Regional Conservation Plan (RPA), and any mapped by NYNHP (especially in or near the Hudson River tidal areas). Additional findings are known from 2015 field surveys of RCBGP and CDFWG. Additional on-site searches of rare species are suggested in the most likely habitats along the pipeline route. The rarest species documented in RCBGP pipeline reports are one globally-rare plant, Angerman's Peat Moss (*Sphagnum angermanicum*), at Crum Pond Fen and one state-rare animal (timber rattlesnake) at Pikes Hill. A total of 8 county-rare species are known or possible from the Nassau pipeline route including reports of nesting and hunting territory for several rare birds. Many more county-rare species are known near the pipeline at Pikes Hill and Pikes Pond. Numerous rare species are expected in the tidal habitats of Papscahee Creek. Numerous rare species are known from sandy flats along the powerline in East Schodack. Field surveys in 2015 revealed several county-rare plants associated with 3 pipeline sites in the Town of Stephentown: Cemetery Hill Road Hill, Rounds Mountain South, and Stump Pond Outlet Wetlands, all pending more standard documentation by RCBGP.

9. Special Animal Concentration Sites. (Wildlife/Fisheries) Numerous examples of 8 types of important animal concentration areas of potential importance for common species were identified by RCBGP in the pipeline report for the Town of Nassau. These habitat types include trout spawning habitat, amphibian breeding concentration area, and beaver habitat. All should be addressed in the EIS.

#### **20150820-4025**

Hand written FERC comment form, Brenda & Mark Jenkins, 198 Poyneer Rd, Nassau, NY 12123, opposing

#### **20150820-4026**

Hand written FERC comment form, Melissa Joslin, 1512 Maple Hill Rd, Sastleton, NY 12033, opposing

#### **20150820-4027**

FERC Scoping Session  
Northeast Energy Direct Pipeline  
14 July 2015

Andrew Kahnle  
8 Phillips St.  
Nassau, NY 12123

My name is Andrew Kahnle. I am a retired fisheries scientist with over 30 years' experience with management of fishes of the Hudson River. This evening, I would like to talk about impacts of the proposed NED pipeline to the Hudson River. I will focus on location and construction.

The proposed pipeline appears to cross the Hudson at an existing pipeline right of way just north or upriver of the village of Castleton. It will cross the mainstem Hudson as well as a tidal stream and marsh complex just east of the river.

- The reach of river containing the pipeline crossing is used as a spawning and nursery area for short-nose sturgeon, American shad, and striped bass and as a foraging area for juvenile Atlantic sturgeon. Shortnose sturgeon is a federal and state listed endangered species. American shad was a popular food and sport fish that is now at such low abundance that all fishing for the species is banned in NY State. The striped bass is an important food and game fish in NY and the Atlantic sturgeon is a federally listed endangered species.

- The marsh and stream complex to the east of the river is an important spawning and nursery area for many Hudson River fish species including the alewife. Alewife are at low abundance and harvest is severely restricted. The tidal complex has been designated as a "Significant Coastal Fish and Wildlife Habitat" by the NY State Department of State. This formal designation means that activities that might lead to habitat impairment such as pipeline construction require special scrutiny.

The environment reports prepared by the applicant are silent on construction techniques. The following are issues associated with two possible methods: an open trench and directional drilling.

- Construction and filling of an open trench is disruptive and should not occur when the area is used for fish migration, spawning, rearing of young, or feeding.
- If the trench is constructed in water, turbidity must be controlled with turbidity curtains. If the trench is constructed within coffer dams, the discharge of turbid water must be restricted.
- The bottom of the Hudson and tidal marshes contain a variety of contaminants. Prior to any excavation, the applicant must test bottom sediments for contaminants across the entire width of the proposed trench. If contaminants are detected, then plans must be made to contain any contaminated materials disturbed during construction.
- The river and marsh bottom is home to a rich variety of macroinvertebrates which serve as important food for fishes. Construction of a trench will disturb or eliminate this community of organisms and this loss should be considered among impacts to fishes, especially the endangered shortnose sturgeon. Experience with pipeline and cable construction elsewhere in the river suggests that bottom biota recover very slowly, if at all.
- If directional drilling is used, then drilling muds should be disposed of elsewhere, especially if sediments are contaminated.

Finally, the Kinder Morgan pipeline crossing is one of several pipelines and power cables being proposed for the Hudson River corridor and it will only add to impacts from the other projects. Given the importance of the Hudson River to the endangered shortnose and Atlantic sturgeon, I suggest that FERC should ask the National Marine Fisheries Service to prepare a "Biological Opinion" concerning the cumulative impacts of all of the proposed projects to these endangered fish species.

## **20150820-4028**

### **Input regarding Kinder Morgan pipeline thru Rensselaer County**

Terence Klein  
345 Totem lodge road  
Averill Park NY 12018

I am a graduate engineer from RPI (MSEE) and I have given considerable thought to the pipeline.

My thoughts break down into several areas:

1. Why is it needed at all ?
2. Why is it being implemented in this fashion?

3. Impact on local industry
4. Impact on rare land forms
5. Summary

**On the first subject: “Why at all ?”**

I have to question why the government is granting Kinder Morgan eminent domain.

The principles of eminent domain are that a few must suffer for the greater gain for society as a whole. The only entity that benefits from this pipeline is Kinder Morgan, who wishes to sell its gas internationally. There is NO benefit to the public at large. In fact once the gas is traded on the international market the price of domestic gas will rise to the levels of the international market. This will increase the price of energy to all Americans placing a burden on people in the form of higher heating and electricity costs. It will also diminish the ability of American industry to compete in the world market. This will kill jobs for Americans.

We should keep American gas for Americans; we need it to compete against the Chinese.

I find it despicable that the way that eminent domain was granted to Kinder Morgan at a federal level deprives me of my right to challenge how the eminent domain was granted.

I have attached a copy of an article in the Economist that indicates that the fracking industry is in deep financial trouble. It is entirely possible that this pipeline is an optimistic pipe dream. That seemed like a great idea while the industry was booming. Maybe it's not such a great idea if the industry is crashing because of low oil prices.

Unless, of course, the entire exercise is to raise prices on energy for American citizens.

The purpose of government is to protect the citizens, not the oil companies

**On the second subject, “why in this fashion ?”:**

Wherever the pipeline is sited, it will create a corridor of potential danger and depressed property values. This represents safety and personal property that has been basically stolen from American citizens.

There is a well established right of way in Columbia County used by multiple pipelines. There is also an existing pumping station.

It seems to me that the best location for this pipeline is right next to the existing pipelines. And the best place for the pumping station is right next to the existing one.

Since the property values around the existing right of way in Columbia County are already reduced there would be no further reduction of people's assets by the addition of the new pipeline. In addition the emergency services along this existing right of way are already trained in responses to pipeline incidents.

I know that the people of Mass have been very effective in saying no pipeline thru the Lenox area. If this is an issue the pipeline could be routed along the existing Columbia County right of way to the NY I Mass border and then north along the border. There is virtually no housing on that line that would be impacted.

I think this would provide a solution that would have a minimum impact on people, property values, and quality of life.

PLEASE don't create 2 Corridor's of Danger in our state.

It makes NO sense to route the pipeline and compressor station thru pristine residential areas

As an engineer, the size and pressure of the pipe is an issue. It is MUCH larger than the existing pipes in Columbia County and the pressure is MUCH higher, 1460 PSI vs. 900. When the question was asked, at an information meeting, if this had ever been done before the answer was a bit of mumbling and references to competent people knowing what they were doing ..... that's what they said about the Hindenburg.

The shut off valves are something like 10 miles apart. That means that if there is an “incident” it will vent 36” times 10 miles of explosive gas at 1460 PSI. I use welding equipment and am aware of the OSHA requirements on a gas welding cylinder which is only roughly 6” x 4 feet of explosive gas. These cylinders are

extremely dangerous if they explode (as could happen if they are in a structure fire). It is hard to imagine the scale of how much more dangerous is the pipeline. Kinder Morgan proposes putting it thru a pristine residential area, when there are logical and viable alternatives.

There are better solutions if we have to do this Put it Next to the Existing Pipeline. Why create two Corridors of Danger

**On the third subject, “Impact on local industry”:**

There are many local sawmills in Hoags Corners, Averill park, Stephentown and elsewhere. They depend on local independent loggers to provide them with raw material. As I understand it a loaded logging truck or skidder cannot cross the pipeline except on town roads. This severely limits the ability of local loggers to move trees or access properties. Case in point, my property would have an area that could no longer be logged. My property would be forever landlocked and I would be effectively denied access to it.

There are also many small gravel operations whose operation would be impacted by the pipeline

**On the fourth subject, “Impact on rare land forms”:**

The pipeline goes thru the Rensselaer Plateau. There are floating bogs adjacent to the right of way. The pipeline would significantly impact the rare vegetation found in the floating bogs. One such bog area is located north of the power line right of way, west of Calvin Cole road

**Summary:**

If we have to have this pipeline: there are other ways of implementing it that have significantly lower impact.

This pipeline is bad for the people of Rensselaer County. It is bad for Americans in general.

It will put people in Rensselaer County in danger and basically steal their property.

It will raise energy costs for all Americans.

It will result in loss of American jobs due to higher energy costs to American industry.

It will have significant negative impact on local jobs.

It will have negative impact on sensitive and rare environments.

It is being proposed in a non optimal fashion that puts additional American citizens at risk relative to other completely viable alternatives.

It is not obvious that the original reasons for implementing the pipeline are still valid due to changing economic conditions

“The purpose of any government is to provide for the safety of the citizens”

“We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights that among these are Life, Liberty and the pursuit of Happiness. - That to secure these rights, Governments are instituted among Men”

..... I seem to have missed the part in there where it said that oil companies have the right to take my land (with no benefit to the public).

Respectfully submitted

Terence Klein

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{Article: “Fractured finances”, *The Economist*, July 4, 2015, page 53...55, not included here}

{Article: “Seismic”, *The Economist*, July 4, 2015, page 48, not included here}

20150820-4029

Zimbra gene.milone@co.schoharie.ny.us

Fwd: Rensselaer County is With You!

From: Richard Lape <richard.lape@co.schoharie.ny.us> Wed, Jul15, 2015 06:28 AM

Sender: board-bounces@co.schoharie.ny.us

Subject: Fwd: Rensselaer County is With You!

To: 'County board' <board@co.schoharie.ny.us>,  
'Sheryl Largeteau' , <slargeteau@co.schoharie.ny.us>,  
'Charity Bender <charity.bender@co.schoharie.ny.us>' ,  
'Judith Beeler <judith.beeler@co.schoharie.ny.us>

--- Forwarded Message ---

From: Christine Macpherson &It;christine.macpherson@gmail.com&gt;

To: richard lape &ft;richard.lape@co.schoharie.ny.us&gt;

Sent: Tue, 14 Jul 2015 18:59:25 -0400 (EOn

Subject: Rensselaer County Is With You!

Dear Supervisor Lape:

A few moments ago the County voted unanimously in support of a resolution very similar to yours. However prior to the unanimous vote it was amended to read only freezing of all new Kinder Morgan permits (as opposed to just all).

We urged them to contact other Counties to seek additional support. Thanks for your inspiration.

ResolUtion # P337-15

Introduced by: Reid

**20150820-4030**

### **Negative Impacts of the NED Pipeline Project and Specifically the Compressor Station Proposed for the Town of Nassau**

Prepared by Eric J. LaPier of 1218 Nassau Averill Park Rd, Nassau, NY 12123

It is important to note that the proposed NED pipeline project, if approved, will have significant negative impact to the quality of life of residents along the pipeline corridor and particularly those in close proximity to the compressor stations required to maintain functionality of that pipeline. I am one of those residents and will describe the concerns that I have:

#### The Pipeline

My primary concern with the proposed pipeline is with regards to eminent domain. The lands required to provide a corridor for the new project will force residents to turn over portions of land which are owned and have had taxes paid by citizens who, for the most part, will not receive any benefit from the project whose delivery destination is in Dracut, Massachusetts. On the contrary these people will be exposed to potential harm in the event of a malfunction or failure. There will be no "opt-out" available to these people. In fact I have already received a statement from Kinder-Morgan stating: "... if the commission approves the Project, that approval conveys with it the right to eminent domain. Therefore, if easement negotiations fail to produce an agreement, the pipeline company could initiate condemnation proceedings ...", Is this the reason I have paid taxes for 10 years on my land? To lose say with the way I develop and use it? If eminent domain is to be allowed on this project, my feeling is the need must be clear. Delivery of inexpensive fossil fuel (more than half of which is expected to be exported) is not a necessity. If the corridor were used to deliver high efficiency renewable energy, I would be more willing to accept this as a need. At this point there is no definite route for the pipeline (only proposals which may change after the approval) and so the number of effected residents and the potential for property loss is unknown.

Additional concerns that I have with the pipeline itself are:

- Safety:

- o In the event of a failure, those within the "incineration zone" are at a high potential for harm. Ac-

According to the Pipeline and Hazardous Materials Safety Administration there have been 360 fatalities and over \$7 billion in property damages in the past 20 years. This does not include incidents in which there was an outside force or nearby fire that caused the incident. Failures happen.

o In the event of a failure there is a significant risk to the environment by both water and air pollution. The NYSDEC has produced a “Final Supplemental Generic Environmental Impact Statement on the Oil, Gas and Solution Mining Regulatory Program” with regards to the impact of hydrofracking wells and many of these same hazards exist along the pipeline if an accidental release occurs. I therefore wish to make the statement a part of the scoping project review in terms of accidental release via incident or maintenance to the pipeline or compressor station.

- Construction:

- o Considerable disruption of wildlife habitat. In the area where I live I have observed the following:

- Bald Eagle
- Golden Eagle
- Snowy Owl
- Pileated Woodpecker
- Wild Turkey
- Blue Heron
- Red Tailed Hawk
- Peregrine Falcon
- Black Bear
- Fisher
- Red Fox
- Gray Fox
- Thriving Colonies of Brown Bats
- Many song birds
- Monarch Butterfly (and Viceroy)
- Karner Blue Butterfly
- Along with many other small and large common mammals, amphibians; reptiles and insects.

*{possibly a page missing?}*

raised here). There are locations less than 10 miles from this proposed site that have 0 residences within a 0.5 mile. Why were these locations not chosen? Did Kinder-Morgan decide that 63 families health weren't worth investigating other options?

There are other forms of pollution given off by the compressor station as well. It will be lit all night long - 7 days per week, 365 days per year. So much for star gazing. All those compressor units give off sound too. The noise pollution allowed at my house will be an average of 55db. I guess I won't be listening to the owls anymore either. I wonder if the owls will even want to stick around if they can't hear each other. Maybe the bald eagles will like it - on the other hand probably not. I wonder if any of the animals I listed earlier will appreciate all the light and noise? I doubt it - I suspect they will just move on to some other neighborhood.

I digress - this is a serious matter. I have to come back to the poor choice of location for a known health hazard which is the compressor station in the Town of Nassau. The data is mounting that the contaminants that will be released from the facility are harmful (particularly to children and pregnant women). I have a list of publications and reports that detail the harm caused by hydraulic fracture wells, and by association, the infrastructure that transports the raw natural gas (which I would like to submit for the record and for review). You will see many of them are dated within the past year. The amount of information out there is enormous. The PSE Health Energy is a repository for peer reviewed publications relating to shale gas development. Of the over 550 publications currently in the literature, 194 were published in 2014 and 103 more were published in the last 6 months. It is important to make the right decision - not a fast decision. I urge you to weigh the need of a natural gas pipeline with a goal of over 50% exports against the harm that it will cause

to our families, communities and property.

## References

1. New York State Department of Environmental Conservation. Final Supplemental Generic Environmental Impact Statement on the Oil, Gas and Solution Mining Regulatory Program - Findings Statement. June 2015.
2. McKenzie LM, Witter RZ, Newman LS, Adgate JL. Human health risk assessment of air emissions from development of unconventional natural gas resources. *Science Total Environment*. 2012;424: 79-87. doi: 10.1016/j.scitotenv.2012.02.018. PMID:22444058
3. Stacy SL, Brink LL, Larkin JC, Sadovsky Y, Goldstein BD, Pitt BR, et al. (2015) Perinatal Outcomes and Unconventional Natural Gas Operations in Southwest Pennsylvania. *PLoS ONE* 10(6): e0126425. doi:10.1371/journal.pone.0126425
4. Andy Greenspon. Natural Gas Pipeline Leaks and Emissions. March 18, 2015.
5. Jake Hays, Seth B.C. Shonkoff. Toward an understanding of the environmental and public health impacts of shale gas development: an analysis of the peer-reviewed scientific literature. June, 2015.

## 20150820-4031

From:

Lucie Murray  
110 Clarks Chapel Rd.  
Nassau, NY

To: FERC,

Washington, DC

6/14/2015

My name is Lucie Murray. I live on Clark's Chapel Rd. in Nassau County, NY and live within the 1/2 mile "buffer zone" of the proposed '90 ton compressor station.

When I first bought my property almost 40 years ago it was designated then, and still is, as a rural zone. Our land consists of pastureland and forest land. We grow our own vegetables. We have a small apple orchard and have sold Christmas trees for many years. We built our own home and have invested all we have into this dwelling.

One week after I retired in June I received a letter from Kinder Morgan informing me they have rezoned my property into a "buffer zone".

- My home, my property, nor my neighbor's home and property, cannot "buffer" anything.
- We are totally helpless to defend ourselves from anything the proposed compressor station will inevitably throw at us; such as their toxic wastes, constant noises (24/7), and the fear of possible bodily harm or incineration and property damage in the case of an accident or leak in the pipes.
- We believe it will inevitably reduce the quality of our lives and our environment and the value of our property.
- Our local fire department is not equipped to rescue us or our property from any accidents that may occur at this compressor station and Kinder Morgan has not made any provision to deal with accidents which are likely to be catastrophic because of the volume of gas transmitted and the huge pressure generated.
- From our understanding "the proposed "buffer zone" is in reality a "dumping zone" for the compressor's wastes.
- Our town has not yet completely recovered from the waste products dumped in our area by other companies, which contaminated our drinking water and killed the animals/fish in our lakes.

- The people in my neighborhood have waited 50 years for the bald eagle to return to our area. He was designated as an endangered species until only a few years ago. My husband and I recently witnessed the bald eagle's return to our neighborhood. We saw him perched on a dead tree on the very property targeted for the compressor station. He was a majestic sight and we want to keep him in our neighborhood. I took the liberty to represent him here today as he cannot talk for himself.
- My parents immigrated to this country when I was young to get away from the devastation in Europe, which resulted from one man wanting to rule the world.
- And now towards the end of my life a company, that I never even heard of until a month and a half ago, is proposing to invade my private space and take away my right to peace and quiet and tranquility and my right to clean air and clean water, and my right to live without fear of bodily harm and possible incineration.
- We the people here in Nassau all pay taxes, both state and federal taxes. In return we want you to protect our fundamental rights to clean air, clean water, unwanted noise intrusions. We want you to protect us from unnecessary fear of possible death by incineration, bodily harm from toxic waste and possible property damage and devaluation imposed on us by large companies that are primarily profit driven. We do not begrudge their profits but not at our expense and against our will.

## 20150820-4032

To the Representatives of the Federal Energy Regulatory Commission (FERC)

My name is Barbara Nuffer and I'm here this evening to speak in opposition to the proposed Kinder-Morgan Northeast Energy Direct (NED) pipeline project and specifically the proposed route across the northern portion of the Town of Nassau.

A brief statement on my background, for the record. My education was in the field of Biological Sciences. I studied at the University at Albany and Cornell University, earning both a Bachelors and a Masters Degree. I worked for the NYSDEC for 32 years as an Environmental Program Specialist 2. My speciality was Air Toxicology and I helped write regulations to ban Open Burning of Trash and limiting mercury emissions from Municipal Waste Combustors. I served on several Binational committees with Canada to limit mercury pollution emitted into the air and deposited in our waterways. Currently I serve on Town of Nassau's Natural Resources Committee and the Zoning Board of Appeals.

I have lived on Radley Road in the Town of Nassau for 41 years, with my husband Fred, and raised our 2 children in the bucolic rural setting of this dirt road. One of our boundary lines is a stream with waterfalls and brook trout, emanating from Pikes Pond on Rt 66. About 600 feet above our house is a National Grid powerline and this is the site of the proposed NED pipeline. We will be well within the Incineration Zone.

Back to our life on Radley Rd. Living in the upland forest of the Rensselaer Plateau has provided many opportunities to view wildlife. We have been visited by black bears including a Mom with 2 cubs. The latest visitor 3 weeks ago was a beautiful yearling cub. Other visitors include turkeys, ravens, a large variety of nesting songbirds and birds of prey including eagles and osprey, and fisher cats. Many vulnerable native wildflowers are found on our property. I write wildflower profiles for The Conservationist magazine and do the macrophotography of the flowers for these articles. The construction and operation of the pipeline will severely disrupt the native birds and animals' habitats and destroy many native plants.

The NED pipeline, if constructed across the northern most proposed route, will cut across the Rensselaer Plateau, one of the most unique geologic and biodiverse areas in Rensselaer County and the New York State. The ecological distinctiveness of the Rensselaer Plateau has led it to be given priority project status in New York State's 1998 and all subsequent Open Space Conservation Plans and includes the fifth largest unfragmented forest in New York.

New York State has identified the Rensselaer Plateau as an important area for protection due to its diversity and bird breeding features and the Audubon Society has designated the Rensselaer Forest Tract as an important bird breeding area. The Audubon Society specifically cites the high diversity and abundance of forest

breeders on the Plateau, including many at-risk species. Many birds are experiencing declining population numbers in the Northeast due in part to loss of large blocks of forest. The Plateau has also been the focus of conservation efforts by the Rensselaer Land Trust and The Nature Conservancy.

Protection of the Rensselaer Plateau as an un-fragmented upland forested habitat is an important goal both for the State of New York as well as the Town of Nassau. Currently, both State Route 43 and the National Grid transmission line corridor present significant barriers for wildlife movement between the northern and southern portion of the Plateau within the Town of Nassau and Stephentown. The clear cutting of an additional 100 to 200 feet during initial construction of the NED and the permanent maintenance of a 30 to 50 foot corridor stretching for the entire width of the Plateau will almost certainly completely isolate the southern most section of the Plateau.

The Rensselaer Plateau has been identified in NYSDEC's Hudson River Estuary Program as a Significant Biodiversity Area. These upland forest tend to be cooler and more densely wooded than adjacent lowlands. The soils are often shallow and poorly drained, but support an Adirondack-like coniferous forest with wetlands, including unique bogs and fen habitats. Many properties on our road fit this classification of an upland forest habitat.

This is an unnecessary project that people are fighting for many reasons. This is not strictly a NIMBY fight, although our health and safety, property values and quality of life will be threatened by this pipeline. Many New Yorkers, including our Governor, support a future freeing ourselves of fossil fuels. Continuing construction of fossil fuel infrastructures like pipelines will seal the fate of our children and grandchildren as they face the alarming effects of climate change on our delicate planet. Dramatic shifts in weather patterns with severe storms and shifts in temperature extremes and rising sea levels have affected millions of people across the world.

I appeal to FERC, NYSDEC, our Federal, State and Local elected government representatives to stop the NED pipeline NOW and promote initiatives to encourage the growth of renewable energy sources. This is a moral decision affecting not just us but the entire future of our planet and future generations.

Thank you

Respectfully submitted by

Barbara Nuffer  
171 Radley Rd.  
Averill Park, NY 12018

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SOUTHWEST PENNSYLVANIA ENVIRONMENTAL HEALTH PROJECT  
[www.environmentalhealthproject.org](http://www.environmentalhealthproject.org)

### **Summary on Compressor Stations and Health Impacts**

February 24, 2015

Quoted from this document:

Compressor construction and operational phases are generally projected to produce emissions below the NAAQS standards. They are presented in tons per year. This measure of emissions is used for NAAQS purposes and determines the air quality designation over a region and over long periods of time. The problem posed by estimating tons of contaminants emitted per year is that over the course of a year emissions will vary, often greatly. As phases of construction and operation change so will emissions content and concentrations. For a resident living near a compressor station, the concern is not simply PM2.5 emissions over the course of a year, but is PM2.5 emissions during the peak construction time when it's at its most intense. Even during normal operations compressor stations have been shown not to emit uniformly (lowdown and accident events will be discussed separately).<sup>1</sup> The measurement tons per year, while common in the industry and common in the environmental field where regional air quality is at issue, is not an appropriate measure to determine individuals' health risks which increase during episodes of high exposures.

Health risks from relevant air contaminants: Averages, peaks and health events As stated previously, one of our primary concerns is the poor fit of a tons per year measurement to the assessment of risk to the public's health near a compressor station. Furthermore, the National Ambient Air Quality Standards (NAAQS) used as a benchmark for air quality were not created to assess the air quality and safety in a small geographic area with fluctuating emissions. NAAQS effectively address regional air quality concerns. But these standards do not adequately assess risk to human health for residents living in close proximity to polluting sources such as unconventional natural gas development (UNGD) sites, where emissions can be highly variable.

Generally, it has been shown that:

1. Current protocols used for assessing compliance with ambient air standards do not adequately determine the intensity, frequency or durations of the actual human exposures to the mixtures of toxic materials released regularly at UNGD Sites, including compressor stations.
2. The typically used periodic 24-hour average measures can underestimate actual exposures by an order of magnitude.
3. Reference standards are set in a form that inaccurately determines health risk because they do not fully consider the potential synergistic combinations of toxic air emissions.

Thus estimates of yearly totals of contaminants released by a compressor station do not allow for an assessment of the physiological impact of those emissions on individuals.

NAAQS reflects what, over a region, over time, is deemed safe population-wide. This is very different than what is safe within for instance 1200 feet of this compressor station. As already stated, averaging over a year can wash out important higher spikes in emissions (thus exposures) that may occur at various points throughout the year. These high spikes can put residents at risk for illnesses caused by air toxics.

#### Toxicity and characterization of exposures

Toxicity of a chemical to the human body is determined by the concentration of the agent at the receptor where it acts. This concentration is determined by the intensity and duration of the exposure. All other physiological sequelae follow from the interaction between agent and receptor. Once a receptor is activated, a health event might be produced immediately or in as little as one to two hours. In some instances, where there is a high concentration of an agent, a single significant exposure can cause injury or illness. This is the case in the instance of an air contaminant induced asthma event. On the other hand, after an initial exposure, future exposures might compound the impact of the first one, in time, producing a health effect. Repeated exposures will increase, for instance, the risk for ischemic heart disease.

#### Peak exposures

Researchers have demonstrated the wisdom of looking at peak exposures as compared to averages over longer periods of time. Darrow et al (2011) write that sometimes peak exposures better capture relevant biological processes. This is the case for health effects that are triggered by, short-term, high doses. They write, "Temporal metrics that reflect peak pollution levels (e.g., 1-hour maximum) may be the most biologically relevant if the health effect is triggered by a high, short-term dose rather than a steady dose throughout the day. Peak concentrations ... are frequently associated with episodic, local emission events, resulting in spatially heterogeneous concentrations ...."

Delfino et al (2002) posited that maxima of hourly data, not 24-hour averages, better captured the risks to asthmatic children, stating, "It is expected that biologic responses may intensify with high peak excursions that overwhelm lung defense mechanisms." Additionally, they suggest that "[o]ne-hour peaks may be more influenced by local point sources near the monitoring station that are not representative of regional exposures ...."

Because episodic high exposures are not typically documented and analyzed by researchers and public agencies, natural gas compressor stations emissions are rarely correlated with health effects in nearby residents. However, examination of published air emission measurements shows the very real potential for harm from industry emissions.<sup>31</sup> Reports of acute onset of respiratory, neurologic, dermal, vascular, abdominal, and

gastrointestinal sequelae near natural gas facilities contrast with research that suggests there is limited risk posed by unconventional natural gas development

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*{Article: "IN THE PIPELINE: BIODIVERSITY AND GAS TRANSMISSION", By Erik Kiviat\*, News from Hudsonia, Volume 29, uomber 1, Spring 2015, ISSN 1072-8244, not reproduced here}*

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*{2 page submisson to FERC Scoping meeting, too overwritten with notes to OCR, not included}*

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Burden Lake is in extremely close proximity and directly north of the planned Compression Station.

Burden Lake flows North.

Prevailing wind direction is from the South. There are also low lands between the Compression Station and Burden Lake. Every time that there is any form of exhaust from the Compression Station, the prevailing winds will flow directly to the lake.

Burden Lake is Spring fed. The coolness of the water acts as a magnet for any affluent particles being exhausted from the Compression station.

There are Bald Eagle nesting areas within close proximity of the lake. The bald eagles use the lake as a feeding ground. This is in addition to the Blue Herring and other native spiecies.

Burden Lake has hosted the Wounded Warrior Water Sports program for the past decade. It is a permanent part of the Wounded Warrior! Adaptive Sports Program. For one weekend each summer the wounded warriors and their family members are welcomed to the lake to enjoy a variety of water sports in special adaptive water sports equipment.

Burden Lake is also the home of the Rensselaer County Boys and Girls Club, Camp Adventure. For the summer months, the last week in June, the months of July and August approximately 80 inner city children are bused out on a daily basis to Camp Adventure to enjoy the lake.

To reduce the affluent matter going into the lake, a sewer system with a cost in excess of 3,000,000 was just installed. The entire bill is being paid for by the residents in an effort to improve and maintain the water quclity,

Yesterday, Phase 2 of the planned Lake Treatment for evasive weed infestation was done. Phase 1 was done in the beginning of June. The combined cost for both phases is 64,000. This is also paid for by the Lake Residents to maintain and improve water quality.

## **20150820-4033**

To the Representatives of the Federal Energy Regulatory Commission (FERC)

My name is Fred Nuffer and I'm hear this evening to speak in opposition to the proposed Kinder-Morgan Northeast Energy Direct (NED) pipeline project and specifically the proposed route across the northern portion of the Town of Nassau.

A brief statement on my background, for the record. I've worked for the NYSDEC for 35 years and was the Assistant Director for the Division of Water in charge of groundwater, water supply management and flood protection issues for NYS. I served as a Commissioner on both the Delaware River Basin Commission and the New England Water Pollution Control Commission. I was on the Board of Directors and Vice- President of the National Association of Flood and Stormwater Management Agencies. I currently work with the NYS Department of Homeland Security and Emergency Services advising them on climate change issues as it relates to hazard mitigation and community resiliency. I currently also serve as Chair of the Town of Nassau's Natural Resources Committee.

The NED pipeline, if constructed across the northern most proposed route, will cut across the Rensselaer

Plateau, one of the most unique geologic and bio-diverse areas in Rensselaer County and the New York State. The ecological distinctiveness of the Rensselaer Plateau has led it to be given priority project status in New York State's 1998 and all subsequent Open Space Conservation Plans and includes the fifth largest unfragmented forest in New York. The boundaries of the Rensselaer Plateau can be viewed on the website <http://www.rensselaerplateau.org> . FERC should consult with and seek input from both the NYSDEC Division of Lands and Forests as well as the NYS Office of Parks, Recreation and Historic Preservation on the impact the proposed NED project would have on the Plateau as it relates to the goals and objectives of the Open Space Conservation Plan.

New York State has identified the Rensselaer Plateau as an important area for protection due to its diversity and bird breeding features and the Audubon Society has designated the Rensselaer Forest Tract as an important bird breeding area. The Audubon Society specifically sites the high diversity and abundance of forest breeders on the Plateau, including many at-risk species. Many birds are experiencing declining population numbers in the Northeast due in part to loss of large blocks of forest. The Plateau has also been the focus of conservation efforts by the Rensselaer Land Trust and The Nature Conservancy. FERC should consult with and seek input from the NYS Chapter of the Audubon Society, the Rensselaer Land Trust and the NY Chapter of the Nature Conservancy on the impact the proposed NED project would have on the Plateau.

Protection of the Rensselaer Plateau as an un-fragmented forested habitat is an important goal both for the State of New York as well as the Town of Nassau. Currently, both State Route 43 and the National Grid transmission line corridor present significant barriers for wildlife movement between the northern and southern portion of the Plateau within the Town of Nassau and Stephentown. The clear cutting of an additional 100 to 200 feet during initial construction of the NED and the permanent maintenance of a 30 to 50 foot corridor stretching for the entire width of the Plateau will almost certainly completely isolate the southern most section of the Plateau.

The U.S. Department of Agriculture's (USDA) Forest Service has designated the Rensselaer Plateau as a Forest Legacy Area. The USDA has awarded a \$5.5 million grant to the NYSDEC to work with the Rensselaer Plateau Alliance to create a program designed to protect forest lands from conversion to non-forest uses. The federal Forest Legacy Program recognizes that most forested lands in the United States are held in private ownership. Many forest landowners are facing growing financial pressure to convert their lands to uses that would remove them from the forested land base, such as residential and commercial development. The Rensselaer Plateau meets the goals of the FLP, including maintaining and enhancing water quality, preventing lands from being converted to non-forest uses and protecting important wildlife habitat. This program will provide DEC with the ability to assist landowners within the Plateau through financial incentives designed to ensure that property remains dedicated to traditional forest uses, including logging, hunting, trapping, snowmobiling and open space. FERC should consult with and seek input from the USDA, Forest Service on the impacts of the proposed route of the NED on the Rensselaer Plateau.

The plateau also includes a portion of the Tomhannock Reservoir Watershed as well as other important groundwater aquifers and provides drinking water to more than 100,000 residents, including many within the Town of Nassau. The proposed northern route of the NED through the Town of Nassau will impact many headwater streams and wetland areas of the Valatiekill and the Tsatsawassa Creek. Both of these streams are protected C(t) streams. In the most recent rule changes to the Clean Water Act the EPA and the US Army COE have indicated that they intend to extend protection to the headwater segments of protected streams. The proposed northern route of the NED will also cross over a major unconsolidated aquifer in the Town of Nassau and Stephentown. The aquifer roughly follows the Tsatsawassa Creek as it meanders through Dunham Hollow, both above and below State Route 43. This aquifer and its re-charge zones provides the water supply for many homes in the Town of Nassau and the Village of East Nassau. Protection of this aquifer is critical to the Town and is afforded such protection in Town law. FERC should consult with and seek input from the Town of Nassau and the Town of Stephentown on the proposed route of the NED on the Rensselaer Plateau as it relates to impacts on streams, wetlands and groundwater quality and quantity. FERC should address this issue in the EIS they are preparing and delineate how these headwater streams, wetlands and

groundwater aquifers will be afforded protection both during the initial construction and post construction phase.

The Plateau supports several unique wetland communities (including sedge meadow, dwarf shrub bog, spruce-fir swamp, and kettle hole bog), an impressive mammal diversity not typical of the greater Capital District (including black bear, fisher, otter, bobcat, and moose), and is included on National Audubon Society's list of Important Bird Areas in New York, which specifically mentions a high diversity and abundance of forest breeders, including many State listed species. Protecting this area would not only serve to secure these significant features, but would also contribute to a long-term vision shared by a number of organizations to establish an open space corridor and trail system across the Plateau, connecting Dyken Pond Center to Grafton Lakes State Park, Pittstown State Forest, Capital District Wildlife Management Area, Dickinson Hill Fire Tower, and other recreation and environmental education facilities. FERC should consult with and seek input from the managers of Dyken Pond Center, Grafton Lakes State Park, Pittstown State Forest, Capital District Wildlife Management Area, and Dickinson Hill Fire Tower on the impacts of the proposed route or the NED on the Rensselaer Plateau.

The Nassau Town Board recently requested that the Town's Natural Resources Committee (NRC) prepare a report of the potential natural resource impacts that a proposed natural gas pipeline would have. The report was completed and submitted to the Town Board in May, 2015. It compares and contrasts the air, water, noise, cultural, archeological, historic preservation, visual, aesthetic impacts of two proposed routes for the NED within the Town. This report can be viewed at the Town of Nassau web site: [townofnassau.org/contents/Boards/Niew/6](http://townofnassau.org/contents/Boards/Niew/6). Included in this report is a detailed habitat and bio-diversity report that was conducted by Dr. David Hunt, one of the State's preeminent authorities on bio-diversity. The report enumerates the likely impacts on the ecosystem of the Plateau from the NED, even with various mitigation efforts. The area of the Plateau that the NED proposes to cross is referred to as the Pikes Hill Block. This area has been identified as one of the 14 highest priority ecosystem sites within the Rensselaer Plateau due to the block's rocky summit/slope complex. It has associated high quality examples of State and county-rare natural communities including cliff, talus and rocky summit, and several county-rare plant species characteristic of these communities. Pikes Hill has 7 county-rare plant species, 3 of which are "actively tracked". Pikes Hill Block is one of 35 relatively large and important areas within the plateau without roads bisecting it. It is about 1,500 acres in size, with about 1,200 acres of contiguous forest centrally located within it. This unfragmented forest provides habitat for forest interior species and large mammals, as well as state significant plant communities and concentrations of rare plants. FERC should review the Town or Nassau NRC May, 2015 report and the accompanying report by Dr. David Hunt entitled "Important Biodiversity Sites Along the Proposed Kinder-Morgan Pipeline".

Excerpts from the report are attached below:

### **POTENTIAL IMPACTS ON OUR NATURAL RESOURCES**

Along the Northern route, the NRC has listed the specific natural resource sites of concern, using the map/mile notations on the KMC Pipeline Segment Maps. The areas of potential impact were identified based on reports filed by KMC with the Federal Energy Regulating Commission (FERC), USGS quad maps, aerial photography and field survey work. While the NRC has tried to be complete and thorough in its listing of sites and potential impacts, there may be additional concerns and sites that will be identified at a later date.

Along the Southern route, the NRC has also listed the locations of the natural resource sites that may potentially be impacted by the construction of a pipeline based on reports from KMC filed with the Federal Energy Regulating Commission, as well as USGS Quad maps and aerial photography. No detailed field survey work was performed for this existing route. The natural resources along this route have already been impacted and disturbed when the pipelines were previously laid.

The following is a list of general information that will be presented to the Town Board as well as the natural resources that will be reviewed for potential impacts:

- General information distances of proposed routes, number and size of potential property "takings" and cur-

rent land uses

- Surface Water Resources - streams, ponds and lakes crossings.
- Wetlands State and federally regulated wetland areas as well as other wetlands areas with habitat or species of special concern.
- Groundwater Resources known bedrock and surficial groundwater aquifers or where existing springs are located.
- Fish, Wildlife and Vegetation - fish and wildlife species and plant communities that are protected, endangered, or of special concern or unique to this area.
- Soils, Geology, and Topography - soils of special concern for their value to agriculture or unique geologic formations of aesthetic value.
- Cultural/Archeological Resources - sites of known or suspected cultural or archeological value.
- Air and Noise The exact location of any potential compressor station in the Town of Nassau, if any, has not been identified. Therefore it will not be possible to specify which or how the other resources listed above may be impacted. The NRC did evaluate the potential air and noise impacts that locating a compressor station with three 30,000 horsepower generators would have on a potential site within the Town of Nassau. These impacts are listed in a separate section in the Report

**COMPARISON OF NATURAL RESOURCES IMPACTS**

	Northern Route	Southern Route
Length	6.65 miles	2.95 miles
Permanent Easement (land taking)	24 to 40 acres (ROW 30' to 50')	up to 10 acres (additional ROW 25")
Property Parcels Directly Impacted	50 Parcels	20 to 22 Parcels
Land Use	Electric Power Transmission Wooded Rural Residential	Natural Gas Pipeline Agricultural (Hay & Com) Rural Residential
Clearing Required	90% forested 22 to 36 acres (up to 15 acres within the Rensselaer Plateau)	10% forested 1 acre or less
Streams & Wetlands	19 sites of concern 4 classified stream crossings 6 unclassified stream crossings 2 small unnamed ponds  8 wetland areas	7 sites of concern 1 classified stream crossing 5 unclassified stream crossings 5 wetland areas
Archeological Sensitive Areas	Subsurface areas undisturbed (over 5mi. of this route are within Archeological Sensitive Areas)	Subsurface areas previously disturbed

Groundwater Northern Route

Insufficient geo-technical data exists along the Northern route to make a thorough analysis of potential groundwater impacts. USDA soils maps identify soil type and depth only down as

far as 5 feet, however the depth of the pipeline trench will need to be at least 7 feet. A trench at that depth, along with the blasting that may be necessary, has the potential to impact artesian influenced wells and springs along the proposed route. (Approximately 2.0 miles of the Northern route is located on steep side hills, above some 20 private wells.) Approximately 1.5 miles of the Northern route does pass thru a major groundwater aquifer along the upper Tackaswasick Creek. This aquifer has been recommended for special protection by the NRC in previous reports to the Town Board because it serves as the principle water supply for the numerous homes along Taborton and Dunham Hollow Roads.

Groundwater Southern Route

The Southern route passes through approximately .7 miles of the groundwater aquifer shared by Town of Schodack and Nassau just south of the Village of Nassau. The Village water supply well is located 1.1 miles north of the Southern route and not subject to impact from this pipeline route. The NRC is not aware of any private water supply issues that occurred from placement of previous pipelines along the Southern route.

Fish, Wildlife and Vegetation Northern Route

Please refer to Dr. David Hunt’s report entitled “Important Biodiversity Sites Along the Proposed Kinder-Morgan Pipeline”, dated May3, 2015. Table 1 in this report lists numerous sites along the Northern route where significant and important aquatic networks, ecosystem complexes, natural communities areas, probable presence of rare species, and fish and herptiles areas have been identified. Many of these have significance at both the County and State level.

Fish, Wildlife and Vegetation Southern Route

No detailed field work was performed to analyze the potential impacts to the natural resources along the Southern route. Since previous pipelines have already disturbed this area it is assumed that this route will have fewer and mainly short term impacts on the Town’s natural resources.

	Northern Route	Southern Route
Type II & III Soils (prime agricultural soils)	4600’ = 0.87 mi	1300’ = 0.25 mi

Geology Northern Route

An extremely uncommon geologic formation called Lag Gravel is present along the Northern route in at least two known areas.

Geology Southern Route

No know unique geologic features have been identified along the Southern route.

Topography Northern Route

There are significant and frequent elevation changes along this proposed route. The pipeline will enter Nassau at an elevation of approximately 500 above sea level and eventually climb to an elevation of 1100 feet in the Alps before crossing into Stephentown. In some cases, the pipeline descends and ascends over 300 feet of elevation change within a 2/10th of a mile or a 30% up hill and down hill grade. Most of these steep valleys have streams and wetland areas at the bottom of the grades. This type of topography will require extensive movement of earth to enable the pipe to be laid without sharp bends. While the spoils will be put back into place and the finished project profiles will closely resemble the original topography, even with extensive mitigation measures the history of pipeline projects has shown that there are often extensive natural resources impacts. The bio-diversity and productivity of the streams and wetlands will be negatively impacted by the widened corridor, eventual sedimentation, and invasive species that are more easily introduced on the disturbed lands.

On the steep side hill sections of the Northern route, in order to lay the pipe, significant cut and fill areas will have to be created in order to allow trenching machines to properly operate. Again this means more disturbed land and potentially wider temporary construction and permanent ROW corridors.

#### Topography Southern Route

This route has a much gentler topography with far fewer significant slope changes. The proposed pipeline would enter Nassau at an elevation of approximately 450 feet. Over the next 1.6 miles, the pipeline would climb to a high point of approximately 640 feet (mile marker 37.8), and then over the next 1.35 miles would leave Nassau at an elevation of 510 feet. Construction along this route will impact fewer streams and wetlands and the amount of earth needed to be moved near these streams and wetlands will be far less.

#### **20150820-4034**

Hand written FERC comment form, Fred Nuffa, 171 Radlog Rd, Averill Park, NY 12018, should look at alternative route.

#### **20150820-4035**

FROM:

RICHARD E. OGSBURY

119 OGSBURY WAY

DELANSON, NEW YORK

12053-5619

MY RESIDENCE IS ON ROUTE 146, 2 MILES EAST OF GALLUPVILLE, NEW YORK. WE PURCHASED TIDS PROPERTY IN 1973.

IN 1950, TENNESSEE PIPELINE INSTALLED THE #1 LINE: SINCE THEN THEY HAVE INSTALLED TWO MORE LINES. IN THE 1990'S IROQUOIS INSTALLED ONE LINE ACROSS OUR PROPERTY. THE RIGHT-OF-WAYS FOR THESE LINES IS 85 FEET FROM MY HUMBLE RESIDENCE.

THERE IS MORE THAN A Y1MILE OF RIGHT-OF-WAY VISmLE FROM OUR PROPERTY;- TO THE BEST OF MY KNOWLEDGE, THERE NEVER HAS BEEN A PROBLEM FROM SHARON SPRINGS TO ALBANY.

WE FIND IT ENJOY ABLE TO SEE THE VARIED WILDLIFE USING THE CLEARED AREAS FOR GRAZING AND TO RAISE THEIR YOUNG.

IT IS REALLY DISGUSTING TO SEE OUR ELECTED OFFICIALS PUBLISH FALSE HOODS AND HALF TRUTHS. THE PIPELINE COMPANIES HAVE ONLY A RIGHT-OF-WAY; THEY DO NOT OWN THAT REAL ESTATE. THE ONLY RESTRICTIONS ARE NO PERMANENT STRUCTURES OR TREES PLANTED ON THE RIGHT-OF-WAY.

OUR ASSESSOR INFORMED ME THAT THE PIPELINE HAS NOTHING TO DO WITH OUR ASSESSMENT; ALSO MY BANKER INFORMED ME THAT THE LOAN VALUE IS NOT AFFECTED. NO PROPERTY IS WORTH MORE THAN WHAT SOMEONE IS WILLING TO PAY FOR IT.

OUR FAMILY TAKES GREAT PRIDE IN BEING A SMALL PART IN HELPING TO SUPPLY AN ENERGY SOURCE FOR THE MULTITUDES. ONE HAS TO REMEMBER THAT NEARLY 50% OF OUR ELECTRICITY IS GENERATED BY NATURAL GAS, AND THIS POWER GOES INTO THE POWER GRID AND THIS POWER IS SENT TO WHERE IT IS NEEDED.

WE FIND THAT TENNESSEE AND IROQUOIS ARE VERY GOOD NEIGHBORS.

10 July, 2015

To: FERC Scoping for NED Pipeline proposal

From: Stephen Pentak, and Frank Cuttone (Chapter President) for  
The Homewaters Chapter of Trout Unlimited

Re: Northeast Energy Direct Docket #PF14-22

The Mission of Trout Unlimited is: To conserve, protect and restore North America's cold water fisheries and their watersheds.

By our count the NED pipeline would cross or come tangent to no fewer than six Brook Trout spawning streams in Stephentown and adjacent Dunham Hollow in Rensselaer County. Our question/comment for the purposes of the FERC scoping period and EIS is this:

What assurances can be made to protect the viability of these cold-water streams? And specifically: what guarantee is there that the methods for crossing such streams won't cause harm?

The potential harm of erosion and sedimentation and the possibility of the stream flow being diverted underground and cutting off trout migration are risks. These are freestone streams (not spring creeks) and they have periods of low flow in the summer. Any stream collapse would damage the stream viability and trout migration.

Here are the concerns expressed in an assessment done by the Nature Conservancy in 2011 with funding from the Heinz Foundation, The R.K. Mellon Foundation, and The Wm. Penn Foundation. It gives some credence to our concern about the sub-stream boring (aka "horizontal directional drilling") and the risk of "stream collapse." "Stream and wetland crossings may create erosion and sedimentation problems, as well, especially with an "open cut" process, and there is a risk of stream bed collapse with t'bore crossing" techniques if poorly designed or executed. The "open cut" process uses a trench dug across the stream channel with water temporarily diverted around the trench, while the "bore crossing" technique uses a drill or hydraulic ram to create a bore for the pipeline under the stream. "

The streams that we have identified as Brook Trout spawning streams are as follows (these are listed by NY DEC as spawning streams, and confirmed by our own experiences of catch-and-release fly fishing.) Much of this is confirmed in The Environmental Report: NED Project Resource Report:

Waters with classifications A, B, and C also may have a standard of (T), indicating that they may support trout populations; or (TS), indicating that they may support trout spawning (TS). Special requirements apply to sustain those waters that support these valuable and sensitive fisheries resources. Streams and small waterbodies located in the course of a stream that are designated as CrT) or higher (i.e., C(TS), B, or A) are referred to collectively as "protected streams," and are regulated by NYSDEC under its Protection of Waters Program regulations(6 NYCRR Part 608) (NYSDEC 20 15c).

Tackawisick Creek

Roaring Brook\* (this is listed as TBD on the NED report. A NY DEC shocking survey in 2008 confirmed Brook Trout spawning) Randall Brook (listed as an unnamed tributary on the NED report 42° 34' 13,784" N 73° 24' 43.68211W)

Black River

West Brook

East Brook\*

\*also unnamed tributaries

The Environmental Report: NED Project Resource Report lists these all as a 3 foot crossing which underestimates most if not all of these.

The proposed pipeline would also cross the headwaters of the Kinderhook in Hancock Massachusetts which

carries Brook Trout.

The most recent issue of Trout Unlimited "Trout" magazine (September 2015) is focused on preservation of native spawning streams across the country. A map of this region (see attached) shows that the areas described above is just within the current range for Brook Trout and near what is considered "the historic range." The boundary roughly conforms to the southern edge of the Rensselaer Plateau and the Kinderhook Creek. Brook Trout are the canary in the mine for cold water streams. Their presence indicates a clean, cold, oxygenated stream.

We urge FERC to fully consider the impacts to native and wild trout and their watersheds during the EIS process, including how stream crossings will impact trout habitat in the short- and long-term and what the cumulative impacts of building this pipeline will be on native and wild trout habitat and populations.

Respectfully submitted,

Stephen Pentak  
1242 Garfield Rd.  
Stephentown, NY 12168  
(518) 7330410  
pentak.1 @osu.edu

Frank Cuttone, Chapter President  
Homewaters Chapter Trout Unlimited

*{map, not reproduced here}*

#### **20150820-4037**

June 17, 2015

16 Clarks Chapel Rd.  
Nassau, NY 12123

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE  
RmlA  
Washington, DC 20426

Re: Federal Energy Regulatory Commission Docket No. PF 14-22

Dear Secretary Bose.

Pending before FERC is a pipeline project referred to as the Northeast Energy Direct (NED). This proposed pipeline is being built by Kinder Morgan Energy Partners, Inc. I believe that you may be aware of the scope of this project and have received communications from residents affected by this. The details of the specific construction aspects of the project need not repeat. However, there are personal concerns neighboring residents and I of the Town of Nassau living on Clarks Chapel Rd. and Rensselaer County Rte. 15 have concerning this project:

1. The overall daily safety and health of the residents concerning every aspect of physical construction and on going daily 24/7 operation of these facilities in the proximity to each of us. We are aware of facility operations and failures of these facilities in the past
2. The 24/7 constant decibel level from the 90,000 horsepower gas fired turbines and the number of unknown instances of purging cycles. I am aware of this from working as an employee at Niagara Mohawk Power Corporation generating facilities. I am also aware of the current Tenneco Compressor station on Rte 66, Malden Bridge, Columbia Co. at 10,000 horsepower and its noise level.
3. The loss of natural quiet rural character in this area we have lived with for many years.
4. The loss of home and property values for us. The raising of taxes for others in town.
5. If you review a NYS utility company power bill such as National Grid, NYSEG, etc., there is a particular item of concern we should notice. Under terms and definitions is listed SBC, System Benefits Charge. The

SBC is a state-mandated charge for all electricity and natural gas customers. The electricity sse is used to fund energy efficiency programs to meet [state energy use reduction targets], provide assistance for low-income customers and conduct energy research. The natural gas SBC is used to fund initiatives focused on [reducing natural gas use in the state] as part of the Energy Efficiency Portfolio Standard. These charges were required by the Public Service Commission of the State of NY. Here is my point. The State of New York is mandating that we as utility customers pay this SBC for the above mentioned programs, particularly energy use reduction and reducing natural gas use. Now we have a proposed project going to transport a product through the State of NY that the State is making us pay a charge to reduce the use of this product here. FERe may approve this project and will be able to enact eminent domain rights against people who are paying to reduce the use of this product here and are not going to benefit from the product going through NY. This is a double slap in the face!

Therefore, it would be greatly appreciated if you would oppose this project because there is not one single benefit to almost all of the residents of New York State, Rensselaer County and the Town of Nassau. The health, safety and lifestyle we enjoy and value now and hopefully in the future, outweighs any economic value of this project. Thank you for your time and I look forward to your response to my concerns.

Sincerely,

Wesley D. Petrone

*{4 page "System Benefits Charge" by New York State Department of Public Service not included here}*

*{2 page "Terms and Definitions" by NYSEG not included here}*

#### **20150820-4038**

Hand written 4-page letter, Susan Phelps, Nassau, NY, opposing.

#### **20150820-4039**

volume hydraulic fracturing] to all New Yorkers and whether the risks can be adequately managed ... HVHF should not proceed in New York State."

#### **J. Pipelines**

The Public Service Commission (PSC) would be the principal regulatory entity in overseeing the construction of intrastate pipelines. Gas pipeline and compressor station siting actions undertaken pursuant to Public Service Law (PSL) Article VII are designated Type 11SEQRA actions. IS In addition, Section 130 of the PSL overrides the Department's State permitting authority, so that the Public Service Commission is the single State authority empowered to grant or deny applications to these site pipelines. However, in considering site-specific impacts of pipelines, PSC and the Department have historically coordinated and would continue to coordinate their reviews within the PSC proceedings. The PSC's Article VII proceedings are an analogue of the SEQRA process. The Department is a statutory party to such proceedings and additionally retains Federally delegated or authorized separate jurisdiction over any required air pollution control permits and registrations (usually for associated compressor stations and dehydrators) as well as under the State Pollution Discharge Elimination System (SPDES) for stormwater runoff. Consequently, significant site-specific adverse impacts would be addressed through the Article VII proceeding. However, on a generic level authorization of high-volume hydraulic fracturing would result in the construction and operation of pipelines and associated infrastructure and equipment that have the potential to result in significant adverse impacts.

The construction of natural gas pipelines, compressor stations and other associated infrastructure has the potential to create adverse impacts to state-owned lands, freshwater wetlands, forests and other habitat due to fragmentation, streams where pipelines cross, air resources (from compressor stations), visual resources, agricultural lands, and threatened and endangered species, and to contribute to the spread of invasive species.

Additionally, there is the potential for cumulative adverse impacts from gathering lines necessary to support

high-volume hydraulic fracturing operations and these cumulative impacts could affect community character and wildlife habitat from the network of pipelines needed to facilitate high-volume hydraulic fracturing activities. Consequently, because the SGEIS is a generic SEQRA review of an activity that would be widespread across certain regions and would induce the construction of gathering lines, pipelines and compressor stations, the Department considered the general potential impacts associated with these ancillary activities. The Department recognizes that these considerations are limited where the Department is preempted by federal law (e.g., Surface Transportation Act, Natural Gas Act).

#### K. Cumulative Impacts

A generic environmental impact analysis is intended to consider the common impacts of an activity that will be performed using a standard process in various locations. 16 With respect to high-volume hydraulic fracturing, regardless of where a well is drilled, there would be impacts common to all well pads and wells. In many sections of Chapter 6, the SGEIS analyzes the combined, or cumulative, impacts of drilling more than one high-volume hydraulically fractured well or multi-well pad because the Department had sufficient information to conduct such analysis on a generic basis (e.g., air impacts). In certain instances there is insufficient information regarding the actual number of wells to be drilled in a town or county, the distribution of such wells statewide, and the timing of drilling, to conduct a cumulative analysis of the impacts of several wells or well pads. However, even with the significant uncertainty surrounding the scope and siting of high-volume hydraulic fracturing, the Department anticipates that high-volume hydraulic fracturing would impact many areas, including some that previously have not been widely exposed to oil and gas development. Moreover, beyond directly impacting those areas where the activity would be allowed, the ancillary activities associated with high-volume hydraulic fracturing and their corresponding significant adverse impacts would likely spread to those areas of the State where high-volume hydraulic fracturing is prohibited and would lead to significant adverse cumulative impacts.

Indeed, as NYSDOH stated in its Public Health Review, “[t]he number of well pads and associated high-volume hydraulic fracturing activities could be vast and spread out over wide geographic areas where environmental conditions and populations vary. The dispersed nature of

}, 6 NYCRR. 61710

Findings Statement, Page 28

*{appears to be pages missing...}*

#### 20150820-4040

FRACTIVIST - Assist, Reform and Protect!: PROXIMITY OF COMPRESSOR STATIO ... Page 1 of 12

Libby Reilly  
149 Clarks Chapel  
Nassau, NY 12123

TUESDAY, JULY 7, 2015

PROXIMITY OF COMPRESSOR STATION DEVALUES HOMES BY AS MUCH..

50%

FOR IMMEDIATE RELEASE

Fremont Center, NY - Homeowners living near the Millennium Pipeline Company's 15,000 horser compressor station on Hungry Hill Road in Hancock, New York have seen the value of their horm decline by as much as 50 percent since the industrial facility was constructed in the midst of whal be a quiet, rural community.

In May 2014 several Hungry Hill residents sought real estate tax relief citing the adverse impact c compressor station on their property values. The Town of Hancock, denied the tax grievances, b Catskill Citizens for Safe Energy subsequently offered to fund homeowner appeals. On August 2! small claims hearings were held in the Hancock Town Hall. Two homeowners, a certified Real Es Appraiser, and a representative of

Catskill Citizens testified that the compressor station was resp for heavy truck traffic, noxious odors, persistent low-level vibrations, and air contamination. The ‘J also asserted that the facility presented a safety threat and recounted how a Millennium employe. suddenly knocked on the door of a house late one evening and urged the family to quickly evacui home. Finally, it was alleged that blasting during the construction of the compressor station had c the foundation of one house, which in turn led to an unsafe spike of radon levels. (Pre and postconstruction radon tests conducted by Professional Home Inspection Service of Binghamton, Ne, showed that radon levels in the home jumped from 3 pCi/l to 6.1 pCill, which is above the EPA recommended action guideline of 4.0 pCiL.)

In light of the evidence proffered, the Town of Hancock tax assessors agreed to decrease the ass valuation and real estate taxes on two homes by 25 percent. The assessed valuation and taxes c home, the one that had been physically damaged, were cut by 50 percent. Hearing Officer John ( who presided over the settlement, was familiar with the compressor station and remarked, “I wou want to live next to it.” After the tax assessors agreed to the 50 percent tax cut he told the owners have a good lawsuit here.”

For further information contact: info@calskillcitizens.org or call (845) 4687063.

Posted by FRACTIVIST at 14:55 g+1 Recommend this on Google

Labels: CATSKILL CITIZENS FOR SAFE ENERGY, COMPRESSOR STATION, FRACKING. HOME VALL

## 20150820-4041

7/14/2015

Dear FERC,

My Name is Libby Reilly, my husband Scott and my two children, Tyler 6 and Andrew 2 own a 100 acre organic farm across the street from the proposed 90,ODDhpcompressor station in the Town of Nassau, Rensselaer County, NY. In a 1 Mile radius we have 11 other households of family members along the proposed pipeline and compressor station route, that consists of sisters, nieces ,nephews, cousins, aunts, uncles and my parents. My Children along with their cousins are the s” generation to inhabit this road. My 6 year old son Tyler has been crying almost nightly since he now knows of the industrial structure that may potentially invade his neighborhood. If this structure were to go in, we would have no choice but to sell our farm that is currently valued at \$355,000. He knows moving means leaving his 7 cousins, grandparents from both sides, the only neighborhood he has ever known, and all of his animals he loves dearly. I would like to let FERC- know this neighborhood is more than just a neighborhood, it’s a family that will be torn apart.

My farm homestead was built in 1777; it is a beautiful and spectacular piece of history that is currently under review by NYShistoric parks and recreation to be on the national register. Please explain to me how this industrial infrastructure will hinder my farms historical status, specifically with the visual effect and the noise that will be generated 24/7. It is also proven home values can drop by 50% when located next to these stations. I will lose over \$160,000 of my farms worth, who will compensate me?

- We are a starter farm looking to seek organic certification. We purchased the farm two years ago and have been focusing on brining the farm back to working condition. In order to be certified organic one criteria is pesticide free for 3 years, since we have only owned the farm for two years we cannot certify the third years history. Prove to me that the emissions and documented toxins produced from a compressor station will not hinder my farms ability to receive an organic certification.

- When the “blow Downs” occur, a 36” 1460 psi pipeline will generate noise equal to a jet engine taking off. My cows pasture is extremely close, this will spook the cows and they potentially will jump or run through there fencing. Who will be responsible if this were to occur? Getting back a herd of cattle when they are spooked is not an easy task if at all possible. This could be a threat to anyone in the cow’s path. If someone were to be injured or if I sustain an economic loss who will pay?

- There is also research that proves crop land near compressor station sites suffer up to a 30% reduction

in crop growth. We rely on a full crop production to sustain our herd of cattle. A reduced crop yield year after year will cut into my farms business. Prove to me the acid rain produced by the turbines, evaporators, coolant system and “blow downs” will not hinder the growth of my crops.

- There is 20 acres of crop land that will be lost in the transfer of the compressor station property from agriculture to industrial, this map I have here is from the county outlining the crop lands on the parc-;i]-MY family would have purchase this land to expand ~ttle farm had it been placed at fair market value.

- I also have bee hives that are sensitive to Chemicals! Prove to me the emissions,toxins and constant vibration ana noise will not hinder the bee colonies.

- Cornell University has done research on how acid rain is causing loss of valuable northeast sugar maples. How will having this 90,000hp industrial compressor station effect my sugar maples as well as Wells Maple Farm, who is in direct line of the stations emissions as well. Prove to me?

- We operate a Christmas tree farm in the winter months, I have thousands of customers who come to the farm for the quiet rural historic country setting, the compressor station location would create an industrial feel rather than a classic historic feel once again cutting into my business profits.

- Looking at this map, you can see a stream forms on the property of 149 Clarks Chapel Road, it flows south through the compressor stations site and links u~~ Valatie Kill, flows into Nassau Laketo Kinderhood lake and out to the Hudson River. The Valatie Kill is part of the cleanup efforts of the EPA superfund site known as the Dewey Loeffel Dump” This site sits 1.2 miles from the proposed compressor station site and the Valatie Kill is tested on a regular basis for toxins.

- Three miles east of the compressor station site, the pipeline is slated to passthrough property that is currently pursuing a mining permit, how is this a safe practice to allow blasting and a pipeline to be collocated?

- I also have included a picture of the bald eagle that inhabits the area; he is seen here on the actual property for the compressor station.

- There are 01 residential household and 50 small children who live within the marked “1/2 buffer zone” with many more in close proximity. Prove to me that the compressor stations emissions are safe and that these children of the future will not be hindered with short and long term health effects due to toxins like benzene, toluene, formaldehyde and methane. I have come across studies such as this one from the Southwestern Pennsylvania Environmental Health Project, states they have detected from 16-18 chemicals in the air surrounding these compressor station sites. Benzene is now being linked to child hood leukemia and most of the other chemicals hinder the nervous system. Ultimately the children will be the ones who will suffer since there little bodies are still growing and trying to develop. Prove to me through government studies, that these compressor stations are “good neighbors” since they can supersede town zoning to be allowed in rural residential hamlets.

- My son and I suffer from a MTHFRgene mutation. He is heterozygous to the 677/1298 combination which is the worst to have. 98% of autistic children have this MTHFR~gCfA’iv<!1 This condition can lead to a variety of medical problems when people with MTHFRare exposed to more toxins than their bodies can handle. According to research laughing gas/nitrous oxide can cause severe problems or death in people with MTHF gene mutations. Compressor stations are documented to release nitrous oxide into the atmosphere on a daily basis, How willi protect my son from this? I want you to prove to me this will not harm my six year old son. I have included the studies and medical records to prove this case.

When Kinder Morgan was conducting there 24 hour sound level testing on May 21-22, Box # 5 by HF-PAcoustical Consultants based out of Houston Texas was placed around a telephone pole on the side of the road. During that 24 hour period Tom Hanson who is selling the 142 acre parcel for the compressor station was on his land hauling gravel with dump trucks and equipment to load on this particular day and for a majority of the whole week. His water truck used for his commercial well drilling business was also driving up and down the road all day. I was in my field running a tractor drilling holes for our once a year

Christmas tree planting. I request that the results from this testing be rejected and a new 24 hour test be performed by FERC.

Ultimately this is my home, my neighbor's homes. We reside in a rural residential neighborhood to protect the way of life we want for our families. If this project truly was of public necessity, Kinder Morgan should not be having issues gaining customers to sign on. As of a few weeks ago in a conversation I had with Jim Hartman, Kinder Morgan does not have enough customers to fill the 2.2 cubic billion feet of gas that can flow through this pipe a day. Kinder Morgan is abusing our constitutional rights and this pipeline should not be approved, until all valid points and alternative routes are investigated. It is FERCS responsibility according to their strategic Plan dated March of 2014 to promote safe, reliable, secure, and efficient infrastructure. Running High pressure pipelines within feet of residential households and placing Massive compressor stations in heavily populated rural residential zones is not promoting a safe environment.

Thank You for your time.

Elizabeth & Scott Reilly  
149 Clarks Chapel Road  
Nassau, NY12123  
518-429-8777

*{11 pages of photographs, maps, articles, not reproduced here}*

**20150820-4042**

TO: Kimberly D. Bose, Secretary FERC  
888 First Street, NE  
Washington, DC 20426

Docket # PF14-22

FROM: Jeannette Rice  
31 Rice Road  
Rensselaerville, NY 12147

RE: Proposed NED Pipeline/Kinder Morgan Scoping Hearing

DATE: July 16, 2015 Schoharie, NY

I am providing the following comments as a repeated public service:

1) First I would like to acknowledge the many good people here who are seeking jobs. I support you in your search. We need more jobs in NYS, but not through expanding an aging pipeline grid that will cause harm to our family's health and well being. I encourage you to be open to jobs in renewable/sustainable energy resources for the healthy future of our NYS communities.

The land and life, liberty and happiness of those NYS citizens who just want to live quietly, peacefully, and healthfully is being raped by the threat of land takings for gas export. Please do not disregard this destruction in favor of corporate greed.

2) Secondly, to the five appointed commissioners of FERC:

Commissioner Tony Clark:

You've been active in North Dakota energy development and exportation, expanding oil and gas infrastructure.

Four representatives from FERC and five from PSC had a meeting in NYC on Nov 5, 2014 and determined that NYS did not need any more gas pipelines or electric transmission lines. The proposed NED, which will parallel the proposed Constitution pipeline through NYS doesn't demonstrate public convenience and necessity. It is clearly a method to export natural gas for corporate profit.

It seems quite apparent that the purpose of the pipeline( s) is to transport natural gas to St. Jolm, Nova Scotia, Dracut, MA, Quonset Point, RI, the proposed Ambrose Shallow (about 100' depth between the inbound

Barnegat Channel and outbound Ambrose Channel).

Please pack Kinder Morgan up and send them back to Texas. I see no benefit to the citizens of NYS.

There needs to be a cumulative impact assessment of two pipelines running together - the proposed Constitution and NED. What about the impact of the blast radius. <http://nogaspipeline.org/2010-08-19/the-blast-radius>

As I read this report noted above, I imagined what my life would be like lived in one of the many housing developments next to an additional 36" natural gas pipeline that will transport about 2 billion cubic feet of natural gas per day. I am also concerned about the negative impact this pipeline will impose on my friend's organic garden and family's health.

I recall the increase in pipeline incidents in an aging system with many miles approaching 50 years old. I think of the thousands of gas line leaks found in the city of Boston last winter and remember explosions and loss of life in NYC.

I've attached a list of pipeline accidents in the US in the 21st century. The list was too long to be downloaded completely on my server:

<http://www.dontfractureillinois.net/list-of-pipeline-accidents-in-the-united-states-in-the-21st-century/>

[http://en.wikipedia.org/wiki/List\\_of\\_pipeline\\_accidents\\_in\\_the\\_United\\_States\\_in\\_the\\_21st\\_century](http://en.wikipedia.org/wiki/List_of_pipeline_accidents_in_the_United_States_in_the_21st_century)

Surely you ("you" in my comment paper means all FERC members) are aware that Pipeline and Hazardous Materials Safety Administration (PHMSA) cited Kinder Morgan for these safety violations:

- failing to maintain update maps showing pipeline locations
- failing to test pipeline safety devices
- failing to maintain proper firefighting equipment
- failing to inspect its pipelines as required, and
- failing to adequately monitor pipes' corrosion levels.

<http://nhpipelineawareness.org/wp-content/uploads/2014/05/Kinder-Morgan-Accidents.pdf>

I wonder if you own a house within a mile of a compressor station and/or a 36" pipeline. Would you care if your property values went down ... Would you care and appreciate the noise and toxic odors. Would you care.

Cheryl A. LaFleur:

You are a known leader in the natural gas industry.

As a grandmother, I wonder if you have children or nieces and nephews. I wonder what kind of world you want to leave tomorrow's generations.

I wonder if you have read NYS' s Findings Statement to the FSGEIS released on June 29,2015:

[http://www.dec.ny.gov/docs/materials\\_minerals\\_pdf/findingstatevhf62015.pdf](http://www.dec.ny.gov/docs/materials_minerals_pdf/findingstatevhf62015.pdf)

The proposed NED causes proliferation of the dangerous and destructive practice of fracking process not wanted in NYS. I wonder if you are able to hear the citizens of NYS who have taken great joy that fracking has been banned. More pipelines mean more fracking and negative impacts on human health and the Earth's clean air, water, and soil resources.

I wonder if you are a climate change denier. Do you accept that 99% of the world's scientists recognize that global warming is caused by an increase in carbon produced by fossil fuels ... Natural gas production is a major contributor to carbon pollution and global warming.

Natural is not an energy "bridge" to anywhere safe. It's only a bridge on the road to the bank for corporate investors.

Norman C. Bay:

You are known as "one of the 10 most influential people in energy."

If you really want to protect consumers, this grandmother advises you to reject the plan for the Constitution Pipeline and the North East Direct and recommend that the United States transition from fossil fuels to sustainable/renewable energy, just as there was a transition from “sea oil” to “land oil” in the 1850s, it is beyond time to transition to renewable/sustainable energy resources. You will become the #1 most influential people in energy, distinguishing yourself in history by taking our country in a new direction to provide for our energy resources from solar, wind, tidal, geothermal, waves, hydro.

[www.stanford.edu/group/efmh/jacobson/Articles/UNewYorkWWSEnPolicy.pdf](http://www.stanford.edu/group/efmh/jacobson/Articles/UNewYorkWWSEnPolicy.pdf)

Phillip D. Moeller:

You’ve worked on conservation, energy and waste. Please REJECT this proposal to build the NED. Natural gas development and exportation via increased pipeline infrastructure does not support water, air, and soil conservation and produces toxic waste that the industry still has not found a way to safely dispose.

According to an article in Bloomberg, T. Boone Pickens owns 850/0of the water rights in the Texas Panhandle, owns more water than any other individual in the USA and he wants to control more. He has been known to say that after natural gas, water will be the next commodity, he doesn’t care who buys the water, probably Dallas, but it will be to the highest bidder.

<http://www.bloomberg.com/lbw/stories/2008-06-11there-will-be-water>

It’s absolutely unacceptable to think that the basic right of clean water will be sold off to the highest bidder as a result of fossil fuel pollution. This is not a plan that can be supported.

Please reject the proposed NED pipeline.

Colette D. Honorable:

You worked as a consumer protection attorney.

Please hear the like voices of consumers in NYS. We do not want more natural gas, we do not want more pipelines, or more compressors fouling our resources and making our children and families ill. Protect us.

You also have experience working on pipeline safety and reliability. If you really want to ensure NYS citizens safe, reliable, and affordable electric service, please stop this NED proposal. Surely you know that very little of the system (about 7%) is inspected. Surely you know that adding more on the pipe pile isn’t going to make it safer, or more reliable.

You’ve worked on diversity of the energy supply. The NYS PCS released a sweeping reform in February, 2015 to decentralize power resources. The approval of any further pipelines for NYS is contrary to this sweeping policy framework. The directive envisions many small renewable/sustainable power sources joining together to replace baseload power. The proposed NED is contrary to this new policy.

3) Finally:

You already have all the information about the toxic effects of compressor stations (Mines ink, NY) and pipelines. You already know that an increase in infrastructure supports the continued destructive process of fracking our Earth. You already know the harmful effects to human health, clean soil, air, and water resources. You already know that children, doctors and citizens who have had health and water problems in PA have been gagged.

Please do not turn these hearings into a farce by favoring corporate greed. Do not ignore the will of the people who back their views with science. As a community elder and grandmother, I want all future generations of have an opportunity to have clean soil, air, water resources and the best chance at a healthy life. ‘

Please think out of your corporate gas and oil controlled box and REJECT this proposed pipeline. (Constitution and NED)

Allow us to protect our clean air, water, and soil resources and protect public health. Allow us to aggressively transition to renewable/sustainable energy resources.

cc. President Obama

**20150820-4043**

PF14-22

Patricia Sahr  
98 Coldwater Tavern Rd.  
East Nassau, NY 12062  
518-766-3419  
psahr47@yahoo.com

Nassau is a town that values its history. I'm speaking tonight on behalf of the dedicated people who do the preservation work, and in this statement I will address the impact the pipeline might have on historic structures located on Clarks Chapel Rd., County Route 15, China Hill Rd. and Mud Pond Rd., all of which are close to the proposed pipeline route.

Existing buildings date from the late 18th century to the mid-19th century and include farm houses, barns and out buildings. The owners have striven to preserve them and increase their value so that they have a viable future. Two examples of this restoration work are the farm house owned by John Keegan, where he lives and operates a perennial landscaping business, and the 1850 home of John Marsch.

Another extremely important part of Nassau's Historic District is located on Mud Pond Rd. Eastfield Village is a fully functional colonial village and repository of 18th and 19th century Nassau buildings and artifacts. The site has 25 structures, including an 1860s Greek Revival church and a large tavern with many rooms, each having its own fireplace and woodstove. Individuals come from all over the world to study and reside at Historic Eastfield Village during its workshops. They escape their busy, noisy city life to journey to an authentic 19th century early American village in upstate New York.

Classes are ongoing and well attended. Eastfield Village is open during the spring, summer and fall to educate individuals in the early crafts of colonial America. The areas of study are timber framing, masonry, fireplace building, plaster and lathe treatments, slate roofing, tin smithing, woodworking, blacksmithing, open hearth cooking, fabric dating, weaving, restoration of early structures, early ceramic study, glass dating, and many others.

Eastfield Village is the creation of the late Donald Carpentier, who was one of the foremost preservation experts in the world. He acquired, through purchase or donation, many of the parts for the Eastfield buildings from local Nassau residents. He used all of these items for the purpose of the reconstruction and maintenance of the village. If someone was removing old windows, old doors, clapboard siding, hinges, hand hewn beams etc., Don would pick them up and reuse them at Eastfield. Some of Nassau's lost history survives at Eastfield Village in the buildings.

The NED pipeline as planned will go right through this area of the town that is of great historic and cultural importance to Nassau. I ask that a study be made of the damage that will result from pipeline construction near historic structures and of the detrimental effects the nearby compressor station (to be installed just 3/4 mile to the west) will have on the operation of Eastfield Village. Surely it will disrupt the learning atmosphere with its frequent, intense blowdowns. It might also discourage students from attending Eastfield because of the environmental hazards caused by blowdowns.

-----  
PF14-22

Richard A. Sahr  
98 Coldwater Tavern Road  
East Nassau, New York 12062  
(518) 766-3419

rsahr23@yahoo.com

July 14, 2015

My name is Richard Sahr. My wife and I live at 98 Coldwater Tavern Road in East Nassau. We originally moved into the Town of Nassau in 1979 because it was a rural residential community. We valued our home and land for a number of reasons including, its quiet setting, the opportunity to view and enjoy wildlife, the ability to grow our own food organically, and the ability to raise our two children in such a setting. During that time I studied and became a Healing Touch Certified Practitioner. Healing Touch (HT) is an alternative therapy that can complement traditional medicine or it can stand alone. HT can work on physical, mental, emotional, and spiritual issues by facilitating the ability of patients to heal themselves. I regularly worked on patients at Albany Medical Center (AMC) and the Albany VA Hospital. At AMC I worked in all departments including ICU and periodically accompanied patients into Pre-op, OR, and Post-op. After becoming certified, I also established a private practice out of my home. Our home and my private practice are now in jeopardy.

If the pipeline and compressor station are approved in the proposed location, it will detrimentally affect my ability to conduct my home occupation. Quiet is one the essential ingredients in this kind of work because my clients have to be able to focus inwardly without being shocked by loud noises. I am concerned that the periodic "blow downs" and the constant anticipation of them will interfere with their and my ability to focus on the healing process.

#### **20150820-4044**

The American Medical Association adopted a policy this June in support of legislation requiring comprehensive health impact assessments for gas pipeline proposals.

The AMA adopted this position because it felt existing regulatory approaches to health impact consideration, including FERC's, do not adequately protect public health and safety.

The National Environmental Protection Act requires FERC to adequately protect public health and safety.

Your scope should include studying the AMA Resolution and the rationale for it, and reacting appropriately by consulting with and including prominent, independent public health professionals in all phases of your health impact assessment.

The second topic for inclusion in your scope is a complete assessment of the alternatives to this pipeline represented by solar and wind energy.

This assessment should include a determination of all direct and indirect costs and impacts, particularly health impacts, of gas vs. renewable energy as they would be used to satisfy the public convenience and necessity. The particulars of the optimal renewable systems should be determined through consultation with major corporate providers of these systems.

FERC's approach to renewable alternatives in its review of the Constitution Pipeline proposal was a cynical and brazen betrayal of its responsibilities under NEPA. Two examples of the egregious inadequacy of its approach are: 1) the solar alternative was dismissed from further consideration in part because of its excessive cost. But the cost figure was derived solely from a 5-year old report, which overstated the current cost of solar energy by a factor of three; 2) the cost comparison between solar and gas did not include the contribution of gas infrastructure to climate change, and subsequent environmental and health impacts.

When these inadequacies were pointed out during Public Comment, FERC ignored the issues.

When the Pace Environmental Litigation Clinic asked for a rehearing to consider these issues, FERC stalled and used shameful tricks to prevent the issue from being reviewed in court.

I have talked with staffers of Senators Schumer and Gillibrand and with Congressman Gibson about FERC's outrageous skirting of serious questions concerning health impacts and alternative energy systems. They

have written FERC asking for a meaningful response. They were stonewalled. They are very angry. You might include that anger in the scope of your review.

Glenn Sanders  
117 Turner Rd  
Schoharie, NY 122157

*{4 page article "7/15/2015 Sick Bees - Part 18F2: Colony Collapse Revisited - Environmental Toxins & Scientific Beekeeping" not included here}*

**20150820-4045**

NORTHEAST ENERGY DIRECT PROJECT

DOCKET NO. PF14-22"()()

COMMENTS PROVIDED BY:

KENNETH C. SCAILLON, 369 MALDEN BRIDGE ROAD, NASSAU, NY 12123

JULY 14, 2015

My remarks from my written statement will be brief in the interest of the time limitations at these Scoping Meetings. I reside about one mile south of the village of Nassau which is south of the proposed new pipeline and about one mile north of the two older existing lines which cross Malden Bridge Road on their way to the Malden Bridge Compressor Station.

It is clear to me and to others who have worked diligently on this issue of the proposed pipeline carrying fracked gas from Pennsylvania, that we now have a situation best described as a Negative Synergy issue, which Kinder Morgan will have to address.

Synergy is by dictionary definition, a combined action or operation. When we add the term , Negative, to that, we are now faced with a situation that dearly implies multiple effects, none of which are positive nor predictable.

The proposed NED pipeline passes through an area which has two other very distinct environmental issues:

1. The Dewey Loeffel landfill Site. This site containing toxic waste deposited years ago by General Electric and Bendix corporation among others ,and was originally thought to be encapsulated, has long been known to be leaching into the soils and the waters around and south of it. For years the Town of Nassau and the citizens group, UNCAGED, have fought to mitigate and resolve this. Currently the Valatie Kill, the major water source from that area is monitored by the Environmental Protection Agency since the pollution has entered that stream as well as Nassau lake. The NVS Department of Conservation in its guide to the safety of bodies of water in NYS, cites both these water sources as polluted and warns that fish taken from them cannot be consumed

This landfill Site is just over one mile south of the pipeline and the proposed Compressor Station site.

2. There is an active proposal by Troy Sand and Gravel Co for a quarry to be situated off Route 66 approximately 1500 feet south of the intersection of Radley road and Route 66. The total area is approximately 88 acres and the material to be mined is Rensselaer Graywacke, (sandstone), one of NVS's hardest and most durable stones used for blacktop and concrete, while the bedrock is used for commercial products. The mining operation will be worked for a number of years in phases, using established drilling and blasting methods. This blasting work will be done 10am to 5 pm Mondays through Fridays. According to their land use plan of March 17, 2006, Revery effort will be made to ensure that vibrations are kept to a minimum to mitigate the effect of blasting". Processing of the sandstone will take place at the quarry site and then will be trucked out.

Most Importantly, this site is approximately 6,000 feet from the proposed Compressor Station site BUT it also appears, in the maps, to border on the actual pipeline route.

The critical factor here is that aUof these sites exist within a two mile radius as measured on the Kinder

Morgan maps. And, NONE of this, to date, has been addressed by the company.

This brings me to my last point which is a direct result of the above Negative Synergy description.

It is the psychological/social aspect. This point often gets ignored when a new and disturbing situation is introduced into a community. • This is becoming much more apparent over the past two months as more residents have found out about the pipeline. Southern Rensselaer County is still largely rural with some suburban sectors. People, like myself, moved here to establish a way of life as a buffer against the Increasing demands of our society. We joined many already here, some for decades, their families having roots far back In time \_

We now find ourselves targeted by an increasing number of threatening and disturbing commercial events which threaten our environment and our bucolic way of life. These events are represented as needs of our society, but in actuality, most have a large element of greed built in. Some would have us believe this is progress. But we have increasingly found that it comes at a high cost for us , our families, friends and neighbors and we end up paying for it physically and psychologically\_

A landfill site that has and continues to leach toxic material, a quarry that will entail blasting even beyond many of our lifetime's, a pipeline with a compressor station that will be the largest in the northeast - all in an area that ALREADY HAS TWO PIPELINES THROUGH IT.

Last week at a public meeting in Nassau to explain the role of FERCCand how the public can participate, the disbelief and even anger that this can happen here was evident. Many said ,how can it be possible that a for profit company can even take our land against our will in certain cases, to dig a pipeline, with most of the fracked gas in that line quietly slated for export? •

What has become increasingly clear is the absolute mistrust of this corporation and our own government as now represented by the Federal Energy Regulatory Commission. These types of situations are happening dally across America and many Americans are saying we have had enough - enough being ignored and not listened to , enough of the arrogance of big business. Even if we as citizens have to oppose these on our own time with little professional help, while Kinder Morgan and FERCCdo this fulltime as part of their job and get paid for it •

When we the people don't trust the actions of our own government, and believe that we are being bought and sold for private profit and political gain ,then we are forced into a corner and have no recourse but to stand up for our beliefs and our way of life here in southern Rensselaer County.

As this process goes forward towards the preparation of the Environmental Impact Statement, we must demand that the well being of Southern Rensselaer County residents be placed first on the list of impacts cited on p.5 in the FERCCnotice of intent. It is an integral part of our environment that we here in the county live in everyday.

I, with my neighbors, friends and community look forward to FERCC's Findings.

**20150820-4046**

July 16, 2015

To: Kimberly D. Bose, Secretary  
FERC  
888 First Street, NE  
Washington, DC 20426

From: Dianne Sefcik  
194 Clickman Rd  
Westerlo, NY 12193

Re: Docket # PF14-22 Kinder Morgan Northeast Direct Pipeline

I'm going to speak to you person to person. FERCC, after all, isn't staffed by robots or automatons, but by people.

I believe we are all accountable. Individually and collectively. I am accountable and you are accountable. Consider the people who lined up to follow Hitler. Some certainly thought they were patriots. Many were charmed or mesmerized, although it's hard to imagine how. I guess you had to be there. Others went along, excusing themselves by saying they were following orders, or even following the law. Many were afraid. Afraid to be different. Afraid to say NO. Afraid to be tortured and punished, or that their families would be tortured and punished, or that they would be disappeared.

Lets imagine Hitler got a marketing makeover. What would he look like? How would he behave?

Still a tyrant. Still a bully. Still greedy. Still a psychopath. Still surrounded by yes-men and opportunists, and other psychopaths. Still intent on getting what he wanted no matter what the cost in lives, in destruction of the earth and property. Still recruiting brainwashed twelveyear- aids, all too willing to die for him, to snipe for him, to spy for him.

You can't appease a bully. Prime Minister Chamberlain, to his dying day, regretted the deal he made with Hitler, thinking it would avoid war.

You may be sitting there thinking, "Ho-hum, just another protest. I won't take it personally. Just another sap of a taxpayer, a peon, not one of the New Aryans."

Well, you're just like me. A taxpayer. A peon. An ordinary American, although some of you may venture ever deeper into the propaganda pit and on to industry jobs like a lot of your peers and predecessors.

FERC serves the oil and gas industry. Even though I pay your salary, you don't serve me.

FERC EIS's are a joke. You might as well use toilet paper.

FERC is a colonizer, using eminent domain for the emperor's of industry.

NED serves the oil and gas industry.

NED would transport fracked gas - at great cost to humans, animals and the environment - to foreign markets to benefit the rich.

NED is not "needed" by Americans. It is of no benefit to Americans. It would not serve Americans, in this, or any other region.

NED would contribute mightily to global warming and climate change.

Use this opportunity to be a human being, using aUyour resources and gifts, not just the goalong brain.

Consider the impacts to the people whose health, safety and welfare is at stake, whose property is at stake. Consider the impacts to the innocent life of the land.

Stand up to the bullies and to the land grabbing tyrants.

Say YES only to renewable energy projects, which would provide long-term employment for many Americans, not just transient jobs for a few.

Say NO to NED.

Best to you,

Dianne Sefcik

## **20150820-4047**

Re: Docket No. PF14-22-000

We are John and Sally Sober from 173 Shufelt Road in the Town of Schodack. We are here to speak against the pipeline which would run adjacent to and through our property as it is currently proposed to cross Shufelt Road.

We purchased our property with the two existing natural gas pipes currently running through it. We were not then particularly concerned about the safety of those pipes. They exude no odor so we don't know if they are leaking. We have, however, a serious concern about their integrity if the proposed new line goes through.

Heavy equipment, possible blasting and shifting earth could compromise them in many ways. There have already been reported explosions of the old Tennessee Gas pipes from broken welds in 2006 and 2011, this last with 3 homes destroyed.

The portion of our property affected by the pipeline also includes a designated water collection area with which we aren't allowed to interfere. This area supplies water for birds and animals and frequently spills into our back lawn. We are concerned about the contamination caused by leaking fracked gas, and the chemicals that could potentially find their way into our well.

Kinder-Morgan's plan to bury this pipe at the minimum depth required for a rural area is simply unacceptable for our area. Studies show a pipeline leaks continually. That means we and our children and grandchildren who visit daily, and also own homes close to the pipeline, will be constantly exposed to fracked gas containing known carcinogens. Several of our family members suffer from asthma. We are seriously concerned about air quality for them.

Kinder-Morgan doesn't have an exemplary track record for pipeline safety. We know they have had at least 21 reported explosions of natural gas pipelines, including some with personal injuries and homes destroyed. They were lucky in April during the one in Texas: no trees, only 1 home to evacuate, no injuries.

We will not be that fortunate here. We live on 9 acres of forested land and there are literally hundreds more surrounding us. If we aren't killed in an explosion, we and all of our neighbors will likely lose everything in the firestorm. A cloud of fracked gas, and the chemicals it contains, including methane and benzene, will blanket our area and endanger people and wildlife. If a temperature inversion occurs at the same time, it will be an unprecedented health disaster.

In 2013 the investment research firm Hedgeye Risk Management concluded that Kinder-Morgan's business strategy is to starve their pipelines and related infrastructure of routine maintenance to maximize profits. Also the NTSB has determined that the Pipeline Hazardous Materials Safety Administration's inspections are inadequate. How can we believe that Kinder-Morgan holds our safety and the safety of the environment above its own interests?

To recap ~concerns: (1) integrity of the existing natural gas pipelines, (2) continual leaking of gas and known carcinogens into our air and groundwater, (3) danger of rupture and explosion of this high density, high pressure pipe, and (4) lack of maintenance and procedural oversight by a qualified and dedicated outside agency.

New York State has banned fracking, why should we be endangered by its product for the profits of those who take no risk themselves? We implore you to put the safety of our family and the environment we are trying to protect, over Kinder Morgan's profit margin.

Thank You!

## **20150820-4048**

Jack Spillman's FERC Scoping Hearing Testimony

The Black River Pond Dam

I live next to the Black River in Stephentown Center. Three miles upriver is the Black River Pond dam, a 560-foot earthen dam which measures twenty feet wide at its top. It was built in the 1930s and holds back a 35-acre lake which is twenty-five feet deep.

In 2007 and again in 2014, two extensive Engineering Assessments by Civil Dynamics Engineering, PC and the ABCOM engineering company were conducted for the New York State Office of Parks, Recreation and Historic Preservation. Both reports are in agreement and state that anything over ten inches of rainfall within a twenty-four hour period would overtop the dam and in all probability, cause it to collapse. Depending on the extent of that collapse, a 300-foot wide flood of water between five and eleven feet deep would devastate my house.

Kinder Morgan has proposed locating its NED pipeline downstream from my property. The proposed loca-

tion is eight hundred feet away from and ten feet lower than my house. If the dam fails, it would unleash a huge flood of water down the river's length, potentially destroying everything in its path, including the proposed pipeline. A catastrophic event would be unleashed and made drastically worse by the presence of a hydro-fracked gas pipeline buried a few feet under the river bed.

-----  
Black River Pond Dam  
Hazard Classification Study  
January 2008

1.0

## INTRODUCTION

This report presents the results of a Hazard Classification Study for Black River Pond Dam located in Cherry Plain State Park in the Town of Stephentown, Rensselaer County, New York. Specifically, this report presents the results of the hydrologic and hydraulic studies conducted to determine the appropriate hazard classification and spillway design flood for Black River Pond Dam. Also, the report details the preparation of downstream flood inundation mapping.

The studies performed by Civil Dynamics Engineering, P.C. for the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) are in accordance with Work Order SAR-OOI dated July 25, 2005, which was authorized on September 7, 2005, and Work Order SAR-002 dated February 23, 2007, which was authorized on March 30, 2007.

The results presented in this report were reviewed with the OPRHP at a meeting on January 29, 2007 and then with the NYSDEC Bureau of Dam Safety at a meeting on October 25, 2007.

This report has been divided into seven sections. Section 2.0 presents a general project description. Section 3.0 discusses data collected for this study. Section 4.0 presents the details of the completed hydrologic and hydraulic analysis. Section 5.0 presents conceptual alternatives to increase the spillway capacity of the dam. Section 6.0 discusses details of the inundation mapping and includes an inundation chart summarizing the potential flooding impacts at critical downstream locations. Section 7.0 discusses limitations of the study. The appendices provide copies of the input and output data of the hydrologic and hydraulic analysis.

2.0

## PROJECT DESCRIPTION

The Black River Pond Dam is located across the Black River within Cherry Plain State Park in the Town of Stephentown, Rensselaer County, New York [See Appendix A, Location Map]. The dam is currently used for recreational purposes including swimming, nonpowered boating and fishing and is owned and operated by the OPRHP. The dam was originally constructed by the Civil Conservation Corps between 1934 and 1937.

The Black River Pond Dam is currently classified as a Class B - Significant Hazard potential dam structure by the New York State Department of Environmental Conservation (NYSDEC).

The Black River Pond Dam is an earthen embankment dam with a concrete corewall. The embankment is approximately 560 feet long with a maximum height of 40 feet, and a crest width of about 20 feet.

The spillway structure, located along the left (east) side of the embankment consists of a concrete chute spillway. The chute varies in width from about 100 feet at the crest to 20 feet along the downstream end of the slope and is followed by a stilling basin.

In the center of the embankment crest is a concrete outlet structure with an above-grade valve stand and operator which controls the low level outlet. This valve was replaced in 1999. According to an As-Built Drawing, the operator controls a 24-inch diameter gate valve attached to a 24-inch diameter inlet pipe open to the reservoir. The valve discharges into the outlet structure and then into the 8-inch diameter downstream outlet pipe.

Black River Pond receives storm water inflows from an approximately 6.2 square mile drainage basin watershed area and has a normal pool surface area of about 35 acres. Based on an estimate of the lake areas and their corresponding elevations, the lake is a maximum of approximately 25 feet deep and has a reported normal pool storage volume of approximately 410 acre-feet of water.

*{remainder of 24 page report, not reproduced here}*

20150820-4049

## SWPA-EHP

SOUTHWEST PENNSYLVANIA ENVIRONMENTAL HEALTH PROJECT

[www.environmentalhealthproject.org](http://www.environmentalhealthproject.org)

### Summary on Compressor Stations and Health Impacts

February 24, 2015

*{SEE 20150803-0013 above for copy of this report}*

*{The original report, is available at <http://www.environmentalhealthproject.org/wp-content/uploads/2012/03/Compressor-station-emissions-and-health-impacts-02.24.2015.pdf>}*

#### J. Pipelines

The Public Service Commission (PSC) would be the principal regulatory entity in overseeing the construction of intrastate pipelines. Gas pipeline and compressor station siting actions undertaken pursuant to Public Service Law (PSL) Article VII are designated Type II SEQRA actions. In addition, Section 130 of the PSL overrides the Department's State permitting authority, so that the Public Service Commission is the single State authority empowered to grant or deny applications to these site pipelines. However, in considering site-specific impacts of pipelines, PSC and the Department have historically coordinated and would continue to coordinate their reviews within the PSC proceedings. The PSC's Article VII proceedings are an analogue of the SEQRA process. The Department is a statutory party to such proceedings and additionally retains Federally delegated or authorized separate jurisdiction over any required air pollution control permits and registrations (usually for associated compressor stations and dehydrators) as well as under the State Pollution Discharge Elimination System (SPDES) for stormwater runoff. Consequently, significant site-specific adverse impacts would be addressed through the Article VII proceeding. However, on a generic level authorization of high-volume hydraulic fracturing would result in the construction and operation of pipelines and associated infrastructure and equipment that have the potential to result in significant adverse impacts.

The construction of natural gas pipelines, compressor stations and other associated infrastructure has the potential to create adverse impacts to state-owned lands, freshwater wetlands, forests and other habitat due to fragmentation, streams where pipelines cross, air resources (from compressor stations), visual resources, agricultural lands, and threatened and endangered species, and to contribute to the spread of invasive species.

Additionally, there is the potential for cumulative adverse impacts from gathering lines necessary to support high-volume hydraulic fracturing operations and these cumulative impacts could affect community character and wildlife habitat from the network of pipelines needed to facilitate high-volume hydraulic fracturing activities. Consequently, because the SGEIS is a generic SEQRA review of an activity that would be widespread across certain regions and would induce the construction of gathering lines, pipelines and compressor stations, the Department considered the general potential impacts associated with these ancillary activities. The Department recognizes that these considerations are limited where the Department is preempted by federal law (e.g., Surface Transportation Act, Natural Gas Act).

#### K. Cumulative Impacts

A generic environmental impact analysis is intended to consider the common impacts of an activity that

will be performed using a standard process in various locations. 16 With respect to high-volume hydraulic fracturing, regardless of where a well is drilled, there would be impacts common to all well pads and wells. In many sections of Chapter 6, the SGEIS analyzes the combined, or cumulative, impacts of drilling more than one high-volume hydraulically fractured well or multi-well pad because the Department had sufficient information to conduct such analysis on a generic basis (e.g., air impacts). In certain instances there is insufficient information regarding the actual number of wells to be drilled in a town or county, the distribution of such wells statewide, and the timing of drilling, to conduct a cumulative analysis of the impacts of several wells or well pads. However, even with the significant uncertainty surrounding the scope and siting of high-volume hydraulic fracturing, the Department anticipates that high-volume hydraulic fracturing would impact many areas, including some that previously have not been widely exposed to oil and gas development. Moreover, beyond directly impacting those areas where the activity would be allowed, the ancillary activities associated with high-volume hydraulic fracturing and their corresponding significant adverse impacts would likely spread to those areas of the State where high-volume hydraulic fracturing is prohibited and would lead to significant adverse cumulative impacts.

Indeed, as NYSDOH stated in its Public Health Review, “[t]he number of well pads and associated high-volume hydraulic fracturing activities could be vast and spread out over wide geographic areas where environmental conditions and populations vary. The dispersed nature of

I’6NYCRR617.10

Findings Statement, Page 28

#### **20150820-4050**

My name is Janet Tobia and I live in the town of Schodack on Nassau Lake. My husband and I moved up-state 29 years ago. We swapped the sounds of the elevated trains and sirens for the honking of geese, and the chirping of birds and the croak of bullfrogs. We have raised our family here and now live with two young adult children, two rescue dogs and five rescue cats. I love our home and our town and don’t want it ruined by this monstrosity threatening our very lives.

We are under attack. A large and rich corporation is planning to disrupt our river, our lakes, our streams, our roads and our homes and our quality of our lives.

Please don’t allow Kinder Morgan and Tennessee Pipeline and Gas to slowly poison our air, and our water. Unknown toxic chemicals and methane can leak out of these pipes. The 90,000 horse power compressor station planned for Clarks chapel road will belch toxins into our air for miles. If there is an explosion, our fire fighters will be helpless to protect us because they cannot know what exactly is burning because of Kinder Morgan’s proprietary rights. What about our rights?

We are trying to recover from the effects of the nearby Dewey Loeffel dump site which is now a Superfund site. We don’t need this attack. This project will not benefit us, only hurt us.

Please help us move out of the dinosaur age and our dependence on fossil fuels and into the twenty first century where we belong with emphasis on renewable resources. We as Americans could be the progressive leader of the rest of the world instead of the slave to a filthy and greedy industry. Please don’t help Kinder Morgan slowly poison us.

#### **20150820-4051**

Tom Tobia - Schodack resident.

This proposed pipeline will be 1 mile away from my home and the compressor station is 3 miles away.

Air quality in Rensselaer County, NY, on a scale of 1 to 100, (100 is the best), as reported by the EPA, is 95 (the United States as a whole is 93). This is based on ozone alert days and number of pollutants in the air.

Last year, David Carpenter, director of the Institute for Public Health and the Environment at the University of Albany, conducted a study of such compressor stations in five states and found unsafe amounts of human

carcinogens that were released into the air.

In 1964, Governor Rockefeller first outlined the Pure Waters Program with a bold proposal that the people of state of New York spend \$1 billion, to clean lakes, rivers, and coastal waters. This approval launched the largest and most comprehensive water pollution control program in the world. New York's Pure Waters Program laid the groundwork for the federal Clean Water Act that was adopted in 1972.

For the past 50 years, the residents of Rensselaer county and the state of NY, have worked hard to preserve and protect the quality of our air and water resources.

As stated during this comment period by many of the residents and our town and county officials, none of us are convinced this project will serve any value to our community or county that we have fought to protect.

On January 1, 1970, The National Environmental Policy Act (NEPA) is a United States environmental law that established a U.S. national policy promoting the enhancement of the environment. NEPA is one of the most emulated statutes in the world and it is often referred to as the modern-day "environmental Magna Carta".ill

Based on the current state and federal environmental laws in place today, the Federal Energy Regulatory Commission, FERC, the governing body of oil pipelines, must deny the placement of this pipeline and compressor station.

*{“The Truth About Job Creation” card and hand-written note not included here}*

## 20150820-4052

Hand written FERC comment form, Mark Ciofri, 37 Clim?er Circle, West Sand Lake, NY 12146, with attached resolution passed by Sand Lake Town Board:

### TOWN OF SAND LAKE TOWN BOARD MEETING

JUNE 10,2015

Introduction #2015-06-06

RESOLUTION# -15

#### **Supporting Neighboring Towns in Opposition to the Kinder Morgan Natural Gas Pipeline Proposed to be Routed through Rensselaer County**

Moved:

By: Flora Fasoldi	Glasser YES
Seconded	Turner YES
By: Mark Cioffi	Cioffi YES
	Kronau YES
	Fasoldt YES

Whereas, a large natural gas pipeline called the Northeast Energy Direct (NED) pipeline project, has been proposed by Kinder Morgan and its subsidiary Tennessee Gas Pipeline, LLC, to be routed through Rensselaer County, including the neighboring Towns of Schodack, Nassau and Stephentown; and

Whereas, the proposed NED pipeline would operate at much higher pressures, than currently operating natural gas pipelines in Rensselaer County; and

Whereas, the pipeline proposed for routing through neighboring towns will be approximately 36 inches in diameter, and routed on existing rights of way, along with nearby private properties and include a large gas compressor station or stations that will encompass extensive acreage and possibly located near residential areas; and,

Whereas, the proposed NED pipeline would transport natural gas from other parts of the country for intended export out of New York State and possibly overseas, with no natural gas benefits to the residents of Rensselaer County; and

Whereas, neighboring Towns directly impacted by the proposed NED pipeline have endeavored to be fully informed of this project and have documented and reported the potential detrimental impacts of this project, to include, but are not limited to:

1. As proposed, this pipeline will run across private property, directly adjacent to homes and through waterways; and,
2. As proposed, this project will impact residential wells, natural groundwater recharge areas and aquifers; and,
3. This proposal is expected to blast through the Rensselaer Plateau which is one of New York's largest intact forested areas that has brought economic opportunity through tourism and responsible business to many areas of Rensselaer County; and,
4. This proposal would impact designated areas of archeological sensitivity across communities; and.
5. As currently proposed, this pipeline has significant potential impact in the areas of public health and safety, home values, businesses, sensitive habitat fragmentation and the further stalling of economic development; and.
6. The project applicant, Kinder Morgan, is seeking federal eminent domain status to allow for property to be secured for the routing of the pipeline which will not benefit the residents of our neighboring communities and give the company and its affiliates an unfair advantage over property owners in these communities; and
7. The proposed NED pipeline would closely follow the high voltage right-of-way raising reasonable concern for the detrimental interaction between the pipeline and the electromagnetic fields established by the high voltage wires; and
8. The thickness/strength of the proposed NED pipeline, the depth at which it would be buried in the ground and the inspection methods for the necessary welds are proposed to be significantly less for rural areas than those required by urban areas; and
9. The proposed NED pipeline carries an inherent risk of leaks, ruptures, fires, explosions, and accidents, which may cause disruption and undue burden for emergency services and would significantly increase the potential for catastrophic damage to lives, property, roadways, streams, wells, aquifers and wetlands in our neighboring rural communities; and
10. Neighboring towns believe the level of compensation and mitigation would not outweigh the long term fiscal, health, safety, business, environmental and quality of life impacts to those neighboring towns; and
11. The proposed pipeline is contrary to the rural residential character of these communities and fails to follow the already existing pipeline corridor; and,
12. The proposed use of land for an industrial compressor station necessary to operate this pipeline, would have dramatic and long term, environmental, social and economic impacts on the rural residential character of our neighboring towns; and
13. The proposed use of land for this project is in direct contradiction to town law as well as the comprehensive plans of these communities; now therefore,

Be it Resolved, that due to the widespread serious concerns and questions raised by residents and the potentially significant negative impacts of the proposed project, the Town of Sand Lake stands in solidarity with the neighboring Towns of Rensselaer County in opposition to the construction of the proposed NED pipeline; and,

Be it Further Resolved, that the Town Clerk of the Town of Sand Lake is hereby directed to transmit certified copies of this resolution to United States Senator Charles Schumer, United States Senator Kirsten Gillibrand, Congressman Chis Gibson, Congressman Paul Tonko, Governor Andrew Cuomo, New York State Senator Marchione, State Assemblyman Steve McLaughlin and Rensselaer County Executive Kathy Jimino.

### 20150820-4053

Hand written FERC comment form, Steven Truss, 44 Slirko Rd, Nassau, NY 12123, questioning “need” and why EPA is not tasked with EIS. Followed by 1 page typed with photo:

Alternate compressor station location

It seems that in the 6 months that Kinder Morgan has allotted to propose the” northern route” through the town of Nassau, they have not fully evaluated the potential sites for the 90,000 HP compressor station.

The area where Rice road intersects the proposed northern route and west towards Poyneer road presents an open area which abuts fewer residences and being flatter would involve less disruption to the environment during both construction and operation.

Maps suggests room for a 1/2 mile buffer zone that would affect fewer properties than the Clarks Chapel Rd location

looking west from Rice rd-

*{photo}*

The Southern Route as supported by the Nassau Town government would be far less damaging than the proposed route, but in any circumstance Kinder Morgan needs to explore all potential Compressor Station sites to minimize environmental impacts and reduction in property values whatever route if any is allowed.

### 20150820-4054

Before giving my testimony, I would like to state for the record: Given the incomplete nature of the information in Kinder Morgan’s Resource Reports, these scoping meetings are being conducted prematurely and are failing to provide information that would benefit the NEPA process.

It is also clearly unfair that almost no Scoping Meetings are being conducted in the communities most impacted - those who will bear the brunt of impacts from compressor stations, several of which are among the largest ever built in the U.S.

My name is Chelsea Zantay, and I live on Burden Lake in Averill Park, New York. I am concerned about the effects of the 90,000 horsepower compressor station slated to be built on Clark’s Chapel Road in Nassau, New York, less than 3,000 feet away from Burden Lake. Living on the lake my entire life, I have seen the appearance of American bald eagles, our national bird. They have built two nests on our lake. In addition, the lake is host to a plethora of wildlife including painted turtles and blue herons. These species could all be at risk due to the changing ecosystem that a compressor station would cause.

Perhaps of most concern is the fact that sections of pipeline could be laid on Logan’s Fault Line. Disturbance of this fault line could trigger potential earthquakes (U.S. Geological Survey). Furthermore, if leaks occur along the pipeline, it could affect Kinderhook Creek, which flows southwest, and has a drainage area of over 329 square miles. If this creek or any other creek in the vicinity is contaminated, we could be looking at water contamination into Albany, Rensselaer, Columbia, and Greene counties. The Environmental Impact Statement should include how these habitats, creeks, and fault lines will be avoided by the pipeline and compressor stations.

“Director of the Institute for Health and the Environment at the University at Albany David Carpenter, who participated as a researcher in the DEC’s fracking study, called compressor stations among the worst of all the fracking infrastructure, and I quote: “Previous studies showed that some of the most serious air pollution came from the compressor stations. There needs to be a statewide analysis of the health of the population of New York from these compressor stations ••.” end quote. I ask: why have we banned hydraulic fracturing in New York State but allow compressor stations, if said stations are worse for the environment? This compressor station would lie extremely close to the Dewey Loeffel Landfill Site, which is a superfund site. Also, due to a strong southern wind in this area, the station would blow methane and other toxins onto a highly populated recreational site. The Environmental Impact Statement should specify how the habitat that lives in and surrounds the lake will be avoided.

Members of the Federal Energy Regulatory Commission, please do not close the scoping comment period until 60 days after Kinder Morgan files new, complete Resource Reports. I implore you to reconsider this site as a potential location for a compressor station and pipeline and to consider a “no action” alternative.

No Thank you.

Chelsea Zantay  
33 Blue Heron Drive  
Averill Park, NY 12018

**20150820-4055**

Hand written FERC comment forms, 6 pages, Judy Zimmer, 125 Old Post Road, #8, New Lebanon, NY 12125, expressing 21 concerns.

**20150820-4057**

**TOWN OF NASSAU, N.Y.**

OFFICE OF THE TOWN SUPERVISOR

David F. Fleming, Jr

August 12,2015

Hon. Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE  
Washington, DC 20426

Re: Matter of Tennessee Gas Pipeline Co., Northeast Direct Project  
FERC Docket PF14-22  
Filing by TGPL dated July 24,2015

Dear Secretary Bose:

On July 24, 2015, Tennessee Gas Pipeline (TGPL)filed a massive update to the earlier draft Resource Reports and mapping files for the NED project, constituting thousands of pages of information and map sheets providing seemingly significant updates to previous submittals. The submitted files amount to over one gigabyte of electronic files that are publicly accessible, as well as hundreds of pages of text and maps that are not accessible due to TGPL claims of their containing “Critical Energy Infrastructure Information” not to be disclosed for public review. This information is of vital interest to and may have a dramatic impact on the community that I represent.

**INFORMATION PROVIDED IN THE TGPL JULY 24, 2015 SUBMITTAL TO FERC IS AN UPDATE TO PREVIOUS SUBMITTALS, BUT IS INCOMPLETE PENDING FURTHER UPDATES**

While the July 24, 2015 publicly accessible filing includes a large amount of new information, there are significant amounts of additional information either not yet provided, or inaccessible for public review, which include information essential for understanding the TGPL proposal for a major compressor station at Clarks Chapel Road in the Town of Nassau, New York. Information such as: a compressor station site layout plan; an indication of the location of the 3D-inch pipeline to and from the station site from the mainline route; an indication of the proposed vehicular access route to the compressor station from public roadways; location, external dimensions and finish materials of compressor station enclosure building, fence-line, emergency blow-down vent facility; location and extent of buffer areas around proposed compressor station facilities; and the location and extent of non-jurisdictional infrastructure that may be subject to siting and site plan review by the Town of Nassau. Without access to much of this information, some of which is indicated on the 73 pages of “Responses to Comments” and “Responses to Letters” on Draft Resource Reports, dated May 15, 2015, the Town of Nassau cannot fully comment on the appropriate scope of studies appropriate for studying the proposed project, its impacts, alternatives and potential mitigation measures that should be

evaluated in the Environmental Impact Statement.

Furthermore, the matrix of “Responses” is replete with indications of information that will be “provided in the October, 2015 filing” or “TBP in Final ER.” Examples of this information include: locations of HD-D installations; specification of communication system and whether communication towers will be proposed to be sited and proposed locations of these towers; sensitive groundwater resources in relation to compressor station sites; fisheries resource protections and mitigation proposals; wetland delineations; groundwater aquifer information and details; sites of contaminated sediments; project operational effects on surface waters; interior forest ecological impacts; environmental justice information for aboveground facilities locations; seismic fault information; NYS § 480-a forest lands affected by the proposed facilities; visual resources information (including regarding any as-of-yet unidentified communications towers); emissions data from compressor stations, including methane and exhaust from compressor facility operations; and acoustical analysis of compressor station operations, including sound emissions and mitigation measures necessary.

#### REQUEST FOR EXTENSION OF THE SCOPING PHASE COMMENT PERIOD

**The deadline for submitting comments on the Scope of Studies for preparation of an Environmental Impact Statement should be extended until after the CEII information is made available to Town of Nassau officials, and information to be provided by TGPL in the forecasted October environmental report is available for consideration.**

Town officials and committee members are making great efforts to review the Resource Reports and associated information submitted at a late date in July, only a few weeks prior to the close of the Scoping Period. This is a huge undertaking for these officials, given the large amount of information that was provided. However, the large amounts of information not yet provided or only provided under protected status, make it infeasible for the Town of Nassau to provide a full evaluation of the information necessary to develop relevant Scoping Comments by the August 31 deadline. The listed incomplete or “to be provided” information includes many topics of specific concern to the Town of Nassau, given the proposal to site the large, 41,000 horsepower compressor station in a Rural Residential area, far from any similar industrial or major utility station use; and the pipeline traversing the rural landscape of northern Nassau. Additional time should be added to the Scoping Period schedule to provide a realistic opportunity for review of the Resource Reports, including information submitted by TGPL as Critical Energy Infrastructure Information, and for development of reasoned comments on the Scope of Studies appropriate to evaluate the proposed major transmission facility project.

Additional time will not represent a burden to the applicant, given that the Resource Reports as filed do not fully provide the requested baseline information as spelled out in many sections of the FERC GUIDANCE MANUAL FOR ENVIRONMENTAL REPORT PREPARATION, dated August 2002.

#### REQUEST FOR IMMEDIATE ACCESS TO CRITICAL ENERGY INFRASTRUCTURE INFORMATION

Pursuant to FERC’s Critical Energy Infrastructure Information (CEII) regulations at 18 CFR § 388.113(d)(4) the Town of Nassau, New York, requests access to certain information submitted by TGPL on July 24, 2015, regarding the Northeast Direct Market Path Pipeline and Market Mid-station 1 Compressor Station proposed to be located within the Town of Nassau, Rensselaer County, New York. Town of Nassau officials should be provided access to the confidential files submitted by TGPL on July 24, 2015, without reservation and on an expedited basis.

CEII submittals regarding details proposed for the Compressor Station site should be provided on a confidential basis for review and development of Scoping Comments by the Town and its representatives. The requested information includes:

- the Compressor Station site plan;
- compressor station facilities arrangement plans;
- ‘non-jurisdictional facilities’ to be located at the Compressor Station property.

The individuals to be granted access to this information would include the following:

David Fleming, Nassau Town Supervisor

Fred Nuffer, Chairman, Town of Nassau Natural Resources Committee

Lani Rafferty, Councilperson, Nassau Town Board

As identified above, the details of the proposed facilities currently hidden from public view are critical to the Town understanding the TGPL proposal within the Town of Nassau, and in developing reasoned comments and consideration of potential impacts on natural and cultural resources, land uses and most importantly on the health, safety and lives of residents within the impact zone around the proposed compressor station site. The Town asserts that this request is a legitimate request for access to information essential to the Town's review of the NED Project proposal and development of Scoping Comments for FERC's pending development of a final Scope of Studies for the Environmental Impact Statement. The Town willingly will assent to execution of a non-disclosure agreement and take reasonable precautions to maintain security and integrity of any CEil information provided pursuant to this request.

In closing, the Town respectfully requests that the FERC immediately grant the relief requested herein.

Thank you in advance for your assistance in this matter.

Very truly yours,

David F. Fleming, Jr.

Town Supervisor

cc: Hon. Chuck Schumer, United States Senate

Hon. Kirsten Gillibrand, United States Senate

Hon. Chris Gibson, United State House of Representatives

Hon. Kathy Jimino, Rensselaer County Executive

Hon. Kathy Marchione, New York State Senate

Hon. Steve McLaughlin, New York State Assembly

Hon. Dennis Dowds, Schodack Town Supervisor

Hon. Larry Eckhardt, Stephentown Town Supervisor

Nassau Town Board

Nassau Natural Resources Committee

Nassau Town Hall  
29 Church Street, Post Office Box 587  
Nassau, New York 12123  
518.766.3559. supervisor@townofnassau.org

**20150820-4059**

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION  
INTERAGENCY PRE-FILING CONFERENCE CALL

Tennessee Gas Pipeline Company, LLC

Docket No: PF14-22-000

NORTHEAST ENERGY DIRECT PROJECT

**August 6, 2015**

**Agencies in Attendance (list of attendees is attached):**

- Federal Energy Regulatory Commission (FERC)
- o Cardno (FERC 3rd Party Contractor)
- U.S. Environmental Protection Agency (USEPA)
- PA Department of Environmental Protection (PA DEP)
- PA Department of Conservation and Natural Resources (PA DCNR)

- NY State Historic Preservation Office (NY SHPO)
- NY State Department of Environmental Conservation (NYSDEC)
- NY Department of Transportation (NYDOT)
- NY State Department of Public Health
- MA Attorney General's Office
- MA Department of Public Utilities (MA DPU)
- MA Division of Fish and Game (MA DFG)
- MA Department of Fisheries and Wildlife (MA DFW)
- NH Fish and Game Department (NH FGD)
- NH Department of Transportation (NH DOT)
- NH Division of Historical Resources (NH SHPO)
- NH Office of Energy Planning (NH EP)
- Nashua Regional Planning Commission
- Berkshire Regional Planning Commission
- Delaware River Basin Commission
- Franklin Regional Council of Governments
- Tennessee Gas Pipeline (Tennessee Gas)
  - o Hatch Mott (Contractor for Tennessee Gas)
  - o AECOM (Contractor for Tennessee Gas)

### Meeting Summary

The conference call was conducted to review the general status of the Northeast Energy Direct (NED) Project, including the Project's schedule, field surveys, landowner coordination, and the National Environmental Policy Act (NEPA) process. Topics discussed included:

- Project Reporting and Scoping

- o Tennessee Gas filed a revised set of draft Resource Reports on July 24, 2015. Agencies can submit their questions/comments to Eric Tomasi (FERC) until September 4, 2015 for inclusion in an upcoming Environmental Information Request to Tennessee Gas to address in its next round of Resource Reports/application.

- o FERC continues to conduct scoping meetings and is in the process of collating and reviewing public comments.

The formal scoping period currently closes at the end of August. However, a potential upcoming scoping meeting in Cheshire County, New Hampshire would require the extension of this scoping period for at least couple of weeks. FERC is trying to schedule the additional scoping meeting in late August/early September depending on availability.

- o The currently proposed pipeline loop in Pennsylvania is about 6 miles longer than was previously proposed. FERC is currently determining how to notify affected landowners to ensure they have the opportunity to comment.

- o Upcoming meetings:

- Two scoping meetings in Massachusetts next week in Dracut and Lunenburg.
- FERC has additional meetings with the Massachusetts state agencies and the Dracut Pipeline Awareness group next week.
- Tennessee Gas has scheduled an open house in Connecticut on August 13.

- o The currently proposed Project would reduce the diameter of the pipeline from Wright to Dracut and reduce the amount of compression at the largest compressor stations relative to the previous proposal:

- Tennessee Gas indicated that these modifications could alter the horsepower of the turbines but

would not alter the number of compressor stations or the size of the parcels of land they would occupy.

- FERC confirmed that they consider land use of compressor station locations as part of the environmental review.

- Tennessee Gas status update:

- o Surveys

- Wetlands and Threatened and Endangered species
      - NED East (Wright to Dracut) - about 69 miles surveyed.
      - NED West (Pennsylvania to Wright) – approximately 91 miles surveyed.
    - Cultural Resources
      - ≠ About 37 miles along surveyed NED East.
      - ≠ About 96 miles surveyed along NED West.
    - Bat surveys are ongoing. The window for acoustical bat surveys closes next week. About 83% of the surveys are done.
    - Mussel surveys are scheduled from mid-August to late September.
    - Bald eagle nesting surveys are being completed.
    - Bog turtle surveys may not take place until 2016.
    - Tennessee Gas currently has landowner access to about 32% of parcels crossed.

- o Tennessee Gas intends to file its application in October 2015.

- o There was a tribal consultation meeting last month in Oneonta, New York. It is expected the next tribal consultation meeting will be scheduled in August or September.

- Comments on Specific Resources:

- o Rensselaer Plateau – This potentially sensitive area in New York has been mentioned by several commenters. Steve Tomasik (NYSDEC) will provide FERC with more information about the area.
  - o Stratified Drift Aquifers – Various commentators, especially in New Hampshire, have expressed concern about potential impacts to water quality, water quantity, and associated biological resources.
  - o NH Conservation Lands – In addition to government-owned conservation lands, some private lands have some state-level conservation status. Meredith Hatfield (NH EP) agreed to follow up with FERC on the topic.

- Miscellaneous:

- o Transcripts of the scoping meeting will be posted online.
  - o Tennessee Gas will file state-level permit applications after it files its federal permit applications.
  - o Site visits for alternative routes will be conducted during the next couple of months including a visit to the Dracut area with the Dracut Pipeline Awareness group next week.

Next Call

- Agency call will be held every 2 weeks.
- Next call scheduled for August 20, 2015.

**List of Attendees**

<u>Organization</u>	<u>Name</u>
FERC	Eric Tomasi
FERC (Cardno)	Wayne Kicklighter
FERC (Cardno)	Sara Holmes
USEPA	Thomas Uybarreta

USEPA	Lingard Knutson
USEPA	William (Bill) Walsh-Rogalski
PA DEP	Jim Miller
PA DCNR Forestry	David Mong
PA DCNR	Alex Tatanish
PA DCNR	Ashley Rebert
NYSDEC	Stephen Tomasik
NY DOT	Cathy Nusca
NY Dept of Public Health	Jane Thapa
MA Attorney General	Matt Ireland
MA DFG	Christy Edwards
NH FGD	Carol Henderson
NH Regional Planning	Tim Roache
NHDES	Owen David
NH Natural Heritage Bureau	Sara Carins
NH SHPO	Edna Feighner
NH DOT	Melodie Esterberg
NH EP	Meredith Hatfield
Berkshire Regional Planning Commission	Tom Matuszko
Southwest Region Planning Commission	Henry Underwood
Nashua Regional Planning Commission	Sara Siskavich
Delaware River Basin Commission	Eric Englei
Franklin Regional Council of Governments	Peggy Sloane
Tennessee Gas	Michael Letson
Tennessee Gas	Mark Hamarich
Tennessee Gas	Kasia Ingram
Tennessee Gas	Howdy McCracken
Tennessee Gas	Jacquelyne Rocan
Hatch Mott	John M. Quinlisk
Hatch Mott	Theresa Albanese
Hatch Mott	Eileen Banach

**20150820-4060**

UNITED STATES OF AMERICA  
 FEDERAL ENERGY REGULATORY COMMISSION  
 INTERAGENCY PRE-FILING CONFERENCE CALL

Tennessee Gas Pipeline Company, LLC

Docket No: PF14-22-000

NORTHEAST ENERGY DIRECT PROJECT

**July 23, 2015**

**Agencies in Attendance (list of attendees is attached):**

- Federal Energy Regulatory Commission (FERC)
- Cardno (FERC 3rd Party Contractor)
- U.S. Environmental Protection Agency (USEPA)
- U.S. Fish and Wildlife Service (USFWS)
- PA Department of Department of Conservation and Natural Resources - Forestry (PADCNR)
- NY State Department of Environmental Conservation (NYSDEC)
- NY Department of Transportation (NYDOT)
- NY State Parks and Recreation

- NY State Department of Public Health
- MA Attorney General's Office
- MA Department of Environmental Protection (MA DEP)
- MA Department of Public Utilities (MA DPU)
- NH Department of Transportation (NH DOT)
- NH Department of Energy and Planning
- Berkshire Regional Planning Commission
- Delaware River Basin Commission
- Southwest Region Planning Commission
- Franklin Regional Council of Governments
- Tennessee Gas Pipeline (Tennessee Gas)
- Hatch Mott (Contractor for Tennessee Gas)
- AECOM (Contractor for Tennessee Gas)

### **Meeting Summary**

The conference call was conducted to provide an overview of the Northeast Energy Direct (NED) Project as well as to review the general status of the schedule, field surveys, landowner coordination, and the National Environmental Policy Act (NEPA) process. Topics discussed included:

- Scoping Status and Meetings
  - o PA and NY meetings last week
    - Six scoping meetings, NY State Agency meetings
    - Northeast Tribes meeting
  - o MA / NH / CT meetings next week
    - Pittsfield, Greenfield, Hartford, Nashua, Milford
    - Nashua Regional Planning Commission (RPC) meeting
    - NH Municipal Pipeline Coalition meeting
    - NH Agency meetings in Concord, NH
  - o MA and Cheshire County, NH still being planned
  - o Agency meetings for MA and possibly PA being planned. None for CT at this time.
  - o Scoping period closes August 31, 2015
    - Tennessee Gas must respond to comments filed during this time.
  - o Tennessee Gas plans to tentatively file its application in October
  - o Tennessee Gas filing draft Resource Reports tomorrow
  - o FERC sending Data Request to Tennessee Gas by end of August/early Sept.
- Tennessee Gas Status update
  - o Planning to file all 13 resource reports electronically on July 24th.
  - o Surveys
    - Wetlands
      - ≠ NED East from Wright to Dracut about 138 miles surveyed. Some of this is Threatened and Endangered (T&E) species.
      - ≠ NED West approximately 62 miles surveyed.
    - Cultural Resources
      - ≠ About 35 miles on NED East surveyed
      - ≠ About 92 miles on NED West surveyed.

- T&E species surveys continuing
- Agency / Technical meetings continuing. More next week
- o Survey Access
  - 39% Survey access from Wright to Dracut
  - 54% Survey access from Troy to Wright
- o Press Release
  - Kinder Morgan / Tennessee Gas – modified size of the project
    - ≠ Diameter reduction east of Wright to Dracut (36” down to 30”)
    - ≠ HP reduction for Compressor Stations east of
    - ≠ Delivery reduction from 2.2 Bcf/day down to 1.3 Bcf/day
    - ≠ Ramification of changes
      - o FERC planning site visits to check Alternatives

### Next Call

- Agency call will be held every 2 weeks
- Next call scheduled for August 6, 2015.

### List of Attendees

<u>Organization</u>	<u>Name</u>
FERC	Eric Tomasi
Cardno	Wayne Kicklighter
Cardno	Jackie Layton
Cardno	Jennifer Harris
Cardno	Lorraine Woodman
USEPA	Thomas Uybarreta
USEPA	Lingard Knutson
USEPA	Tim Timmerman
USFWS	Tim Sullivan
USFWS	Maria Tur
PA DCNR Forestry	David Mong
NYSDEC	Stephen Tomasik
NYSDEC	Mark Wythall
NYS Parks and Rec	Nathan Krish
NY DOT	Donna Hintz
NY Dept of Public Health	Jane Thapa
MA Attorney General	Matt Ireland
MA DEP	Michael Stroman
MA DPU	Stephen August
NH DOT	Melodie Esterberg
NH Office of Energy and Planning	Meredith Hatfield
Berkshire Regional Planning Commission	Tom Matuszko
Delaware River Basin Commission	David Kovitch
Franklin Regional Council of Governments	Peggy Sloane
Southwest Region Planning Commission	Henry Underwood
Tennessee Gas	Kasia Ingram
Tennessee Gas	Deborah McCartney
Hatch Mott	John M. Quinlisk
AECOM	Eileen Banach

**20150820-5001**

Jeffrey Fitzgerald, Lunenburg, MA.

This proposed gas line will may go through our property.

What are the minimum clearances to a large 12” diameter or greater underground gas pipeline for the following:

- Potable well drilling (percussion or rotary)
- Geothermal drilling (horizontal or vertical)
- Septic System (tanks, leach lines and pump stations)
- Foundations (residential or out building)
- Underground electrical main service 200A
- Above ground PV solar electric service
- Hydrofracking an existing well to improve flow characteristics

**20150820-5002**

Jeffrey Fitzgerald, Lunenburg, MA.

This proposed gas line will may go through our property.

What are the minimum clearances to a large 12” diameter or greater underground gas pipeline for the following:

- Potable well drilling (percussion or rotary)
  - Geothermal drilling (horizontal or vertical)
  - Septic System (tanks, leach lines and pump stations)
  - Foundations (residential or out building)
  - Underground electrical main service 200A
  - Above ground PV solar electric service
  - Hydrofracking an existing well to improve flow characteristics
- These minimum clearances may prohibit us as landowners to develop our land as needed.

**20150820-5003**

Jeffrey Fitzgerald, Lunenburg, MA.

This proposed gas line will may go through our property.

What are the minimum clearances to a large 12” diameter or greater underground gas pipeline for the following:

- Potable well drilling (percussion or rotary)
- Geothermal drilling (horizontal or vertical)
- Septic System (tanks, leach lines and pump stations)
- Foundations (residential or out building)
- Underground electrical main service 200A
- Above ground PV solar electric service
- Hydrofracking an existing well to improve flow characteristics

These minimum clearances may prohibit us as landowners to develop our land as needed.

**20150820-5028**

Madelyn S Collins, Averill Park, NY.

Because of our need to address climate change now, I am opposed to the NED project. Additionally, and as detailed below, I also ask that FERC extend the comment period for a significant period, and that FERC consider the items below.

It is hypocritical to allow fracked gas pipelines to be built while our leaders plan to reduce the threat of climate change. Although natural gas may add less greenhouse gases to the atmosphere than coal, they still add too many. Other countries are well on their way to converting their energy systems to wind and solar. If they can do it, so can we.

I understand that FERC, "s mission is to approve projects such as this, but that mission should be rewritten. "s FERC should have the authority to approve plans to reduce energy use, projects to repair existing leaky pipelines, as well as renewable energy infrastructure.

In addition to my opposition for the reasons state above, I also submit that FERC should extend the comment period for a significant period because Kinder Morgan released new Resource Reports with thousands of items still "s to be determined, "s after Scoping hearings were held in many places, and were about to be held in still others.

That said, and in the spirit of working within your framework, I am a resident of the Town of Nassau, NY. I live less than a mile and a half from the proposed compressor station on Clark, "s Chapel Road.

I request that you research the following:

- The effects that building and running the compressor station will have on the health of the people living in close proximity to it as well as those of us who are within a two-mile radius of the compressor station. Included in this study, please include research into the toxins that will be released during blow-downs and their health effects.
- The effect of the compressor station on Burden Lake which is less than a half mile from the proposed Nassau compressor station and which is a destination for our town and the surrounding areas.
- The effects the toxins released, including those potentially released from compressor station mishap and/or pipeline leaks will have on wells, waterways, the land, and non-human animals.
- The noise level of the compressor station up to a two-mile radius around it and how this will affect the humans and non-human animals in the area.
- The light pollution of the compressor station and how it will affect the humans and non-human animals in the area.
- How property values will be affected for those living in the area, up to two miles from the compressor station and along the pipeline route.
- The effects the building of the compressor station and the operation of the compressor station itself will have on the farms, including organic farms, on Clark, "s Chapel Road, as well as the effects it will have on my own organic garden.
- The interaction of the pipeline and compressor station with the Dewey Loeffel Superfund Site, which it would be in close proximity to.
- The interaction of the pipeline and the crude oil trains in Albany, which it would be in close proximity to. Additionally, I note that the area of the City of Albany where the pipeline is proposed to go is in the vicinity of low income housing. The residents of this area, being mostly renters, would not have been informed of the proposed pipeline. Nor was there a Scoping Hearing in Albany, and many city residents rely on public transportation. "s had they even heard about the closest Scoping Hearings, they would have had no way to attend and participate.
- The effects the pipeline will have on the Hudson River.
- How much of the gas transported by this pipeline will stay in the United States and how much of it will be shipped overseas.

These are the issues I know about because of where I live. However, we, "s not a unique area. "s there are people living all along the pipeline route who will be affected much as my neighbors and I will be and there are waterways, non-human animals all along the route that will be effected.

What I, "s sure you cannot research but hope you will consider is that many, if not most, of us that live

here do so because of the rural nature of the area. Please put yourselves in our shoes. We live here because it is a quiet, clean, and beautiful area. If we wanted industry, noise, and pollution, we would live in cities. We have zoning laws, yet, apparently, if you can allow a huge industrial compressor station and pipeline in a rural area, those laws are meaningless.

Apparently, the American dream of owning one's own home and land is also meaningless. Eminent domain is supposed to allow the government to use private land for public good. The proposed NED pipeline is not for the public good, quite the contrary, the only entity that will benefit from it is Kinder Morgan.

## 20150820-5030

Hiel Lindquist, Fitzwilliam, NH.

Dear FERC.

I read through the resource reports for the NED pipeline. It is very difficult to determine exactly what the environmental impacts of the NED will be since there are so many TBD (to be decided) items in the reports. Also, the resource reports submitted by Kinder Morgan appear to be "boiler plate" statements which are not specific to the NED pipeline. Much more detail is needed.

Kinder Morgan certainly could have presented more complete and accurate information in these resource reports. As I stated in an earlier comment to FERC, I had met specifically with Kinder Morgan back in April, 2015 and voiced my concerns about specific areas of the project. Specifically I met with Lucas Meyer.

These concerns seem to have been completely ignored by Kinder Morgan.

In any event, as far as scoping of the areas that need to be evaluated, I present the following.

1. The proposed route of the NED pipeline crosses and in many instances passes in the same line of travel of several hiking trails. The Appalachian Trail, Metecoment Trail, and Wapack Trail for certain, but there are many other local trails in the conservation lands that will be crossed by the NED pipeline. These trails must be identified and impacts specified in detail. Also, every trail impacted must have plans for the trails during and after construction. For example, how will users of these trails be accommodated during the construction period?
2. The proposed route of the NED pipeline crosses at least 2 active ATV (All Terrain Vehicle) "parks" that I am aware of. There are already problems with ATV use on the existing powerline corridor that will be utilized by the NED. ATV's and other off road vehicles are prohibited from the powerline corridor outside the ATV parks, yet these vehicles continue to use the powerline corridor. There are areas of heavy environmental degradation from this use. The NED environmental impact report must include specifics as to the ATV and off road vehicle impacts on the entire route of the pipeline. It must also provided specifics as to how this use is going to be mitigated. Note that there are existing problems with ATV use in the existing powerline right of way and the NED pipeline, by providing a much wider and smoother avenue, will drastically increase the problem. Just putting up "no access" signs will not be sufficient, nor will assigning the monitoring to existing police and fish and game resources, since they cannot handle the existing problem. Who is going to control this problem. How will the problem be minimized? What is the potential impact?
3. The NED will initially increase the width of the existing powerline corridor by at least 150 feet. By clear cutting all the timber the NED pipeline will increase the "islands" of forest in the area, especially in the proposed corridor where there is no existing infrastructure. For example, several groups have been working on the Monadnock – Sunapee corridor to conserve what remains of the continuous forests in the area. How will the NED pipeline impact these efforts? This is just one small area of the proposed route and the environmental report must address this issue along the entire proposed NED route.
4. The proposed NED pipeline route passes through areas that contain several invasive species such as Glossy Buckthorn, Purple Loosestrife, and Garlic Mustard to name a few. Construction and operation of the NED pipeline will further enhance the optimal environment for the spread of these invasives. The impacts must be evaluated along the entire proposed NED route and mitigation plans both during and after construction must be included in the environmental report.
5. Kinder Morgan, by selecting a route through the natural forests of Massachusetts and New Hampshire, will significantly impact the production of timber in the area in perpetuity. The economic impact must be

evaluated along the entire proposed NED Route. What will be the lost value of this timber, on an annual basis? What tax revenue will be lost? Once the NED pipeline is built, what will be the reduced value of the timberland, since the land will no longer be in timber production? How will the existence of the NED pipeline impact timber harvesting? Are there areas that will be impossible to harvest due to the NED pipeline? How will existing timber harvesting laws and regulations be enforced? Specific to New Hampshire, how will the timber tax be assessed on the NED pipeline clear-cut? Who will be responsible for paying the tax? These and many, many other questions need to be addressed for each specific landowner along the NED pipeline route.

Hiel Lindquist

Fitzwilliam, New Hampshire

## 20150820-5032

Steven McGettigan, Temple, NH.

Steven and Niki McGettigan

PO Box 101

Temple, NH 03084

August 19, 2015

Kimberly D. Bose, Secretary

Federal Energy Regulatory Commission

888 First Street NE, Room 1A

Washington, DC 20426

Re: Project Docket Number PF14-22-000

Dear Ms. Bose:

We are writing to voice our opposition to the Northeast Energy Direct (NED) pipeline and specifically the compressor station that would be constructed in New Ipswich, New Hampshire by Kinder Morgan/Tennessee Gas Pipeline.

This morning I was installing several frames to display student art flags outside the Temple Elementary School where my wife is the principal and I am a volunteer. The school is located within shouting distance of this proposed compressor station, one of the largest ever to be built in this country. As is typical here, a steady breeze was blowing over the mountain ridge toward the school. As a matter of fact, ten to twelve wind turbines have been proposed for this ridge to take advantage of the great wind resource there.

I thought immediately of the roaring noise, light pollution, and well-documented toxic chemicals that we know are emitted from compressor stations during their daily operations and scheduled blow-downs, not to mention during potential accidents. All of these emissions would be carried directly by the prevailing winds directly toward the elementary school as well as to the open water reservoir next door that provides the only water supply for the town of Greenville.

We cannot knowingly allow the health of children and adults, and our clean drinking water to be destroyed by carcinogens and toxic emissions resulting from Kinder Morgan/Tennessee Gas Pipeline's quest for profits. Because they do not live here, they themselves will never have to worry about the long-term health and environmental damage they will create for us.

We respectfully ask that you read through the well-documented health issues of compressor stations in the Southwest Pennsylvania Environmental Health Project's "Summary of Compressor Stations and Health Impacts" from February 2015 available at:

<http://www.environmentalhealthproject.org/wp-content/uploads/2012/03/Compressor-station-emissions-and-health-impacts-02.24.2015.pdf>

We also respectfully ask FERC to deny approval for this pipeline that would provide huge corporate profits for Kinder Morgan and Tennessee Gas Pipeline at the expense of New Hampshire's citizens and environ-

ment.

Sincerely,

Steven and Niki McGettigan

**20150820-5033**

Charles J. Waggoner, Nassau, NY.

If the president wants to reduce methane emissions, why is FERC on an orgy of fracked-gas pipeline approvals?

**20150820-5046**

**Comments to FERC regarding impacts to the Wapack Trail by the NED gas pipeline. Submitted by Friends of the Wapack, Inc.**

The Wapack Trail, created in 1923, is a very popular 21 mile hiking trail that follows the Wapack Mountain Range from Ashburnham, Massachusetts to Greenfield, New Hampshire, passing through 7 towns. The proposed Kinder-Morgan NED gas pipeline would intersect the Wapack Trail at two locations in New Ipswich, New Hampshire. The first where the trail passes under and parallel to the Eversource power lines at the Windblown Cross Country Ski Area. The second, at a location to the east of Turnpike Road where the trail crosses under the transmission line. Pipeline construction will impact approximately 800 feet of the Wapack Trail at Windblown. Double that distance for ongoing visual impacts resulting from the additional clearing of the transmission line right-of-way, making the existing power lines more visible where the trail runs parallel to them. At the second location the pipeline will directly impact 112 feet of the trail on the east side of Turnpike Road.

The NED pipeline will also impact 350 feet of the Kidder Mountain Trail – a popular Wapack side trail in New Ipswich. This side trail starts at the second location noted above, and runs under the transmission line for 750 feet before entering the woods. The pipeline will be located directly under the trail for approximately 350 feet.

In keeping with our organization's charter to protect and maintain the trails, our concerns are about the impact to these trails during and after construction. Pipeline construction will result in trail surface changes. Those changes may include new erosion issues, newly exposed rocks and boulders, mud, debris left from the clearing and pipeline construction (branches, roots, downed trees, stumps), visual impact of a much wider power line clearing and the large staging area clearings.

Another major concern are the visual and sound impacts of the 41,000 hp compressor station which is planned to be built in New Ipswich. The compressor station may be visible from Kidder Mountain and from the Wapack Trail along the Temple Mountain ridge. The sound from the compressor station will likely be heard on Kidder Mountain which is only two miles from the proposed compressor station and along some locations of the Temple Mountain ridge.

The Friends of the Wapack is an all-volunteer organization founded in 1980 for the purpose of maintaining and protecting the Wapack Trail and certain side trails, including the Kidder Mountain Trail. We have over 1000 supporters / members. We publish a trail guide and trail map, and a newsletter that goes out to all of our supporters. You can find more information about our organization and the trails we maintain and protect at our website [wapack.org](http://wapack.org).

**20150820-5047**

Eileen Myers, Harvard, MA.

I heard that there are plans to use industrial-scale site lighting at the 10-acre 80,000 HP natural gas compressor plant planned for Northfield, MA. I visit that area to do night sky observing with telescopes, and overly bright lighting would ruin the opportunity for myself and my family to use this beautiful dark sky

area. Please ensure that our dark skies are not ruined with light pollution. I am trying to encourage young students to become interested in astronomy and science in general. It is very difficult when solutions for good, non-glaring, full-cutoff lighting is available, but young people see that our government and legislators do not care, and bright overwhelming lighting that shines up in the sky instead on down on the ground, and too much light even on the ground, is used instead. If other states and countries can solve lighting issues to prevent harm to the environment, why can't the United States?

**20150820-5078**

Hiel Lindquist, Fitzwilliam, NH.  
Dear FERC,

The following is an additional requirement to be included in the environmental scoping process for the proposed Kinder Morgan, NED Pipeline.

Recent studies have shown that the fragmentation of forests in the Northeast result in higher incidents of Lyme Disease. A quote from the study is included below.

Please note the conclusion of the study, specifically "that efforts to reduce the risk of Lyme disease should be directed toward decreasing fragmentation of deciduous forests".

The entire route of the proposed NED Pipeline must be evaluated to determine the impact of further forest fragmentation and on the spread of not only Lyme diseases but any of the other 16 pathogens that are spread by ticks in the area. In addition, extensive environmental studies must be conducted to determine how the new environment created by the NED Pipeline will impact the incidents of these diseases in the Northeast and the economic impact of these increased disease incidents.

Thank you

Hiel Lindquist

Fitzwilliam, New Hampshire

Study quote follows:

Keesing, scientist Richard Ostfeld of the Cary Institute in New York and other researchers found that smaller forest fragments had more infected ticks, which could translate to more Lyme disease. Forest patches that were smaller than three acres had an average of three times as many ticks as did larger fragments, and seven times more infected ticks. As many as 80 percent of the ticks in the smallest patches were infected, the highest rate the scientists have seen. These ticks may also be infected with other emerging diseases--Babesiosis, Anaplasmosis and Powassan encephalitis--therefore, forest fragmentation might also be contributing to other serious illnesses, Ostfeld says.

"Our results suggest that efforts to reduce the risk of Lyme disease should be directed toward decreasing fragmentation of deciduous forests of the northeastern United States, particularly in areas with a high incidence of Lyme disease," says Keesing. "The creation of forest fragments smaller than five acres should especially be avoided."

**20150820-5086**

DALTON	(413) 684-6118 Treasurer	
FIRE	(413) 684-6124 Water	
DISTRICT	(413) 684-0500 Fire	20 FLANSBURG AVENUE
	(413) 684-6126 Fax	DALTON, MA 01226

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August 11, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission

888 First Street NE, Room 1A  
Washington, DC 20426

Subject: Northeast Energy Direct  
FERC Docket #: PF14-22-000

Proponent: Tennessee Gas Pipeline Company, L.L.C.

### **Tennessee Gas Line Pipeline Concerns**

The Dalton Fire District (DFD) owns land in Dalton, Windsor, Hinsdale and Peru that is being affected by the Tennessee Gas Pipeline (TGP). To this date, the DFD is not aware of any surveys for environmental, biological, sensitive habitat or cultural resources completed or even begun. We would request that the Federal Energy Regulatory Commission (FERC) require a full "Environmental Impact Study" be performed for:

- What will this do to our land quality?
- Wildlife and vegetation?
- Water quality? **We are the only Zone A watershed impacted.**
- Flow of water to rivers and reservoirs in the entire Dalton water shed?
- Timber sales and future timber sales?

The pipeline runs through our watershed and next to a public water supply well. There are three watersheds: the Egypt and Anthony in Dalton and the Windsor/Cleveland which starts in Hinsdale, running through Peru and Windsor. The Cleveland, Windsor, and Egypt reservoirs along with the Anthony Brook and Cady Brook Headwalls are the primary and emergency backup drinking water supplies, respectively, for Dalton. The Cleveland Reservoir and Cady Brook Headwall also serve the City of Pittsfield and the towns of Lanesboro, Lenox and Richmond. This affects tens of thousands of people and industries in our area. All of the reservoirs and filter plant are fed by streams and underground springs. Some of these streams cross the corridor in which the pipeline will be installed and the construction of the pipeline will directly impact these water sources.

We ask that you clearly identify the probable impact radius for potential explosions for the entire pipeline infrastructure, based on the proposed size and pressure of the pipeline. Document the High Consequence Areas (HCA) and the method used to determine them, including quantification used as the basis for each HCA. Identify all structures, public facilities, and areas commonly used by the public (trails, playfields, camping and picnic areas, etc.) within the potential impact radius. Clearly identify the proposed distance between and which valves will be manually, remotely, or automatically operated in the case of a pipeline system failure.

We have compiled a list of questions and stated our concerns in this letter regarding the potential for unreasonable risk posed to human and environmental health. We respectfully ask FERC to have the TGP provide us with answers to our questions and our concerns. We need to feel comfortable with the unknown to protect the water supply for our town, the towns of Lanesboro, Lenox, Richmond and the City of Pittsfield, and our water shed wildlife and vegetation.

#### **In General:**

1. After the original pipeline is installed, can TGP tap into it at any point?
2. If there is a slow gas leak, how many cubic feet of gas will escape before a leak is detected?
3. What are the long term effects to the soil in the event of a spill or major break?
4. Would the precipitate from a break contain chemicals that could migrate into the reservoirs polluting the water?
5. How much fuel would be released given the type of valve and resulting time required to shut the valve off and the distance between valves in the case of a failure?
6. How will the pipeline on DFD land affect the property values?
7. If there is added value, how will the DFD be reimbursed for this?
8. How will the pipeline be marked so that snowmobilers and 4 wheelers will be made aware?

9. What is the maximum weight and speed that is safe to drive over the TGP pipeline?
10. What are the means to maintain access and function during severe winters, heavy winter snows, deep frost and spring mud seasons on our land?
11. The cost of any emergency response related to the construction, maintenance, or failure of the pipeline cannot be borne by the DFD. How will TGP ensure these costs are paid for?
12. We ask that FERC direct TGP to mitigate the adverse impacts on public health and safety by:
  - a. Require TGP to apply for and receive local permits for construction on local roads.
  - b. Minimize the use of open cut construction across public roadways.
  - c. Clearly identify any proposed locations where construction activities will potentially negatively impact emergency responses. Develop and implement a plan agreeable with the DFD.
  - d. Meet with the DFD fire and water personnel at least 2 weeks prior to commencement of any construction activity on our land to review plans and the construction schedule in order to coordinate responses and continue to meet every 2 weeks during the construction period.
13. Require TGP to enter into binding hold harmless agreements with the DFD which protects the DFD from damages resulting from pipeline construction activities.

**Compressor Station:**

Our reading materials provided suggest that water is removed at the compressor stations.

1. What are the disposal methods with the liquid waste extricated from the pipe?
2. What are the procedures used for the extrication?
3. How often does this procedure take place?
4. Do you notify the town, district or land owner when you perform the pigging operations?

**Water bodies construction crossings, drinking water impacts:**

The DFD needs reassurance that our drinking water will be protected. We specifically need diligent environmental protection at the following locations in Dalton, Hinsdale, Peru and Windsor.

<b>Mile post #</b>	<b>Area Affected</b>
9.7 - 11.3	Anthony and Egypt Watershed, Surface Water Protection Areas, Zone C
9.8 - 10.4	Anthony Brook headwaters, Water Supply for Dalton
10.9 - 11.1	Egypt Brook Headwaters, Water Supply for Dalton
11.0 - 11.3	Close proximity to Egypt Reservoir
12.3	Wahconah Falls Well Head
13.0	Close proximity to Windsor Reservoir Watershed
13.5 - 13.6	Aqueduct that feeds water to Cleveland Reservoir from Cady Brook & the East Branch of the Housatonic River
13.5 - 14.2	Cleveland Reservoir Watershed within 1/4 mile of the Buffer Zone
15.0 - 15.1	Cady Brook Zone A Protection Area, Water Supply for Dalton & Pittsfield
14.3 - 16.7	Windsor Reservoir Watershed Protection Area, Zone C

1. What are the specific procedures you will use on DFD land, watershed, and water crossings? (i.e. reservoirs, streams)
2. How would you prevent contamination to our watershed and streams from trench dewatering?
3. How would you handle an oil or fuel spill from a construction vehicle?
4. What herbicides, if any, will be used and how will that directly affect the drinking water supplies?

Before the gas pipeline is placed into service, it is pressure tested with water. The migration of water along the pipeline in this testing phase may contain invasive or foreign water borne flora and fauna.

1. What prevention measures will be put into place to prevent drinking watersheds contamination from this?
2. Where does the water come from to perform the testing?
3. What chemical contaminants will be in the water to be discharged?
4. How is that water discharged?
5. Where is that water discharged?
6. How would you prevent contamination from ROW runoff before vegetation is established?
5. How would you remediate in the event of water supply contamination?
6. What are your restoration measures?
7. What is your post construction monitoring of re-vegetated areas?

The DFD would request that a truck washing station be implemented to prevent the introduction or spreading of invasive species and vegetation between work sites. We request that no blow off, compressor, meter or pig stations be allowed on District lands. Provide the DFD with funding to hire on-site Environmental Engineer and Construction Inspector, with DFDs approval of choice, to be on all work sites on DFD lands to ensure proper procedures are followed. The DFD would ask that testing is completed to establish baselines for water quality and existing flow rate in the Windsor, Egypt and Cleveland Reservoirs, the headwalls on Anthony Brook and Cady Brook and the Wahconah Falls Well. The DFD would require that continued water quality monitoring be established to assess contaminants associated with the pipeline construction and operation every 6 months. Clearly lay out the ongoing inspection protocols for the pipeline once in operation. Define the frequency of internal inspection for corrosion or the damage to the pipeline.

**Blasting:**

Before blasting begins a permit must be issued by our fire chief to ensure Massachusetts General Laws are being followed. We prohibit the use of explosives containing per chlorate. The DFD will also prohibit storage of explosives on DFD lands. We also require that we be notified of the blasting days and times. During construction, analyze the impact of blasting necessary to remove rock. Determine the area of potential concern regarding rock throw and seismic impacts due to blasting activities. Determine the impact of construction activities, particularly on reservoir dams and the condition of the infrastructure given the age and condition of the water mains and aqueduct.

1. What are the specific blasting techniques used on district land?
2. What chemicals will TGP be using in the blasting on our land?
3. What land and water contamination prevention measures will be put into place?
4. How will TGP guarantee that blasting won't impact wells, the dam, streams and springs that feed the reservoirs - structurally or via underground movement? It is important to be aware that we have substantial frost here which moves the ground/ damage may not be immediately evident.
5. What are the safety and security measures for transporting and storage of construction explosives in Dalton?
6. Will security be provided during construction for the explosives and construction?

**Fire Department:**

Initially, there are concerns for safety during the construction phase. The DFD needs access for all emergency vehicles on the construction sites. We would ask the TGP conduct a full assessment of the training, equipment and supplies needed for emergency response to incidents involving the Northeast Energy Direct (NED) Project, during construction or continued operations, as part of the NEPA process and that all impacted emergency responders have the capacity to respond appropriately to pipeline related incidents. The DFD is a volunteer fire department with both fire fighters and EMS personnel. Our average response times

are 3 - 8 minutes depending on the location to the call from the fire station and the location of our volunteers when the call comes in. Our equipment inventory includes: 3 pumpers, 1 ambulance, and 2 old military vehicles converted for use on brush fires. The DFD respectfully requests no blow off, meter, compressor or pig stations are allowed on DFD lands.

1. The DFD does not have a safety vehicle to handle emergencies in this kind of project. We will need to acquire a safety vehicle to perform medical and fire rescues. Are there funds available from TGP for this?
2. All construction roads need to be properly maintained at all times. Is there security for this?
3. Where will the pipeline shutoff valves in and nearest to Dalton be located?
4. How will the shut off valves be marked?
5. Who can shut off the gas once a leak is found?
6. How long will it take for TGP operators to access and shut off these valves in our area?
7. What is the "Standard Operating Procedure" to shut off the gas in an emergency?
8. What response measures are to be taken?
9. What is the wildfire impacts from the clearing associated with the construction?
10. Provide the fire department with a list of hazardous materials which will be present during construction. Provide training to them on appropriate responses to incidents involving those hazardous materials; provide additional material or equipment necessary for the fire department to safely respond.

#### **DFD Timber stands:**

The DFD would like one rotation of timber for regeneration and growth. We need access to our forest lands. We want an access road running parallel with the pipeline with marked crossing points every 1/4 mile. At the crossing points, the pipeline needs to be buried deeper or protected for heavy equipment.

1. How would the pipeline address access for forest cutting equipment on DFD lands?
2. How will the access points be marked?
3. Can the DFD limit the amount of land to be cleared?
4. How would the loss of future income be addressed?
5. What is the weight that the crossing will handle without damage to the pipe?

Due to the substantial concerns we have for the safety of our drinking water and surrounding watersheds, as well as for issues related to the pipeline crossing in the vicinity of Route 9 and populated areas of town, we have recommended an alternate route through Dalton, which will negate a majority of the concerns we have with the current pipeline route, and connect back to the route proposed for Windsor. It is as follows:

At coordinates 42 degrees 30' 45.94"N, 73 degrees 09' 14.61"W the pipeline will turn Northeast for 3.1 miles to coordinates 42 degrees 32' 19.48"N, 73 degrees 06' 17.93"W. At this point the pipeline will turn East for 3.1 miles to coordinates 42 degrees 32' 16.00"N, 73 degrees 02' 36.36"W and turn again heading Southeast for 3.32 miles to coordinates 42 degrees 29' 52.17"N, 73 degrees 00' 24.04"W. This will bring the alternate route back to the proposed pipeline in Windsor without the need to cross the watershed or Route 9, Wahconah Falls Brook and the headwaters of the Westfield River.

Again, this alternate route avoids our watershed, populated areas of town, 2 major road crossings, an Interim Wellhead Protection Area, Massachusetts Biomap 2 Critical Natural Landscape, Natural Heritage & Endangered Species Program Priority and Estimated Habitats, the Wahconah Falls Brook, farm land and privately owned timber lots. Furthermore, out of the 7.2 miles of proposed for Dalton's pipeline layout, at least 4.2 miles will have a direct impact on our watershed - all of which will be avoided with the alternate route, which is also entirely within State (and possible Federal) owned property with some privately owned land. Respectfully,

## ATTACHMENT 1

### Water Department / Town Roadways, Watersheds Streams Rivers & Water Mains

Starting at Appalachian Trail Crossing heading toward Windsor on the Power Lines

1. Appalachian Trail Mile Markers 9.6.
2. Anthony Brook Crossing Mile Markers 9.8 - 10.4. Part of the Anthony Brook Water Shed.
3. Egypt Brook Crossing Mile Marker 10.8 - 11.1. Part of the Egypt Reservoir Water Shed.
4. Anthony Road / Reservoir Road to Power Lines. 8" D.I. Water Main to North Mt Road. Vintage 1980's. 10" C.I. Transmission Water Main to Town of Dalton. Vintage 1930's. 12" C.I. Transmission Water Main to Town of Dalton. Vintage 1930's, Egypt Brook Culvert on Reservoir Road, Sewer Mains / Culverts, Size and Numbers Unknown. Town Roadways to Power lines
5. Old abandoned 4" C.I. water main from Duncan Brook Headwall, into Dicken Crane's field, Mile Marker 12.1. This line may still be holding water. Vintage 1890's.
6. Chalet Rd / Duncan Brook Road, 1 1/2" plastic water main, Vintage 1988. Mile Maker 12.14.
7. Route 9 crossing Mile Maker 12.22. Two water mains 1) 4" D.I. water main, part of Wahconah Falls Distribution System, Vintage 1988. 2) 10" C.I. water main, part of the Windsor Dam Reservoir Raw Water Transmission Main to Filter Plant, Vintage 1890's to 1900's.
8. Wahconah Falls Brook crossing. Mile Maker 12.4.
9. Adams Road crossing. No Water Mains. Mile Maker 13.01.
10. Old Windsor Rd crossing. No Water Mains. There is a sewer Line, Size Unknown. Mile Marker 13.5.
11. East Branch Housatonic / Cady Brook 6' ft Cement Aqueduct Transmission Main to the Cleveland Reservoir. Mile Marker 13.66.
12. Hinsdale Road into Eversource Electric Sub Station. Mile Maker 14.7.
13. Dirt Road off August Smith Road to Nobody's Road into Power Lines. Mile Maker 15.6.
14. Peru Road into Power Lines. Unknown Utilities. This entrance leads to the top side of the Windsor Reservoir Water Shed. Mile Make 17.2.
15. Side Note there are two side roadways into the Power Lines coming from Old Windsor Road. Roadways are Hinsdale Road. Mile Maker 14.8. The other is Crane Road. Mile Maker 15.6. Both these roadways transverse thru the Windsor Reservoir Water Shed.
16. Side Note: There may be numerous Culverts that are Unknown on the entire Pipeline Route from Mile Maker 9.5 - 17.

### 20150820-5092

Michael DeMarco, Troy, NH.

Dear FERC

I'm sending this note to PLEASE do not allow the pipeline in Troy.

Where I live I would not have access to water, we do not have hydrants near us.

Looking at Kinder Morgan's past records is a good reason to prevent them here.

They have so many violations, accidents, even deaths on record. We moved here to be away from city dwelling and to relax in nature. Our politicians will do any

thing for bigger money, and KM must know it, since KM has already started some

work at the end of my driveway. What reason for this if they don't already have your permission. Did you tell them to go ahead already.

Please think of what you are going to let happen to our Town, accidents we don't have aid for , eco damage, value damages, loss of nature, landscapes, wildlife, peace.

ALL SO KINDER MORGAN CAN MAKE A TON OF MONEY, AT OUR EXPENSE.

PLEASE VOTE NO TO THE PROPOSED PIPELINE,

SINCERELY

Mike DeMarco

**20150820-5119**

David F Fleming, JR, Nassau, NY.

The information presented for the PF14-22 includes statements that the pipeline project would include the Tsatsawassa/Tackawasick Creek and the Valatie Kill as sources for hydrostatic test water. These statements are outrageous.

The Tsatsawassa/Tackawasick is a protected aquifer and trout stream serving hundreds of households. Additionally, the Valatie Kill is a trout stream that is also contaminated from discharge by the Dewey Loeffel Toxic Landfill Federal Superfund site. The use of water from the Valatie Kill has the significant potential of contaminating even larger areas of surrounding towns.

Additionally, please note both of these creeks are impacted by the seasons and at this time are barely moving due to summer rainfall. Removing water from these watersheds would dramatically impact wildlife, aquatic habitat and human health.

David Fleming, Jr., Supervisor  
Town of Nassau

**20150820-5169**

*{16 pages}*    {skip to end of entry}

**TOWN OF DALTON**

Town Hall  
462 Main Street  
Dalton, Massachusetts 01226

Telephone (413) 684-6111

Fax (413) 684-6107

August 13, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC20426

RE: TOWN OF DALTON, MASSACHUSETTS - PIPELINE CONCERNS

Dear Ms. Bose,

Due to the pending Tennessee Gas Pipeline proposal for our area in western Massachusetts, we have tried to put together a list of our concerns, questions & requests for you - based on the very limited & vague information that has been provided by Kinder Morgan. We sincerely hope that FERC will review this document with the utmost consideration for the situations we face regarding the proposed pipeline here.

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TENNESSEE GAS PIPELINE CONCERNS:

\* It should be noted that several of the concerns and comments listed below fall within more than one cat-

egory; however for the purposes of brevity, we have not repeated them.

**A. POSSIBLE DRINKING WATER IMPACTS:**The majority of the pipeline runs through our watershed, and next to a 'Public Water Supply Well' (AKA:Interim Wellhead Protection Area), which serves approximately 50,000 people, including businesses and industry. We have two watersheds: the Egypt and Anthony is in Dalton and the Windsor/Cleveland, extends from Dalton into Hinsdale, Windsor and Peru. The Cleveland, Windsor and Egypt reservoirs, along with the Anthony Brook Headwall and Cady Brook Headwall, are the primary and the emergency backup drinking water supplies for Dalton. The Cleveland reservoir and Cady Brook Headwall also serves the City of Pittsfield, Town of Richmond, Town of Lanesborough and Town of Lenox. All of the reservoirs and filter plant are fed by streams and underground springs. Some of these streams cross the corridor in which the pipeline will be installed and the construction of the pipeline will directly impact these water sources. We have significant concerns regarding the potential for unreasonable risk posed to human and environmental health.

We are the only location in the State where the pipeline is proposed to run within Zone A of a Municipal Well. As previously stated, our water supply serves easily 50,000 people, which includes a Federal government contracted facility that makes the paper our currency is printed on. That business depends upon our water to make the paper, and that is only one large business which our water service is an integral part.

Based on the need to protect our drinking water supply, and the unknown chemicals used during construction & contained within the pipeline during its lifetime, construction variables and long term potential for pipeline leaks associated with the pipeline, we feel that the following need to be addressed:

1. What will be the chemical compounds coming into Dalton related to the pipeline & what is their chemical makeup?
2. Pipeline construction and maintenance effects on the surface and underground. Post-construction water runoff characteristics will inevitably be different from preconstruction conditions. Land contours will be different. Vegetation, water retention capacity and the concentration of precipitation runoff will all change to some extent. While some changes may be benign, others may pose problems. There will be increased runoff during storm events due to the creation and maintenance of more cleared land closely associated the reservoir
  - i. What will be the effects of the flow of water into these reservoirs (introduction of new & unknown water into our drinking water)?
  - ii. What will be the effect of construction-related soil compaction to the flow of water into these reservoirs (including the underground springs that feed the reservoirs ).
  - iii. How will Kinder Morgan, or their relevant subsidiaries, determine the likely impact of runoff changes on our drinking water supply (including those that are not immediately evident)?
  - iv. What Measures will be taken to insure that there will be no contamination due to erosion or possible petroleum leaks from construction equipment?
  - v. How will adverse changes be mitigated?
  - vi. There are significant concerns related to a potential use of herbicides in any location where they would negatively affect our drinking water.
3. The presence of a buried 30-36/1 diameter pipeline could divert water flowing into the reservoirs. This impact should be assessed.
4. We understand that a tremendous amount of pigmented water is used to test the pipe for leaks, prior to use.
  - i. What is the chemical composition of the pigment?
  - ii. Where will they get all of that water?
  - iii. How is it discharged?

- iv. Where will it be discharged?
- v. What chemicals might it have accumulated from inside of the pipe (solder, ..)?
- vi. Will it be re-used?

5. **Leaks:** Chemicals contained in the pipeline and leaks from construction equipment, such as hydraulic fluid, could potentially migrate into drinking water.

- i. What are the effects of the chemical compounds to humans, fish and correlated organisms?
- ii. How often will they monitor the water to ensure there are no leaks?
- iii. How will they remediate in the event of water supply contamination?

6. **Blasting:** the flow and quality of water entering the reservoirs and wells could be compromised by cracks and fissures created by explosive blasting needed for pipeline construction.

- i. Blasting combustion by-products, including perchlorate, must be prevented from entering ground and surface waters that feed these two drinking water reservoirs and the water table that serves private wells.
- ii. How will Kinder Morgan guarantee that blasting won't impact wells, the dam, streams and springs that feed the reservoirs - structurally or via underground movement? It is important to be aware that we have substantial frost here which moves the ground; damage may not be immediately evident.

### 7. Current Requirements:

- i. Independent 3rd party supervision for erosion control assurance.
- ii. Test and establish baselines for existing flow rate and water quality in these two reservoirs and municipal wells.
- iii. Continued water quality monitoring to assess contaminants associated with the pipeline construction and operation.
- iv. Our local Stormwater Commission regulates discharges per EPA regulations (see Addendum A), so any fluid based discharges will require their review prior to being released.
- v. Said fluid discharges may require treatment prior to contact with the ground if we find threat of environmental or drinking water contamination.
- vi. The list of concerns from our Board of Health (Addendum D).

**Recommendation:** Due to the substantial concerns we have for the safety of our drinking water and surrounding watersheds, as well as for issues related to the pipeline crossing in the vicinity of Route 9 and populated areas of town, we have recommended an alternate route through Dalton, which will lessen the many concerns we have with the current pipeline route, and connect back to the route proposed for Windsor. It is as follows:

At coordinates 42Q 30' 4S.94/1N, 73Q 09' 14.61"W the pipeline will turn Northeast for 3.1 Miles to coordinates 42Q 32' 19.48" N, 73Q 06' 17.93"W. at this point the pipeline will turn East for 3.1 Miles to coordinates 42Q 32' 16.00"N, 73Q 02' 36.36" Wand turn again heading Southeast for 3.32 Miles to coordinates 42Q 29' S2.17"N, 73Q 00' 24.04" W. This will bring the alternate route back to the proposed pipeline in Windsor without the need to cross the watershed or Route 9

Again, this alternate route avoids our watershed, populated areas of town, road crossings, an Interim Well-head Protection Area, Massachusetts Biomap2 Critical Natural Landscape, Natural Heritage & Endangered Species Program Priority and Estimated Habitats. the Housatonic River. farmland & privately owned timber lots. Furthermore, out of 34 Pipeline Mileposts proposed for the Dalton Pipeline layout, at least 14 will have a direct impact on our watershed - all of which will be avoided with the alternate route, which is also entirely within State (and possibly Federal) owned property; there will be no private landowners involved.

**B. ECOLOGICAL AND AGRICULTURAL IMPACTS:** Construction and operational impacts on environmentally sensitive lands including the Housatonic River, farms and forests is of substantial concern.

**ECOLOGICAL:** Virtually all of the project area is within Massachusetts Biomap2 Core Habitat which is “designed to guide strategic biodiversity conservation in Massachusetts over the next decade by focusing land protection and stewardship on the areas that are most critical for ensuring the long-term persistence of rare and other native species and their habitats, exemplary natural communities, and a diversity of ecosystems. BioMap2 is also designed to include the habitats and species of conservation concern identified in the State Wildlife Action Plan.” It is land that is “key to conserving our state’s biodiversity.” Core Habitat includes:

- \* Habitats for rare, vulnerable, or uncommon mammal, bird, reptile, amphibian, fish, invertebrate, and plant species
- \* Priority Natural Communities
- \* High quality wetland, vernal pool and aquatic habitats
- \* Intact forest ecosystems

./ A substantial portion of the project area is located within Biomap2 Critical Natural Landscape. Critical Natural Landscape includes:

- \* The largest Landscape Blocks in each of 8 ecoregions
- \* Adjacent uplands that buffer wetland, aquatic, and coastal habitats

./ The project area runs through Natural Heritage & Endangered Species Program Priority and Estimated Habitats.

\* Priority Habitat is based on “the known geographical extent of habitat for all state-listed rare species, both plants and animals, and is codified under the Massachusetts Endangered Species Act (MESA). Habitat alteration within Priority Habitats may result in a take of a state-listed species, and is subject to regulatory review by the Natural Heritage & Endangered Species Program.”

\* Estimated Habitats are “a sub-set of the Priority Habitats, and are based on the geographical extent of habitat of state-listed rare wetlands wildlife and is codified under the Wetlands Protection Act (WPA) .../1. State-listed wetland wildlife species are protected under the Massachusetts Endangered Species Act as well as the Wetlands Protection Act.

./ A portion of the project area also runs through The Upper Housatonic Valley National Heritage Area (a Federal designation), which exists in partnership with the National Park Service to illuminate the diverse, rich identity of the Upper Housatonic River Valley region and to preserve and promote its historical, cultural and natural resources.”

### **Current Requirements:**

1. A complete Environmental Impact Study must be done by a third party in order to assess the existing environmental species and habitats, and document the impact of the pipeline installment on those ecological areas, including its long term presence.

### **HOUSATONIC RIVER:**

1. The proposed route crosses streams that flow into the Housatonic River. Soil in these areas may contain hazardous chemicals from mill operations dating back as many as 200 years.

- i. Kinder Morgan should determine whether contaminants in the soil will be disturbed during pipeline construction and migrate into the streams.
- ii. Testing for baseline should be done beforehand.

2. The EPA has already determined we have a high level of phosphorus in the river. Will this project in any way this exacerbate that? If so, how will that be remediated?

### **General:**

1. Explosive combustion by-products must be prevented from entering creeks and streams down-

stream of the reservoirs, as well as the Housatonic River.

2. If there is a slow gas leak, how many cubic feet of gas will escape before a leak is detected?
3. What safeguards will be used to ID leaks and how will they be capped?
4. What are the long term effects to the soil in the event of a spill?
5. What will be the pipeline construction and maintenance effects on the multiple streams, wetlands and important wildlife habitats in our town? Remember: Postconstruction water runoff characteristics will inevitably be different from preconstruction conditions. Land contours will be different. Vegetation, water retention capacity and the concentration of precipitation runoff will all change to some extent. There will be increased runoff during storm events due to the creation and maintenance of more cleared land closely associated with these environmentally fragile areas.
6. Will herbicides be used at all during any phase of the construction or maintenance?
  - If so, what types and what are their short and long term effects to the environment?
7. What are the wildfire impacts from the clearing associated with the construction?

#### **FARM & FOREST:**

1. How will this project affect people's timber rights (= income)? This includes the clearing of trees within the ROW for the pipeline and the loss of income from the perpetual clearing of that land.
2. Farmland and timber producing forestland will be bisected by the pipeline and will require the ability to drive over the pipeline for access. What is the maximum equipment weight, speed and angle that is safe to drive over the pipeline?
3. We have been informed that the pipeline will be buried deeper in areas requiring access by heavy equipment; however how would a farmer or logger know today what locations they will need access to in the future?

**C. AIR QUALITY IMPACTS:** We are concerned about air quality impacts associated with the construction and operation of the pipeline.

1. Where are all of the locations along the pipeline within 10 miles of Dalton where gas will be released under normal operation?
2. Identify the locations where the compressor and pigging station are to be sited around Dalton.
3. Identify the metering sites.
4. Given that gasses are released during compressor station blow-off and may settle into low-lying areas, especially during certain climate conditions, and that Dalton lies downhill from Windsor along the Route 9 corridor, what plans exist to mitigate the migrations of these blow-off gasses?
5. During normal operation, what is the total volume and composition of gas (in cubic feet when measured at 70 F and 1 atmosphere) that is expected to be released in Dalton in one year?
6. What is the product & its chemical makeup of the additive that is scented so as to be able to smell if the pipe leaks?
  - i. What is the effect of that additive on people & animals?
7. The list of concerns from our Board of Health (Addendum D).
8. Will there be any other valves in Dalton other than the one Main Line Ball Valve to be located at milepost 12.02 (approximately 200 yards north of Route 9 on Chalet Rd.), which we learned about from the KIM, TGP July Resource Report?
9. We understand that the one valve we are aware of will be manually and remotely operated, which is good. What is the process for Kinder Morgan operators to shut off these valves?
10. As this valve is supposedly a Remote Blowoff. what exactly will occur in such an event, and what will be the public safety & environmental impacts of it remotely blowing off if access cannot be gained

(i.e.- during heavy winter snows or ice)?

**D. PUBLIC SAFETY IMPACTS:** In the event of a major pipeline failure (major leak, explosion, fire):

1. What are the means to maintain access & function during severe winters, heavy winter snows, deep frost & spring mud seasons?
2. There is one major route through town - if Route 9, (which you plan on crossing with the pipeline) gets cut off for ANY reason, we have no way to get through.
3. What are the contingency plans for alternate routes and detours in case of an emergency?
4. The pipeline runs near the electrical power lines for Dalton, and may run directly underneath the power lines.  
- What are the plans to protect against loss of power and to see that Dalton retains electrical power during construction, and in the event of an accident?
5. What are the safety and security measures for transporting and storage of construction explosives in Dalton?
6. Security during construction - who provides & what is provided?
7. Should portions of the pipeline be fenced in at certain areas?
8. How will our small-town fire department be assisted by Kinder Morgan personnel?
9. The cost of any emergency response related to the construction, maintenance, or failure of the pipeline cannot be borne by the Town.
10. Our Emergency Responders will need a means to access the route, which is mostly located in forests & on steep slopes near high tension lines. Access will be needed during construction & into the neighboring town of Windsor as well, since we will likely be the responding party.
11. We are lacking in forestry equipment for Emergency Responses.
12. The list of concerns from our Board of Health (Addendum D).

**E. ROAD AND TRAFFIC IMPACTS:** We are concerned about damage to roads, overpasses, bridges, and associated “staging areas” due to heavy equipment use during pipeline construction and operation (\* See attached Comments from our Highway Superintendent, in Addendum B).

1. Will Kinder Morgan post bonds against damage caused by the heavy loads of pipe, earth moving equipment, and associated construction material and equipment?
2. How will Kinder Morgan determine the likely impact of runoff changes on public roads (including those that are not immediately evident) and how will adverse changes be mitigated? (Remember: Post-construction water runoff characteristics will inevitably be different from pre-construction conditions. Land contours will be different. Vegetation, water retention capacity and the concentration of precipitation runoff will all change to some extent. While some changes may be benign, others may pose problems).
3. Third party excavation activity is the most common cause of pipeline failures. Roads that cross the pipeline are areas where excavation activities are more likely to occur and cause damage to the pipeline. What steps will Kinder Morgan take to lessen the chance of third party activity damaging the pipeline? Particularly and including decades from now.

**Current Requirements:**

1. The roads affected by the construction shall be rebuilt at the expense of Kinder Morgan.

**F. RECREATIONAL AND AESTHETIC IMPACTS:** One of Dalton’s greatest assets is its character-its “look and feel/-as a historic, beautiful, small New England town with rich natural, recreational, and agricultural resources within its borders and in the surrounding towns. We are concerned that the construction, operation and maintenance of a major high-pressure gas pipeline through the Town and neighboring towns,

will adversely impact these characteristics. Roughly half of the route through Dalton will be within the area we have protected through a by-law as a Scenic Mountain region.

1. The clear-cutting required by the construction and maintenance of this pipeline violates the Scenic Mountain Bylaw. (See Addendum C).
2. Please show us the visual impact that the construction and maintenance of the pipeline will have throughout Dalton, including the following areas:
  - The East Branch of the Housatonic River
  - Wahconah State Park
  - Holiday Brook Farm
  - The Wahconah Country Club
  - Forested areas and trails around the Cleveland and Egypt Reservoirs
  - Mountain views
3. What is the risk of a safety issue for ATV's & 4-wheeler's that create deep mud bogs in the woods.

#### **G. HISTORICAL STRUCTURE IMPACTS**

1. Milepost 12.2 is very close to our historic North Street Pump house. How will this structure be protected during construction of the pipeline?
2. There are many historic stone walls in the location of the proposed pipeline through Dalton. How will they be protected during the construction of the pipeline? They are a part of the historic fabric of our community & New England history.

#### **H. ECONOMIC IMPACTS:** How will Kinder Morgan address the following issues?

1. Decreased property values, in a town whose largest employer is divesting and has significantly downsized.
2. Loss of forestry income (residents, local businesses such as Holiday Farm, Town Forest, Fire District lands in Dalton, Hinsdale, Windsor & Peru).
3. Loss of business due to traffic congestion during pipeline construction.
4. Public safety cost during construction due to known protesting, or other related issues.
5. Dalton is the home of Crane & Company. They have a Federal contract to make the paper that our currency is printed on & they depend on our water to do so. ANY disruption or contamination of our water would have serious consequences for their production.
6. Please explain the legality of a public company (Kinder Morgan) to use Eminent Domain for their personal benefit?

#### **SUMMARY:**

What are the plans for the end of the pipeline's lifetime? Will the pipeline be replaced, updated or removed?

**Please remember: the alternate route** we have recommended would be the best Kinder- Morgan Tennessee Gas Pipeline option for Dalton. However, an even better solution for not only our town, but for the state of Massachusetts as a whole, is the Algonquin Incremental Market Project (AIM). If Massachusetts truly needs an additional natural gas supply, this alternate to Kinder Morgan's Tennessee Gas Pipeline is preferred. AIM would not even pass through the many of the towns that the Kinder Morgan Pipeline proposes to. Furthermore, the AIM pipeline would only be 10 inches in diameter (versus the 30-36 inch Tennessee Gas Pipeline which allows for the underground storage of large volumes of gas; the equivalent of several million cubic feet of gas under Dalton, at 1 atmosphere and 70F).

Sincerely

John W. Bartels, Jr., Chairman

Robert W. Bishop, Jr.

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**Addendum A**  
**Chapter 280 of the Dalton General Code:**  
**Stormwater Management and Erosion Control**

**1.0 PURPOSE**

Regulation of discharges to the municipal separate storm sewer system (MS4) is necessary for the protection of Dalton's water bodies and groundwater, and to safeguard the public health, safety, welfare and the environment. Increased and contaminated stormwater runoff associated with developed land uses and the accompanying increase in impervious surface are major causes of impairment of water quality and flow in lakes, ponds, streams, rivers, wetlands and groundwater.

Increased volumes of stormwater, contaminated stormwater runoff from impervious surfaces, and soil erosion and sedimentation are major causes of:

- 1) impairment of water quality and decreased flow in lakes, ponds, streams, rivers, wetlands and groundwater;
- 2) contamination of drinking water supplies;
- 3) erosion of stream channels;
- 4) alteration or destruction of aquatic and wildlife habitat;
- 5) flooding; and,
- 6) overloading or clogging of municipal catch basins and storm drainage systems.

The United States Environmental Protection Agency has identified sedimentation from land disturbance activities and polluted stormwater runoff from land development and redevelopment as major sources of water pollution, impacting drinking water supplies, natural habitats, and recreational resources. Regulation of activities that result in the disturbance of land and the creation of stormwater runoff is necessary for the protection of the Town of Dalton's water bodies and groundwater resources, to safeguard the health, safety, and welfare of the general public and protect the natural resources of the Town. Therefore, this bylaw establishes stormwater management standards for the temporary and final conditions that result from development and redevelopment projects to minimize adverse impacts offsite and downstream which would be born by abutters, townspeople and the general public.

The objectives of this Bylaw are to:

- 1) Protect ground water and surface water to prevent degradation of drinking water supply
- 2) Require practices that eliminate soil erosion and sedimentation and control the volume and rate of stormwater runoff resulting from land disturbing activities;
- 3) Promote infiltration and the recharge of groundwater;
- 4) Ensure that soil erosion and sedimentation control measures and stormwater runoff control practices are incorporated into the site planning and design process and are implemented and maintained;
- 5) Require practices to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at a construction site that may cause adverse impacts to water quality;
- 6) To prevent pollutants from entering the Dalton municipal separate storm sewer system (MS4) and to minimize discharge of pollutants from the MS4;
- 7) To ensure adequate long-term operation and maintenance of structural stormwater best management practices so that storm water structures work as designed;

- 8) Comply with state and federal statutes and regulations relating to stormwater discharges; and
- 9) Establish Dalton's legal authority to ensure compliance with the provisions of this by-law through inspection, monitoring, and enforcement.

## **2.0 DEFINITIONS**

The following definitions shall apply in the interpretation and implementation of this bylaw.

**ABUTTER:** The owner(s) of land abutting the activity.

**APPLICANT:** Any person, individual, partnership, association, firm, company, corporation, trust, authority, agency, department, or political subdivision, of the Commonwealth or the Federal government to the extent permitted by law requesting a soil erosion and sediment control permit for proposed land-disturbance activity.

**AUTHORITY:** The Dalton Stormwater Management Commission or its authorized agent(s) are responsible for coordinating the review, approval and permit process as defined in this Regulation. Other Boards and/or departments of the Town of Dalton, including (but not limited to) the Conservation Commission, Board of Health, and Highway Department, may participate in the review process as defined herein.

**BEST MANAGEMENT PRACTICES:** Structural, non-structural, and managerial techniques that are recognized to be the most effective and practical means to prevent and reduce nonpoint sources of pollution.

**CLEARING:** Removal or causing to be removed, through either direct or indirect actions, trees, shrubs, or topsoil from a site, or any material change in the use or appearance of the land. Actions considered to be clearing include, but are not limited to: causing irreversible damage to roots or trunks; destroying the structural integrity of vegetation; or any filling, excavation, grading, or trenching in the root area of a tree which causes irreversible damage.

**DETERMINATION:** A written finding by the Stormwater Management Commission as to whether a site or the work proposed thereon is subject to the jurisdiction of the Stormwater Management and Erosion Control Bylaw of the Town of Dalton.

**DETERMINATION OF SIGNIFICANCE:** A written finding by the Stormwater Management Commission that the area on which the proposed work is to be done, or which the proposed work will alter, is significant to one or more of the interests identified in the Stormwater Management and Erosion Control Bylaw of the Town of Dalton.

**DEVELOPMENT:** The modification of land to accommodate a new use, revised use, or expansion of use, usually involving construction.

**DISTURBANCE OF LAND:** Any action that causes a change in the position, location, or arrangement of soil, sand, rock, gravel or similar earth material.

**EROSION:** The wearing away of the land surface by natural or artificial forces such as wind, water, ice, gravity, or vehicle traffic and the subsequent detachment and transportation of soil particles.

**EROSION AND SEDIMENTATION CONTROL PLAN:** A document containing narrative, drawings and details developed by a qualified professional engineer (PE) or a Certified Professional in Erosion and Sedimentation Control (CPESC), which includes best management practices, or equivalent measures designed to control surface runoff, erosion and sedimentation during pre-construction and construction related land disturbing activity activities.

**GRADING:** Changing the level or shape of the ground surface.

**IMPERVIOUS SURFACE:** Land covering, such as concrete or asphalt, that does not allow water to pass through it into the ground.

**LAND-DISTURBING ACTIVITY:** Any activity that causes a change in the position or location of soil, sand, rock, gravel, or similar earth material and meets or exceeds 43,560 square feet, or 200 square feet of land disturbance on existing or proposed slopes greater than or equal to 15 percent.

**LAND DISTURBANCE PERMIT:** A permit issued by the Stormwater Management Commission, after review of an application, plans, calculations, and other supporting documents, which is designed to protect the environment of the Town from the deleterious affects of increased volumes of stormwater, contaminated stormwater runoff from impervious surfaces, and soil erosion and sedimentation.

**MASSACHUSETTS STORMWATER MANAGEMENT POLICY:** The Policy issued by the Department of Environmental Protection, and as amended, that coordinates the requirements prescribed by state regulations promulgated under the authority of the Massachusetts Wetlands Protection Act G.L. c. 131 § 40 and Massachusetts Clean Waters Act G.L. c. 21, §. 23-56. The Policy addresses stormwater impacts through implementation of performance standards to reduce or prevent pollutants from reaching water bodies and control the quantity of runoff from a site.

**MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4):** Any pipe, ditch or gully, or system of pipes, ditches, or gullies, that is owned or operated by a governmental entity and used for collecting and conveying storm water.

**NOTIFICATION OF NON-SIGNIFICANCE:** A written finding by the Stormwater Management Commission that the area on which the proposed work is to be done, or which the proposed work will alter, is not significant to any of the interests of the Stormwater Management and Erosion Control Bylaw of the Town of Dalton.

**ONE HUNDRED YEARFLOODPLAIN:** An area delineated under the Federal Emergency Management Act (FEMA) indicating the extent of flooding as a result of a 100 year flood.

**OPERATION AND MAINTENANCE PLAN:** A plan setting up the functional, financial and organizational mechanisms for the ongoing operation and maintenance of a stormwater management system to insure that it continues to function as designed.

**OWNER:** A person with a legal or equitable interest in property.

**PERMEABILITY:** The property or condition of being permeable; especially having pores or openings that permit liquids or gases to pass through.

**PERSON:** An individual, partnership, aSSOCIatION, firm, company, trust, corporation, agency, authority, department or political subdivision of the Commonwealth or the federal government, to the extent permitted by law, and any officer, employee, or agent of such person.

**PRE-CONSTRUCTION:** All activity in preparation for construction.

**REDEVELOPMENT:** Any development, construction, alteration, rehabilitation, improvement expansion, demolition or phased projects that meets or exceeds 200 square feet of land disturbance on existing or proposed slopes equal to or greater than 15 % and where the existing land has been subject to previous development or that meets or exceeds 43,560 square feet and where the existing land has been subject to previous development.

**RUNOFF:** Rainfall, snowmelt, or irrigation water flowing over the ground surface.

**SEDIMENT:** Mineral or organic soil material that is transported by wind or water, from its origin to another location; the product of erosion processes.

**SEDIMENTATION:** The process or act of deposition of sediment.

**SITE:** Any lot or parcel of land or area of property where land-disturbing activities are, were, or will be performed.

**SLOPE:** The incline of a ground surface expressed as a ratio of horizontal distance to vertical distance e.g. twenty (20) percent.

**SOIL:** Any earth, sand, rock, gravel, clay or similar material.

**STORMWATER:** Storm water runoff, snow melt runoff, and surface water runoff and drainage.

**STORMWATER MANAGEMENT PLAN:** A plan showing existing and proposed features on a site. This is

required as part of the application for a Land Disturbance Permit.

**WETLANDS:** Areas characterized by saturated or nearly saturated soils most of the year that are located between terrestrial (land-based) and aquatic (water-based) environments. including freshwater marshes around ponds and channels (rivers and streams), common names include marshes, swamps and bogs.

### **3.0 AUTHORITY**

This bylaw is adopted under authority granted by the Home Rule Amendment of the Massachusetts Constitution, the Home Rule statutes, and pursuant to the regulations of the Federal Clean Water Act found at 40 CFR 122.34

### **4.0 APPLICABILITY**

This Bylaw shall apply to all land-disturbing activities within the jurisdiction of the Town of Dalton. Except as permitted by the Stormwater Management Commission in a Land Disturbance Permit or as otherwise provided in this Bylaw, no person shall perform any activity that results in land disturbance as detailed in Section 4A.

#### **A. Regulated Activities**

Regulated activities shall include, but not be limited to:

- 1) Land disturbance equal to or greater than 43,560 square feet, associated with construction or reconstruction of structures;
- 2) Development or redevelopment involving multiple separate activities in discontinuous locations or on different schedules if the activities are part of a larger common plan of development that all together disturbs 43,560 square feet or more of land;
- 3) Paving or other change in surface material over an area of 43,560 square feet or more causing a significant reduction of permeability or increase in runoff;
- 4) Construction of a new drainage system or alteration of an existing drainage system or conveyance serving a drainage area of more than 43,560 square feet;
- 5) Any other activity altering the surface of an area equal to or greater than 43,560 square feet that will, or may, result in increased stormwater runoff flowing from the property into a public way or the municipal storm drain system; OR
- 6) Land disturbance where there is a 15% or greater slope and where the land disturbance is greater than or equal to 200 square feet within the sloped area.

#### **B. Exempt Activities**

The following activities are exempt from the requirements of this Bylaw:

- 1) Normal maintenance and improvement of land in agricultural use as defined by the Wetlands Protection Act regulation 310 CMR 10.04;
- 2) Maintenance of existing landscaping, gardens or lawn areas associated with a single family dwelling;
- 3) The construction of fencing that will not substantially alter existing terrain or drainage patterns;
- 4) Land disturbance activities that are wholly subject to jurisdiction under the Wetlands Protection Act and demonstrate compliance with the Massachusetts Storm water Management Policy as reflected in an Order of Conditions issued by the Conservation Commission;
- 5) Construction of utilities (gas, water, electric, telephone, etc.) other than drainage, which will not alter terrain, ground cover, or drainage patterns, the reconstruction of or resurfacing of any public way; the construction and associated grading of a street that has been approved by the Planning Board;
- 6) For the removal of earth products undertaken in connection with a sand, gravel or similar enterprise where such activity is allowed by zoning;
- 7) Any logging operation with a cutting plan approved by the state forester;

8) Emergency repairs to any utilities (gas, water, electric, telephone, etc.), stormwater management facility or practice that poses a threat to public health or safety, or as deemed necessary by the Planning Board;

9) Any work or projects for which all necessary approvals and permits have been issued before the effective date of this Bylaw.

## **5.0 RESPONSIBILITIES FOR ADMINISTRATION**

### **A. Responsibility**

A Stormwater Management Commission shall be established to administer and enforce this bylaw. The Stormwater Management Commission shall consist of nine members. The Building Inspector and the Highway Department Superintendent shall serve ex-officio during the term of their appointment. Seven additional members shall be recommended for appointment by the Town Manager and subject to the Select Board's ratification: a member of the Conservation Commission, a member of the Planning Board, and a member of the Board of Health, whose terms shall be co-terminus with their appointments to said boards and four other members for a term of three years except upon enactment of this amendment one member shall be reappointed for one year, one member shall be reappointed for two years and two members shall be reappointed for three years. The Commission shall annually vote for a Chair, who shall preside at meetings, a Vice-Chair who shall preside at meetings in the absence of the Chair and Clerk or Recording Secretary who shall record minutes of the of the Commission meetings. The Clerk need not be a member of the Commission. Any powers granted to or duties imposed upon the Stormwater Management Commission may be delegated to its employees and/or agents.

### **B. Rules and Regulations**

The Stormwater Management Commission may adopt, and periodically amend rules and regulations relating to receipt and content of Land Disturbance permit applications; review time periods, permit terms, conditions, additional definitions, enforcement, fees, procedures and administration of this Bylaw, after conducting a public hearing to receive comments on any proposed revisions. Such hearing dates shall be advertised in a newspaper of general local circulation, at least fourteen (14) days prior to the hearing date. After public notice and hearing, the Storm water Management Commission may adopt by majority vote rules and regulations. Failure by the Commission to promulgate such rules and regulations shall not have the effect of suspending or invalidating this Bylaw.

## **6.0 PERMITS & PROCEDURES**

Permit Procedures and Requirements shall be defined and included as part of any rules and regulations promulgated as permitted under Section 5B of this Bylaw.

A. The Stormwater Management Commission and its agents shall review all applications for a land disturbance permit, conduct inspections, issue a final permit and conduct any necessary enforcement action.

B. The Stormwater Management Commission will refer to the policy, criteria and information including specifications and standards of the latest edition of the Massachusetts Stormwater Management Policy.

C. Any applicant may submit a request for a determination of non-significance. Such a request shall be accompanied by an explanation or documentation supporting a request for a determination of non-significance and demonstrating that the proposed work is not significant to any of the interests of the Stormwater Management and Erosion Control Bylaw of the Town of Dalton and that strict application of the by-law does not further the purposes or objectives of this bylaw.

1) All requests for determination of non-significance shall be discussed and a decision will be made by the Stormwater Management Commission within 14 days of receiving the request in writing.

2) If in the Stormwater Management Commission's opinion, additional time or information is required for review of request for determination of non-significance, the Stormwater Management Commission may continue a consideration of the request by an additional 7 days. In the event the applicant objects to

a continuance, or fails to provide requested information, the request shall be denied.

3) The Stormwater Management Commission will prepare a written finding that the area on which the proposed work is to be done, or which the proposed work will alter, is either significant or not significant to one or more of the interests identified in the Stormwater Management and Erosion Control Bylaw of the Town of Dalton. If a project is deemed significant by the Storm water Management Commission the applicant must file for a full land disturbance permit.

D. A completed application for a Land Disturbance Permit shall be filed with the Stormwater Management Commission. A permit must be obtained prior to the commencement of land disturbing activity as described under Section 4A of this Bylaw. The Land Disturbance Permit Application shall include:

- 1) A completed Application Form with original signatures of all owners;
- 2) A list of abutters, certified by the Assessors Office;
- 3) Payment of the application and review fees; and
- 4) One (1) copy each of the Application Form and the list of abutters filed with the Town Clerk.

E. A public hearing shall be held by the Stormwater Management Commission within 21 days of the receipt of the minimal submission requirements as established under Section 6D of this bylaw.

F. The Storm water Management Commission shall publish a notice of the time and place of said hearing at the expense of the applicant, not less than five days prior to the public hearing, by publication in a newspaper of general circulation in the Town of Dalton.

G. The Land Disturbance Permit application shall be available for inspection by the public during normal business hours at the Town Hall for a minimum of 5 business days from the notice. The public may submit their comments within the time that the Land Disturbance Permit is available for inspection. Comments may be submitted to the Town Hall during regular business hours. .

H. The Stormwater Management Commission shall take final action on an Application within 21 days of the close of the public hearing if review from Conservation Commission or Planning Board is not required. Failure to take action shall be deemed to be constructive approval of said Application. Upon certification by the Town Clerk that the allowed time has passed without the Stormwater Management Commission's action, the Land Disturbance Permit shall be issued by the Stormwater Management Commission.

I. No permit shall be issued by the Stormwater Management Commission for projects that are actively under review or pending decisions from the Conservation Commission or the Planning Board until those decisions have been concluded.

J. The Stormwater Management Commission shall take final action on an Application within 21 days of receiving final written decision(s) from Conservation Commission and/or Planning Board if the project was under review by the Conservation Commission and/or the Planning Board. Failure to take action shall be deemed to be constructive approval of said Application. Upon certification by the Town Clerk that the allowed time has passed without the Stormwater Management Commission's action, the Land Disturbance Permit shall be issued by the Stormwater Management Commission.

K. Filing an application for a land disturbance permit grants the Stormwater Management Commission or its agents, permission to enter the site to verify the information in the application and to inspect for compliance with permit conditions.

L. The Storm water Management Commission may:

- 1) Approve the Application and issue a permit if it finds that the proposed plan will protect water resources and meets the objectives and requirements of this Bylaw;
- 2) Approve the Application and issue a permit with conditions, modifications, requirements for operation and maintenance requirements of permanent structural BMPs, designation of responsible party, or restrictions that the Stormwater Management Commission determines are required to ensure that the project will protect water resources and will meet the objectives and requirements of this Bylaw; or

3) Disapprove the application and deny a permit if it finds that the proposed plan will not protect water resources or fails to meet the objectives and requirements of this Bylaw. If the Stormwater Management Commission finds that the applicant has submitted insufficient information to describe the site, the work, or the effect of the work on water quality and runoff volume, the Stormwater Management Commission may disapprove the application, denying a permit.

M. Appeals of Action by the Stormwater Management Commission. A decision of the Stormwater Management Commission shall be final. Further relief shall be to a court of competent jurisdiction. The remedies listed in this Bylaw are not exclusive of any other remedies available under any applicable federal, state or local law.

## **7.0 FEES**

The Stormwater Management Commission shall establish fees to cover expenses connected with application review and monitoring permit compliance. The fees shall be sufficient to cover professional staff.

## **8.0 Waivers**

A. The Storm water Management Commission will determine applicability and grant a waiver to compliance with this bylaw. The Stormwater Management Commission may waive strict compliance with any requirement of this by-law or the rules and regulations promulgated hereunder, where:

- 1) such action is allowed by federal, state and local statutes and/or regulations, and
- 2) is in the public interest, and
- 3) is not inconsistent with the purpose and intent of this by-law.

## **9.0 ENFORCEMENT**

A. The Stormwater Management Commission, or its authorized agent shall enforce this Bylaw, its regulations, orders, violation notices, and enforcement orders, and may pursue all civil and criminal remedies for such violations.

B. The Stormwater Management Commission, or its authorized agent may issue a written order to enforce the provisions of this Bylaw or the regulations thereunder, which may include:

- 1) a requirement to cease and desist from the land-disturbing activity until there is compliance with the Bylaw or provisions of the land-disturbance permit;
- 2) maintenance, installation or performance of additional erosion and sediment control measures;
- 3) monitoring, analyses, and reporting;
- 4) remediation of erosion and sedimentation resulting directly or indirectly from the land-disturbing activity;
- 5) compliance with the Operation and Maintenance Plan.

C. Any person who violates any provision of this Bylaw, regulation, order or permit issued there under, shall be punished by a fine of not more than \$300.00. Each day or part thereunder that such violation occurs or continues shall constitute a separate offense.

D. As an alternative to criminal prosecution or civil action, the Town of Dalton may elect to utilize the non-criminal disposition procedure set forth in G.L. Ch. 40, §21D, which has been adopted by the Town in Sec. 15.8.2 of the general bylaws, in which case the Stormwater Management Commission or authorized agent shall be the enforcing person. The penalty for each violation shall be \$300.00. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

## **10.0 SEVERABILITY**

If any provision, paragraph, sentence, or clause of this Bylaw shall be held invalid for any reason, all other provisions shall continue in full force and effect.

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**Addendum B**  
**Town of Dalton**  
**Impact on Town Roads**

**Pipeline Construction Impact on Town Roads**

John Roughley, Highway Superintendent 7/20/2015

After reviewing the maps of the proposed pipeline site, I am assuming there will be at least four town roads directly impacted by the construction vehicle traffic. This does not include additional roads that may be used as staging areas for construction equipment and materials. Some of the more rural town roads in the proposed section of town started out as logging roads or cow paths. These roads have very little gravel base and were not constructed to handle a heavy truck load, the heavy truck traffic displaces gravel from the surface to the shoulder area leaving large wheel ruts. The blacktop roads in the proposed area also have a limited gravel base and were not constructed to handle heavy truck loads.

Some of the roads included are Chalet Road and Johnson Road. Both are gravel roads that are maintained and graded throughout the year by the Highway Department. Wahconah Falls Road and Cleveland Road are black top roads in good condition also maintained by the Highway Department. These town roads along with many others will be directly affected by the pipeline construction.

Without adequate support, a pavement or gravel surface deflects under trucks carrying heavy loads, developing cracks and ruts. These cracks and ruts then let moisture penetrate, worsening the cycle until the road fails completely. The amount of damage a road sustains is directly related to the weight of the load and how it is applied, passenger cars and light duty vehicles are not a problem. It is trucks carrying legal weight loads of up to 80,000 pounds over weakened surfaces which do the damage. As the Highway Superintendent for the Town of Dalton I am recommending that if the proposed pipeline is constructed, the roads affected by the construction be rebuilt at the expense of the pipeline company.

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**Addendum C**  
**Town of Dalton**

**Berkshire Scenic Mountains Act Regulations**

Regulations under Massachusetts General Laws, Chapter 131, Section 39A, the Berkshire Scenic Mountains Act (the Act).

**PREAMBLE**

Activities that alter the natural characteristics of mountaintops and steep slopes may irreversibly change these environmentally sensitive areas. Excavation, construction, clearing, and fill may be visible for many miles. Destruction of the natural ground cover can result in severe erosion. Alteration of mountainsides increases the likelihood of uncontrolled runoff. Steep, rocky slopes impede adequate sewage disposal. Aquifer recharge areas are usually located at elevations higher than the valley floors, and can be polluted by mountainside alteration.

The intent of these regulations is to guide the review owner applications to conduct activities with the goal of avoiding, minimizing or mitigating the impact of proposed activities. The intent of these regulations is not to prohibit construction, nor to hinder farmers or gardeners in their normal pursuits, or landowners in the normal maintenance of their properties.

If a mountain, a steep slope, or a ridgeline is to be altered, the regulations that follow provide both protection for the regulated scenic areas and due process for those who propose changes. The Conservation Commission carries responsibility for these regulations.

**1.0 GENERALPROVISIONS**

## 1.1 Authority

The Conservation Commission of the Town of Dalton, having been designated as hearing authority under General Laws Chapter 131, Section 39A in a vote at Special Town Meeting on 26 June 2006, promulgates these regulations pursuant to the authority granted to it.

## 1.2 Purpose of the Regulations

The purposes of the regulations are:

- a. to protect watershed resources;
- b. to preserve the natural scenic qualities of the mountain region.

These regulations create a consistent process and clarify the provisions of the Act by establishing standard definitions and procedures.

## 1.3 Implementation of the Regulations

The Act and these regulations shall take effect when the following events have occurred:

- a. The text and map describing boundaries for the mountain regions have been approved by a two-thirds vote of the Selectboard;
- b. The Commissioner of the Department of Conservation and Recreation has approved the text and the map; and
- c. The text and map delineating the boundaries of the mountain regions subject to regulation have been filed with the Town Clerk, recorded in the Registry of Deeds, and sent to the Commissioner as specified in the Act.

## 1.4 Statement of Jurisdiction

These regulations apply to the areas delineated in the Town of Dalton and shown on the approved map entitled "Town of Dalton, Scenic Mountain Region";

The areas in the map include all the areas above 457.2 meters (1,500 feet) in elevation.

## 2.0 DEFINITIONS

*{remaining 14 pages of the Regulation not included here}*

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**Addendum D**

Telephone (413) 684-6111

TOWN OF DALTON

Town Hall

462 Main Street

Dalton, Massachusetts 01226

(413) 684-6111

To: FERC

From: **Dalton Board of Health**

Date: 6/5/15

Re: Concerns about the proposed KinderMorgan/Tennessee Gas Pipeline (TGP), Northeast Direct Project (NED Pipeline)

While the pipe will contain mostly methane gas, many other chemicals will be present. These other chemicals include known carcinogens and endocrine disruptors. The amounts of these contaminants may be sufficient to pose health hazards to the residents of Dalton.

**A. DRINKING WATER IMPACTS:** The Cleveland and Egypt reservoirs are the primary and backup drinking water supplies for Dalton. The Cleveland reservoir also serves Pittsfield. They are fed by streams

and underground springs. The Dalton Board of Health would like to know:

1. What is TGP's plan to test and establish baselines for existing water quality in these two reservoirs, and for continued water quality monitoring to assess contaminants associated with the pipeline construction and operation?
2. How will blasting combustion by-products and hazardous fluids from construction vehicle and machinery be prevented from entering ground and surface waters that feed these two drinking water reservoirs, and the water table that serves private wells?
3. Please list all the chemicals, by Chemical Abstract Number (CAS) Registry number, that will be contained in the gas in the pipeline that could potentially migrate into drinking water in the event of leaks.
4. What will be TGP's responsibility and course of action in the event either of these water supplies is contaminated?
5. Where will the water associated with pressure/leak testing be discharged? What contaminants will be in the discharged water?

**B. AIR QUALITY IMPACTS:** We are concerned about air quality impacts associated with the operation of the pipeline and nearby compressor and pigging station planned for Windsor.

1. During normal operation, what is the total volume of gas (in cubic feet when measured at 70 F and 1 atmosphere) that is expected to be released at the compressor and pigging station in Windsor in one year?
2. What ongoing air quality monitoring is planned for the compressor and pigging station?
3. Given that gases are released during compressor station blow-off and may settle into lowlying areas, especially during certain climate conditions, and that Dalton lies downhill from Windsor along the Route 9 corridor, what plans exist to mitigate the migrations of these blow-off gasses?
4. Where are all of the locations along the pipeline within 10 miles of Dalton where gas will be released under normal operation?
5. In the event of a major rupture of the pipe in Dalton, what is the maximum volume (in cubic feet when measured at 70 F and 1 atmosphere) that would escape?

**C. PUBLIC SAFETY IMPACTS:** In the event of a major pipeline failure (major leak, explosion, fire):

1. What is the blast zone of the pipeline?
2. How many occupied structures are within the blast zone of the pipeline in Dalton?

*{end of 20150820-5169}*

## **20150821-4001**

NE Energy Direct Pipeline

We are gathered here, again, to hear views about the upcoming plans to deal with natural gas. Tonight it is about allowing natural gas to be piped through NY state to New England.

Our neighboring state, Pennsylvania, has been smart enough to allow drilling and fracking. In Bradford county, among others, where the farms were once as sad as ours, there are now new fences, rooves, buildings, vehicles and affordable taxes.

We, on the other hand, continue to loose jobs, see our taxes increase and watch our neighbors move away. Now we are to consider a pipeline. So what will that be?

A long ditch will be dug, a sturdy well-made pipe line will be placed in it and the ditch backfilled.

The animals who moved away from the ditch digging will move back.

Plants will regrow as anyone who mows understands. There will be minimal long term impact on the areas. I do suppose building construction will be restricted from the pipeline right of way. But Bambi and his

mother won't care. They will graze over the finished pipeline.

The birds will still hunt worms, overfly and nest in the trees. And new bridle paths will be available for horse and human walking.

Why go through all the trouble to make the pipeline?

Civilization requires energy of some type to function. At bare minimum we require heat, lights and transportation no matter where we live. For those who believe that the world as we know it will end if we continue to produce carbon dioxide.- leaving aside the fact that humans can not prevent CO2 production by Mother Nature ..Natural gas should be the desired fuel. It is the cleanest fuel available. It is available in abundant quantities right under our feet. It works regardless of time of day, condition of the atmosphere, amount of sun or wind present. It requires no bird- roasting or bird -killing hardware to be gathered. It can be relied on at all times. If wells are dug and fracked carefully, there is no damage to land or water.

But the product, natural gas, must be made available to it's users. And a pipeline is the surest way to move that gas.

Pipelines have been in this area for over 60 years. There are countless miles throughout the country, over 2,500 trouble-free miles in the state.

The royalties and ad-valorem taxes enrich the areas where the wells are productive.

Lois Chernin  
439 Co Hwy6  
Otego, NY 13825  
(607) 988-7470

#### **20150821-4002**

Hand written FERC comment form: Thomas V. Coleman, 1103 Pin Valley Rd, Towonda, PA 18848, supporting.

#### **20150821-4003**

To: FERC

From: Mary Ellen Collier  
927 Henry Edwards Road  
Franklin NY 13775

I am here tonight because you invited me to address this hearing. Nearly half of my 21 acre home in Franklin is within the 'buffer zone' of the siting of the NED compressor station. I am here to express my anger. This compressor station endangers the value of my property, my only significant asset, and it endangers my health and the tranquility of my chosen home. I am a citizen of the United States, and I look to this commission to respect my concerns and protect my well being.

According to your website, one of your functions is to “ ..oversee(s) environmental matters related to natural gas... “ projects. A fact sheet assembled by the group, Compressor Free Franklin, states that “Pipeline construction will put at risk the Village of Franklin's (water) supply, as well as private wells and springs along the Ouleout aquifer.” My water is provided by our spring, which lies close to the buffer zone. We have had that spring dry up in the late fall frequently in the years we have lived here. All my neighbors will attest that the waterfall at the head of Henry Edwards Road reduces to a dripping trickle most years. Some years we have been without water for over a month before sufficient rain fell. I don't believe that an industrial site like a compressor station won't have a negative impact on the reduction of the water table at my elevation in dry seasons. This station should be sited in an area of less residential densltv, or at a lower elevation nearer the river.

Other environmental concerns I have include noise and light pollution, and toxic emissions. The Compressor Free Franklin fact sheet also states that” Recent monitoring of compressor stations throughout the coun-

try has documented, in addition to methane, emissions of carbon dioxide, carbon monoxide, volatile organic compounds, benzene, toluene, and formaldehyde, a known carcinogen.” Further, “ Compressor stations’ turbine power plant and compressor produce continuous noise and low frequency vibration while in operation. “ ..equipment breakdowns, routine maintenance and testing require rapid venting of up 15,000 cubic feet of methane from a segment of the pipe, causing a sound equivalent of a rocket blasting off.” I have followed news stories about gas pipeline infrastructure for more than five years, since our area was first targeted for these pipelines, and I know that news comes out daily that corroborate these claims, and report station fires and accidents, often with photo and video documentation. Who will want to buy my property, with these conditions evident within a fraction of a mile? No one! I don’t even want to live that close to a compressor station! It’s evident that the value of my property will fall, and I will have difficulty selling it when the time comes. The recent report of a 500/0 devaluation of homes near the Hancock compressor stations supports my concerns as well. If my property devalues to that extent I will be upside down on my mortgage.

Your website also states that FERC” ...regulates transmission and sale of natural gas for resale in interstate commerce.” I am angry that you are approving new infrastructure in this time of instability in the commerce of fossil fuels. I believe that Kinder Morgan does not have contracts for all of the gas it proposes to transmit, and may likely export a large percent of it. It does not seem like ‘meeting the public good’, to enrich KM-stockholders and executives at the direct expense of hundreds of landowners- individual citizens who bear the financial and health risks. A recent Carbon Tracker report suggests that many of the proposed pipeline projects may not be feasible if” ...emissions are cut to keep global temperatures rise below the internationally agreed target ...” They state that “ ..many LNG projects being considered will not be needed.”, including up to \$71 Billion dollars worth of projects in the U.S. This report concludes that increasing action to cut carbon emissions, combined with falling renewable energy prices, will put some fossil fuel investments at risk. Last Tuesday’s report from the Brookings Institute draws the same conclusion. This conclusion highlights that new infrastructure and investment should be directed to renewables.

I am here because I am angry. My assets and my quality of life are being threatened by a hazardous project that mayor may not enrich a corporation. My time and energy have been co-opted by combating this project and the previous pipeline for years now. As the world moves away from fossil fuel towards investments in renewable energy, my town is being torn apart by conflict brought by a dirty industry, hoping for a last stand profit from a changing energy industry. Stand up for me! Stand up for an ordinary citizen, trying to live a quiet life! Say NO to this project and YES to the environment.

## **20150821-4004**

More than half the homes in the US are heated with gas. That’s over 100 million homes. Some of them are in new England. 54% of New England buildings are heated with gas.

Electric plants are switching from coal to gas. In fact, gas surpassed coal earlier this year. Gas generation was 21% in 2008. It’s 31% today ... and growing. In New England, 52% of electricity comes from gas. Expect that to increase as nuclear plants age out.

Because of the switch from coal to gas, C02 has been reduced in the US to the lowest levels in 20 years. We’re down to 1994 levels. All this with a growing population and a growing GDP.

CNG cars and truck fleets are on the rise. This option cuts automotive mileage in half and emits 30% less C02 than gasoline. Manufacturing is moving back to the USA. Costs of production and costs of feedstock are lower here.

24 LNG terminals are in the planning or construction phase. Once built, gas from the United States will offset Putin’s chokehold on Europe. Gas will reduce the use of coal in the Far East.

The New England pays a premium for natural gas Last year -- over \$5 a MCF. Currently, New England gas comes from Canada and the Gulf Coast. Marcellus gas sells at less than half that price and comes from a field only a few hundred miles away.

The cost and the convenience of natural gas creates the demand. Meeting that demand depends on a delivery

system. Kinder Morgan's Northeast Energy Direct pipeline is part of that delivery system.

Let's build it -- the sooner the better. Better for our homes, businesses, factories, and quality of life. Better for our local, state, and national governments. And better for the world.

Let's get this pipeline built -- NOW!

Thank you.

Dick Downey  
Unatego Landowners Association  
(607) 988-9116

## 20150821-4005

### New York State Department of Environmental Conservation

Office of General Counsel, 14th Floor  
625 Broadway, Albany, New York 12233-1500  
Phone: (518) 402-9185 Fax: (518) 402-9018  
Website: [www.dec.ny.gov](http://www.dec.ny.gov)

Joe Martens  
Commissioner

Secretary Kimberly D. Bose  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, D.C. 20426

May 28, 2013

Re: Constitution Pipeline Company, LLC, FERC No. PF12-9, New York State Department of Environmental Conservation Comments on Environmental Construction Plan.

Dear Secretary Bose,

The New York State Department of Environmental Conservation (NYSDEC) respectively submits the following preliminary comments for the Constitution Pipeline Company, LLC (Constitution) Environmental Construction Plan (plan) submitted on March 15, 2013.

### IN-STREAM WORK

The proposed pipeline would cross seventy-three (73) known protected class streams; at least seven (7) additional protected class streams containing trout, may be affected. Accordingly, the following comments relate to in-stream construction.

- 1) NYSDEC maintains strict adherence to in-stream work windows, therefore, all stream crossings, including temporary or permanent installation bridges and pipelines, must comply with appropriate warm and cold-water fishery windows. The allowable fishery construction window for (f) & (TS) designated waters is June 15 through September 30.
- 2) All crossings of streams and wetlands must be confirmed with NYSDEC for determinations of regulatory jurisdiction. Although it is useful for informational purposes, the Environmental Resource Mapper does not show or establish all resources regulated by NYSDEC.
- 3) NYSDEC's preferred methodology for all stream crossings is Horizontal Directional <- x1- Drill (HDD). )
- 4) Equipment access roads may also be subject to jurisdictional requirements and NYSDEC staff estimates that the proposed pipeline will include at least 11 such crossings over protected trout streams. Culverts installed at these crossings must be designed to protect and/or restore stream continuity (see <http://www.dec.ny.gov/permits/49060.htm>) using DEC Guidelines and Best Management Practices found at <http://www.dec.ny.gov/permits/49066.html>.
- 5) NYSDEC does not support the use of open-trenching, regardless of method, as an installation technique for pipelines; wet-trenching in particular is strongly opposed. )
- 6) Within stream crossings, pipelines should be buried at least 6' below a stream bottom. If minimum cover depth is not subject to variance based upon field conditions. . J

7) NYSDEC maintains jurisdiction of up to fifty feet (50') of stream bank width along protected streams, including any activity which would disturb the stream bank. Stream crossings, right-of-ways or any other road or disturbance are also included within NYSDEC's jurisdiction.

### **INVASIVE SPECIES**

Although the Plan includes a discussion of invasive species, recently, a new site for the Emerald Ash Borer (EAB) was confirmed in the proximity of the proposed pipeline route in northern Delaware County-about two miles south of the village of Unadilla. Constitution should consult with the DEC Foresters in Regions 4 and 7 to develop wood disposal management plans that incorporate active monitoring of EAB during clearing and limitations on movement of wood/slash products to minimize the spread of EAB from project development

### **NYSDEC BEST MANAGEMENT PRACTICES**

Finally, NYSDEC's Best Management Practices (BMPs) for Gas Transmission Line Construction Projects is attached for your reference. The BMPs include, among other things, recommended construction procedures relating to: erosion and sediment controls; operational stormwater management; clearing and slash disposal; stream and wetland protection; horizontal drilling; general clean-up and restoration; access roads; invasive species control; and the protection of rare, threatened and endangered flora and fauna species and significant natural communities. Please feel free to contact me with any questions or comments you may have.

Very truly yours,

Patricia J. Desroyers

Attachment

CC: Service List

Via Email:

E.Hammons

B. Patel

J. Sommer

M. Archambault

R.Zwier

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15114 Federal Register/Vol. 80, No. 68/Thursday, April 9, 2015/Notices

*{1 page multi-column, not included here}*

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**New York State Department of Environmental Conservation**

Office of General Counsel, 14th Floor  
625 Broadway, Albany, New York 12233-1500 .  
Phone: (~18) 402-918' Fax: (518) 402-9018  
Website: www.dec.ny.gov

Joe Martens  
Commissioner

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426

November 7, 2012

RE: Case No. PF 12-91 New York State Department of Environmental Conservation (NYSDEC) Comments on the Scope of Environmental Impact Statement for the Constitution Pipeline Project.

Dear Secretary Bose,

The New York State Department of Environmental Conservation (NYSDEC) respectfully submits the following comments in response to the Federal Energy Regulatory Commission (FERC) Notice of Intent to Prepare an Environmental Impact Statement (EIS) for the Planned Constitution Pipeline Project, (project)

Request for Comments on Environmental Issues, and Notice of Public Scoping Meetings, dated September 7, 2012. Since the majority of the Project is proposed to be located in New York, a thorough evaluation of all impacts, including cumulative impacts to New York's resources, is warranted.

### Project Description

As proposed, the Project would include new construction of approximately 120.6 miles of a 30-inch-diameter pipeline and associated pipeline facilities, providing about 650,000 dekatherms per day (Dth/d) of natural gas from two receipt points in Susquehanna County, Pennsylvania to two new delivery points in Schoharie County, New York. The majority of the Project would be located in New York and is proposed to be approximately 97.9 miles in length routed through Broome, Chenango, Delaware and Schoharie Counties. Constitution Pipeline Company, LLC (Project Sponsor) provided a number of routing segments and recently developed an alternative route at the request of the FERC which generally parallels New York Interstate 88 for a substantial portion of the route.

### NYSDEC Review and Approvals

In accordance with Section 401 of the Clean Water Act, applicants seeking a Federal license or permit for activities that may result in a discharge to navigable waters must obtain a Water Quality Certification (WQC) from NYSDEC indicating that the proposed activity will comply with State water quality standards. Federally-delegated or authorized permits, such as a Title V permit for the proposed compressor station, and a State Pollution Discharge Elimination System (SPDES) Stormwater Permit for Construction Activities, must also be approved and granted by NYSDEC. The Project Sponsor will also be expected to apply for applicable State law permits as relevant to the resources impacted by the project proposal. Along with the permit applications, the NYSDEC also intends to rely upon the federal environmental review prepared pursuant to the National Environmental Protection Act to determine if the Project will comply with the applicable New York State standards.

### Water Resources, Fisheries, and Wetlands

Stormwater Runoff and Erosion: The EIS must provide detail sufficient for NYSOEC to make a determination regarding the applicability of the SPDES Stormwater General Permit for Construction Activities (GP-O.10-001) (General Permit) to the proposed Project, or whether an individual SPDES Permit would be required. A linear utility construction project of this nature may be granted authorization under the SPDES General Permit. However, Part I, Section 0.7, of the General Permit does not authorize discharges from construction activities for linear utility projects that: a) are tributary to waters of the state classified as AA or AA-s; and b) disturb two or more acres of land with no existing impervious cover and where the Soil Slope Phase is identified as an E or F on the USDA Soil Survey for the County in which the disturbance will occur.

Additionally, Section D.4 of the General Permit does not authorize discharges from construction activities that adversely affect listed, or proposed to be listed, endangered or threatened species or its critical habitat. Furthermore, Section D.8 does not authorize construction activities that adversely affect property that is listed or is eligible for listing on the State or National Register of Historic Places (including Archeological sites), unless a written agreement is in place with the NYS Office of Parks, Recreation and Historic Preservation or other governmental agencies to mitigate the effects, or if local land use approvals evidencing the same are obtained. If the Project will include any of the activities described above, an individual SPDES Permit must be granted by NYSOEC for the entire length of the Project within New York State.

A preliminary Stormwater Pollution Prevention Plan (SWPPP) must be included as an appendix to the draft EIS, describing the proposed erosion and sediment control practices and, where required, post-construction stormwater management practices, that will be used and constructed to reduce the pollutants in stormwater discharges. Of particular concern in certain areas along the proposed Project route is the existence of karst topography, which warrants additional considerations in preparation of the SWPPP to ensure that by-products of the construction process do not enter karst inlets, including exposed soil, fuel, oil, hydrologic fluids and other construction-related chemicals. Work in and around streams, wetlands and karst inlets (including discharge of water withdrawn from surface water or groundwater for hydrostatic testing) must employ

Best Management Practices (BMPs) to ensure that water quality standards are maintained. Strict attention to proper installation and maintenance of sediment and erosion controls in these areas is critical. Methods for maintaining water quality should include isolating work areas (e.g. piping, coffer dam, pumping around) from the flowing waters to ensure that work is accomplished in the dry such that no visible contrast to waters outside and downstream of the work site is apparent

The draft EIS should discuss and evaluate how the various erosion control techniques described in the SWPPP will be coordinated within the construction schedule to avoid the potential for catastrophic erosion events witnessed by NYSOEC staff in previous pipeline installations. For example, extensive time delays between vegetation clearing/grubbing, initial grading of the right-of-way (ROW) and actual installation of the pipe must be avoided and temporary mulching or the use of wood chips for ROWs should be evaluated. It is recommended that only a limited length of the Project development area be opened up at anyone time. Where forest cover will be removed, it is also recommended that stwnp. removal and grubbing not be conducted until installation crews are ready to work in that area

Water Withdrawals: The draft EIS must evaluate water withdrawals that would exceed 100,000 gallons per day (gpd), either from surface or groundwater, and procedures to ensure that water withdrawals less than 100,000 gpd do not compromise the required bypass flow (the minimum stream flow at any particular stream point necessary to protect fisheries resources). If proposed NYSDEC regulations pertaining to water withdrawals that exceed 100,000 per day become effective prior to the start of project construction, withdrawal reporting or permit application obligations or updated withdrawal reporting may be required.

Wetlands: The draft EIS should evaluate wetland impacts that would result from construction of the proposed and alternate routes, including avoidance and minimization measures that would be employed. If proposed construction in wetlands could result in a significant change in the type of wetland community (such as conversion of forested to nonforested wetland) or in a significant loss to the functions and benefits of the wetland, mitigation in the form of created wetlands or other acceptable measures would be required and should also be evaluated.

Stream Crossings: The draft EIS must describe the classification of all stream segments proposed to be crossed, including alternative segments, and discuss the proposed method for crossing for each segment All waters of the State are provided a class and standard designation based on existing or expected best usage; these classifications include AA, A, a, C(t) and (Cts) which are classified as “protected. If NYSDEC is currently reviewing stream classifications in NYSDEC Regions 4 and 7. An initial review of the preferred Project route shows that seven stream sections currently classified as “unprotected” would meet criteria for protected status, either as C(t) and (Cts). It is recommended that the Project Sponsor consult with the NYSDEC Division of Fish, Wildlife and Marine Resources in the preparation of the EIS related to this issue.

For streams and wetlands the preferred method for crossing is Horizontal Directional \ Drilling (HOD) because it has the advantages of minimizing land disturbance, avoiding the need for dewatering of the stream, leaving the immediate stream bed and banks intact, and reducing erosion, sedimentation and Project-induced watercourse instabilities. The draft EIS should also evaluate cases where other methods are proposed, for instance the Project Sponsor should explain why HDD will not work or is not practical for that specific crossing. Where HDD will be utilized, the Project Sponsor should: ensure that HDD staging areas remain outside of regulated boundaries (e.g., state-wetland 100 foot adjacent area and 50 feet from protected streams); describe the typical work area required and protective measures that will be used to limit runoff of sediment and HOD fluids into streams and wetlands; and develop contingency plans for any HDD failure that results in sediment and/or drilling fluid entering a wetland or stream. I

The draft EIS should evaluate instances where the bed or bank:of a stream is disturbed and discuss the use of “Natural Stream Design” techniques and structures for restoration of the area instead of extensive use of rip-rap. Many of the structures utilized to stabilize stream banks can also serve to enhance in-stream habitat for fish. Where the pipeline crosses under a stream, “2 ~ there should be an extended Jength on each side of the bank: where the pipe is buried deeper.3 ) ~

## Air Quality

The draft EIS should evaluate the Project facility description and source information used to calculate the anticipated air emission levels from operation of the facility, including the Best Available Control Technology (BACT) analysis for NO<sub>x</sub> and CO<sub>2</sub> equivalents and the modeling protocol for SO<sub>2</sub> and formaldehyde. Further, methane emissions from both emissions/leaks from compressor stations and from pipeline leaks should be evaluated, and the Project Sponsor should identify measures that it will employ to ensure minimization of any such methane emissions.

As proposed, the compressor station would require a Title V permit and is subject to Prevention of Significant Deterioration requirements due to anticipated CO<sub>2</sub> equivalents emissions levels. The Title V permit would require BACT for CO<sub>2</sub>. All other criteria air pollutants emission levels are anticipated to be below Attainment and Nonattainment Major New Source Review thresholds; however SO<sub>2</sub> emissions are expected to be greater than the 40 TPY significant project thresholds. Accordingly, air modeling must be conducted to demonstrate that NO<sub>2</sub> emissions from this facility will not cause or contribute to a violation of the NO<sub>2</sub> National Ambient Air Quality Standard; modeling for projected formaldehyde emissions should also be conducted.

## Land Use

State Land: NYSDEC is opposed to any disturbance to State Forest lands and the draft EIS should include maps, at an appropriate scale, that show the proposed routing alternatives and their proximity to State land. Although the proposed route was reportedly chosen to avoid crossing State land, alternative route segments under consideration would in fact cross land owned by the State.

Forest Tax Law Program: The draft EIS should evaluate the adverse implications of timber removal along the preferred or alternate routes on land enrolled in the Forest Tax Law Program (Real Property Tax Law 480-a), and outline procedures that should be followed to ensure that affected landowners are not inadvertently penalized. Private landowners who are enrolled in the Forest Tax Law Program will be impacted if the Project crosses private lands. Specifically, construction resulting in the removal of timber resources on property enrolled in this program may subject the landowner to violations and penalties if not addressed correctly. As such, landowners must be fully aware of the impacts and process for withdrawing land from the program to avoid any serious tax implications.

ROW Clearing and Disposal Methods: The methods and rationale for cutting and disposition of timber and vegetation, and any use of open burning, should be evaluated in the draft EIS. As a first priority, merchantable timber should be harvested for lumber, secondarily, timber should be harvested for firewood in accordance with NYSDEC's regulations pertaining to the movement of firewood and quarantine areas related to the Emerald Ash Borer infestation. Clearing crews should be trained to identify and report the Asian Longhorned Beetle, the Emerald Ash Borer, and any other insect that NYSDEC identifies as a potential problem along the proposed route. Further, any use of open burning for disposal of wood waste should be evaluated relative to requirements in 6 New York Codes, Rules and Regulations (NYCRR) Part 215 including seasonal prohibitions on all open burning between March 15 and May 15 to limit the risk of wildfires.

## Vegetation and Wildlife

Invasive Species: An invasive species control plan should be included within the Project construction/work plan section of the draft EIS. In order to address the potential impacts from invasive species, the plan should document BMPs that will be utilized to prevent the spread of invasive species between work sites, including the potential transport from withdrawal water sources to the receiving water body during hydrostatic testing. The plan should incorporate conducting preconstruction wetland and stream corridor habitat surveys to document population/percentage of invasive species present within the Project ROW so that post construction monitoring and an evaluation of increased populations resulting from Project construction can be accomplished.

## Rare, Threatened, and Endangered Species

The draft EIS should provide and evaluate general information regarding the presence of any federal or State-listed rare, threatened or endangered (RTE) species or critical habitat areas, taking into consideration that detailed information about the location of known occurrences of RTE species may be confidential. Before including any sensitive RTE information in the draft EIS, the Project Sponsor should consult with NYSDEC staff and the United States Fish and Wildlife Service (USFWS). A description of proposed field surveys for RTE species and/or habitat, measures to avoid impacts to RTE species such as re-routing work: areas, a discussion of the use of physical barriers such as fencing and warning signs, and seasonal timing of construction work should be included in the draft EIS. If RTE species are present and would be permanently impacted, proposed habitat mitigation for these impacts should also be described in the draft EIS.

The draft EIS should also describe proposed contingency plans that will be put in place if an unanticipated encounter with an RTE species occurs during construction activities, including: training for workers; providing stop-work authority for the environmental monitor; ensuring proper handling of the RTE species; and reporting to the appropriate resource agency. Further, the draft EIS should include records of State or federal agency consultation, including any requests to the New York Natural Heritage Program for RTE information along the proposed and alternate routes, if these do not contain confidential information.

#### Cumulative Impacts

Finally, the draft EIS must evaluate whether the pipeline would be reasonably available for supply and distribution for communities along the pipeline route and whether the pipeline could reasonably serve as a collector line for additional supply from New York Marcellus and Utica Shale formations. Since the location of the proposed Project route has a high potential for development of natural gas extraction from Marcellus and Utica Shale formations, as indicated in the revised NYSDEC draft Supplemental Generic Environmental Impact Statement on the Oil, Gas and Solution Mining Regulatory Program, September 7, 2011 the draft EIS must evaluate the cumulative environmental impacts associated with these potential activities.

The draft EIS discussion should include the applicable procedures and requirements for the potential aforementioned activities and their associated Project upgrades and modifications. At a minimum, the draft EIS should describe and evaluate the following: 1) if the pipeline supply is available to additional customers along the route, describe what additional facilities or upgrades would be needed (i.e., additional compressor stations, metering stations) and their associated environmental impacts; 2) discuss whether additional suppliers could be accommodated by this pipeline with and without a need for pipeline upgrades should drilling and production occur in areas serviceable by the pipeline and describe their associated environmental impacts; and 3) discuss the FERC approval process relating to system upgrades or modification such as additional compressor stations, lateral collection and distribution lines.

Thank you for your consideration of these important issues and please contact me if you have any questions or comments.

Very truly yours,

Patricia J. Desroyers, Esq.

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1 It is important to note that where HOD cannot be utilized, in-stream work for streams with a standard of Tor TS is permitted by NYSDEC only between the dates of June 1st to September 30th.

2 See <http://www.dec.ny.gov/permits/149Q6Q.html>. ~

3 NYSDEC has witnessed pipeline installations where pipeline became clogged because stream water flowed behind the installed rip-rap and exposed the shallow section of pipe adjacent to stream. Extending the section of the deep bury would provide a significant buffer against this scenario.

4 See 6 NYCRR Section 192.5. s

**20150821-4006**

Laura Malloy, PhD, Mt. Vision, NY, comments not OCR compatible due to overwriting, opposing.

**20150821-4007**

*{first page only of 20150821-4008 below}*

**20150821-4008**

Eugene Marnier, 1245 Oak Hill Road, Franklin, NY 13775

Comments to FERC scoping hearing, Oneonta, NY July 16, 2015

FERC is required by law under the National Environmental Policy Act-to consider cumulative impacts of projects reviewed by you. During the scoping hearings for the “. . my misnamed Constitution Environmental Impact Statement for that same pipeline, you were repeatedly called upon to consider such cumulative impacts. Many commenters observed that the construction of an open-access pipeline through the Marcellus and Utica Shales region of New York could lead to hydrofracking in New York State. That threat has been temporarily blocked by the Cuomo administration. But a future administration could easily alter that decision. Your final EIS did not examine the potential impact of the fracking build-out that could accompany the Constitution Pipeline.

Furthermore, you were warned that permitting one massive industrial project like the Constitution Pipeline would change the rural, agricultural region traversed by the pipeline from a i “greenfields” area to an already industrialized one. No sooner have you approved the first pipeline than Tennessee Gas Pipeline has come along to propose another to run parallel to the first. Tennessee Gas Pipeline has proposed compressor station for the Town of Franklin, a compressor station that will spew carcinogenic pollutants into the air breathed by citizens of Franklin, Otego, Oneonta and wherever else the winds carry them.

Just yesterday, Medical Daily reported a 27 percent increase in hospitalizations for cardiac and neurological conditions in Pennsylvania counties with large numbers of fracked wells, as well as increases in urological conditions, cancer, and skin ailments.

FERC must revisit the conditional permit given to Constitution Pipeline and study the potential for health and environmental impacts of the expansion of gas extraction activities that will inevitably result from infrastructure expansion. The evidence for that expansion is here before us today as you consider yet another application for another pipeline.

The companies that want to build these pipelines boast on their websites that the gas will be sent to Canada for export. How does that serve the public convenience and necessity of the citizens of New York and the United States? Will making a few more Texans and their shareholders rich compensate for the loss of our clean air, water, and soil, along with the agriculture and tourism that comprise our economy? I don't think so. Reject Tennessee Gas Company's proposal and revisit your ill-considered approval of Constitution Pipeline.

**20150821-4009**

Hand written FERC comment form: Mother Michaela, Holy M? Monastery, 144 Bert Washburn Rd, Otego, NY 13825, opposing

**20150821-4010**

*{hand written letter, asking that previous letter 20150501-0049 be considered}*

**20150821-4011**

**DELAWARE-OTSEGO AUDUBON SOCIETY, INC.**

P.O. Box 544, ONEONTA, NY 13820

**Comments at Federal Energy Regulatory Commission scoping  
hearing on the Northeast Energy Direct Pipeline**

July 16, 2015

My name is Eleanor Moriarty and I am representing the Delaware-Otsego Audubon Society, Inc., the local Chapter of the National Audubon Society. Our organization and its members have serious concerns about the practice of hydrofracking and the proposed Constitution Pipeline. There is strong evidence against any public need or benefit from this pipeline. FERC should insist on incontrovertible proof that this project is necessary, lacks alternatives, and will provide benefits to the public before giving a privately-owned, for-profit corporation the authority to take citizens' private property against their will.

As for the issues that should be addressed in the environmental review of the project, we have a major concern about the pipeline's impact on bird habitat. Many of the forest-dwelling birds in our region are in significant decline, due in large part to fragmentation of woodlands. Species such as Wood Thrush, Scarlet Tanager, Blackthroated Blue Warbler, and numerous others, require large tracts of contiguous forest for successful breeding. As these areas are broken into smaller pieces by development, agriculture and other activities, predators and nest parasites can negatively impact nests, lowering breeding success.

It is well-documented that corridors as small as a logging road can threaten these at-risk species. Certainly a pipeline right-of-way will significantly damage these forested lands with resulting loss of habitat. The path of the preferred route along the higher elevations of our region will take it through some of the largest and most important unbroken woodlands for birds. Continued maintenance of the right-of-way to keep it clear will mean a perpetual corridor threat to forest birds.

It has been suggested that pipeline rights-of-way could benefit bird species that use brush habitat and edge habitat. However, there is an abundance of these areas in the region and beyond, and as a result, these birds have relatively healthy populations, in contrast to the steadily declining forest species.

These issues were raised during the Constitution Pipeline proceedings, not just by us, but by the US Fish & Wildlife Service and the NY State Department of Environmental Conservation, among others. However, FERC essentially disregarded them, as they did all environment concerns from that project. This is a stunning abdication of the responsibilities and duties of a public agency. There is little to suggest that FERC's approach to this project will be any different. However, we and others do care about the environment and wildlife, so we continue to participate in the process, knowing full well that this agency will again rubber-stamp this company's plans-the public be damned.

In addition to our concerns over loss of important bird habitat, the pipeline poses significant threats to wetlands, streams, vernal pools, vegetation, and other wildlife, among other issues. These should all receive full studies and impacts given prime consideration in assessing this project.

On balance, we do not believe there is any overriding need for this pipeline, and certainly that the environmental damage is unacceptable for such a questionable project.

## **20150821-4012**

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

Dear Secretary Bose,

The NED pipeline and compressor station proposed for Franklin present profound social, environmental, and health challenges to our community. As is evidenced in Hancock and Minisink, such a station will produce emissions which include neurotoxins, carcinogens, and mutagens which are enormous hazards for area residents and animal species. Children are particularly affected.

Please protect our community's health and represent the interests of citizens. I urge FERC to undertake a serious environmental review of cumulative effects and to move toward no action on the construction of this pipeline and associated infrastructure.

The gas is not needed, not wanted, not for the public good, and is not meant to supply domestic energy

needs but is intended for international export for the profit of a private corporation.

Sincerely,

Dr. Katherine O'Donnell  
Professor, Sociology  
Hartwick College  
Oneonta, NY 13820

### 20150821-4013

July 16, 2015 FERC at Foothills/Oneonta 7:00 P. M. Charles F. Pierce, Otego, NY\_ 13825 607 988~6883  
Strong stance against both pipelines ("Constitution and 1

Eminent Domain is NOT for the purpose of manipulating our well~paid government workers into allowing the rich to make billions in profits exporting America's energy for quick profits. I have sat in law classes I understand there is already enough pipeline capacity to supply New England with its oil and natural gas needs. STOP USING THAT CAPACITY TO EXPORT THROUGH RHODE ISLAND, MASSACHUSETTS AND THROUGH NOVA SCOTIA IN CANADA.;

We in NYS prize our drinking water here in "The Breadbasket of America." V'Je-aro net ~. -Basically overy caroonpru ,y Sarterd in N¥R TGignore trutA-makes-one -IGNORANT. Most NEYNYorkers areD't. we. ..:\. o~t k)o,ln.t- IV

MY home in Otego is about one- mile downhill in a straight line from the proposed compressor station on top of the hill. At least four of us living next to two Hound-Up sprayed cornfields in Otego Village now have cancer. I still hear its cousin, Agent Orange, doesn't cause cancer. Some still defend smoking as harmless.

WHY WOULD WE WANT MORE CARCINOGENS IN OUR WATER, ON OUR LAND AND IN OUR AIR? The reason for even more pipeline capacity is to accommodate drilling here in OUR area. Nobody is being fooled about that!

We pay for your good salaries, benefits and retirements in our democracy OF, BY AND FOR THE PEOPLE. Like an avalanche our government is being corrupted by big money.

Any sixth grader can tell you corporations:

can't be drafted

can't sit on a jury

can't registerto vote

can't be imprisoned

and don't volunteer to carry an M-16 in The Middle East

I served my country during the 60's to save and strengthen our democracy. You have no right to cut it down!  
tZ.e...rre~+ LJ s .... ~<2. ~(fe \_I

NO PIPELINES I PERIOD!

### 20150821-4014

Allegra Schecter  
211 Adair Rd.  
Cherry Valley, NY 13320

July 16, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

Docket # PFI4-22

Dear Ms. Bose;

Through the years I have testified several times at FERC scoping hearings. I spoke passionately on the serious environmental problems that would be created by the Constitution Pipeline, on the important issues that were not addressed in the draft EIS, or even in the Final EIS, and on the lethal threat of highly pressurizing a 50 year old segment of the Dominion pipeline for the New Market Project. My numerous spoken and submitted written comments have always been respectful and painstakingly researched by me on a broad spectrum of environmental concerns - as if you really cared.

The stated purpose of the NED pipeline is to bring gas to New England, but MA residents have already shown there is no true demand for this gas. The real reason Kinder Morgan wants it built is to send the gas North, to a proposed LNG export terminal in Nova Scotia. Their goal is to sell this fracked gas overseas, at a higher price than they can get in the states and thus make a higher profit. It has nothing at all to do with providing cheap gas for us here in the Northeast, and eventually it will actually raise the price of gas here in America. We will get the polluted air, ground and water - and they will get the money.

Most of us have told FERC many times about the catastrophic effects on New York's ecosystems that Constitution's path would cause by clear-cutting steep slopes. Placing Kinder Morgan's Northeast Energy Direct Pipeline alongside Constitution will only compound and magnify these disasters. Why bother going through the effort of listing them all over again?

The fact that you scheduled both local hearings on the same date and time say to me, not only do you not care what we have to say - you don't even care that we know you don't care. The masks are off and the truth is known. After you have your obligatory public hearing, the Commissioners will do their obligatory job and approve the pipeline.

These hearings are a waste of my time and yours. You are not interested in what I have to say. When all is said and done, FERC will approve the NED pipeline, the same as it has approved Constitution. Then you will take our land again through Eminent Domain, for another corporation's bottom line, and say it is for public convenience and necessity ...

I am through playing your game. It is time the Federal Energy Regulatory Commission was replaced by an entity more accountable to the people - not BIG energy.

Allegra Schechter

## **20150821-4015**

July 16, 2015 oral comments by Keith Schue to FERC on the Northeast Energy Direct (NED) Pipeline

My name is Keith Schue. I live in Otsego County, New York and am very concerned about the future of energy in our state and our country. I am an engineer. I also have a background in conservation, having been employed with The Nature Conservancy for five years before moving here to beautiful upstate NY.

There is no way to talk about the NED pipeline without also talking about the Constitution Pipeline. One is right next to the other one and the impacts are cumulative. They cannot be reviewed independently.

The Constitution Pipeline is not only a bad project that if built will shackle us to climate-killing fossil fuels for decades to come. It was also authorized to be built in the worst possible way, in the worst possible location and using the worst construction techniques. Constitution's alignment rips through, blasts through pristine forest, fields, streams, and wetlands of the Northern Catskill region. It will fragment wildlife corridors and permanently diminish the ecological integrity of this beautiful state in which we live - as Yoko Ono boldly said in the New York Times last week "A scar upon the land, a wound that never heals."

The construction methods supported in FERC's EIS on Constitution directly defy responsible, prudent, and well-articulated comments by the NYS-DEC. (DEC comments enclosed.) DEC specifically said that trenching through these waters and wetlands is NOT acceptable, and that if the project is built, Horizontal Direction Drilling (HOD) should occur instead, with a 6 foot minimum depth below water channels to minimize

surface Impacts and to avoid eventual washout, scouring, and exposure due to channel migration. FERCIgnored those recommendations with an EIS that supports trenching nearly all 277 water crossings.

But FERCIgnored FEDERAL recommendations too. For the record, I am submitting an advisory from the Federal Pipeline and Hazardous Materials Safety Administration titled Pipeline Safety: Potential/or Damage to Pipeline Facilities Caused by Flooding, River Scour, and River Channel Migration. Basically this says the same thing that DECHas told you-which is don't do it like this.

So here we are with NED-a pipeline proposed right next door. If you approve NED, all of these terrible Impacts will multiplied by TWO. Each of those 277 waterways and wetlands will be cut through, blasted through AGAIN. And let's be clear, NED's not even proposing to share the same ROW. It proposes to expand it by another 50ft, which means that environmental fragmentation will be even worse, more forest blocks will fall below the threshold for viable internal bird habitat, and many of the same landowners who were victimized by eminent domain for Constitution will be victimized all over again.

I understand that this is a scoping meeting, so as far as ~hat goes FERCneeds to consider the cumulative impact of Constitution when reviewing NED. You also need to back up and perform a supplemental analysis of Constitution that takes NED-and Its compressor stations-into account.

Finally, I would like to say something about compressor stations. I think we all know that the idea of the 124 mile long Constitution pipeline being built without any compressor stations along its length was an imaginary proposltion. Whether Constitution, NED, or both pipelines are built, the compressor station in Franklin and others along the Constitution corridor were probably part of the gas industry's plans from the beginning. FERC needs to put a stop to this piecemeal, segmented consideration of gas infrastructure.

Keith Schue  
9 Maple Avenue  
Cherry Valley, NY 13320

#### **20150821-4016**

Pipelines and Penn its  
It begins as a lump in my throat;  
a home sickness or a love sickness  
says the poet, Frost, of his verse being born.  
This pipeline begins as a lump in my throat  
A lump bigger than boulders blasted out of gentle hills;  
The tree that was here when my grandfather was born  
And a thousand more, no longer touching the sky;  
The sound of old bones breaking as they fall.  
It begins as a lump in my throat, becoming tears  
Like a flash flood racing off a bald hill-  
Land washed away; the domain taken.  
I should have traveled there and breathed pure air;  
soon to be sour; flared and compressed.  
But who knew?  
Not the peepers searching for wetlands  
Or the fish, once unlimited.  
It begins as a rumble in the heart of the mountain  
Approval given in exchange for mitigated silence.  
And you knew.  
If you grant permission, do not expect forgiveness  
from your children's children.

7 Gilbert Street

**20150821-4017**

FERC NED SCOPING 07 16 2015, Oneonta, NY

ATTN: Kimberly D. Bose, Secretary  
FERC, 888 First Street, NE, Washington, DC 20426

Docket # PF14-22-000

Testimony of Joan Tubridy and Stuart Anderson:

My name is Stuart Anderson, AND I'M JOAN TUBRIDY, THE NEXT SPEAKER ON THE LIST. WE'D LIKE TO COMBINE AND SHARE OUR SPEAKING TIMES.

We want to talk about the proposed compressor station in Franklin.

WE'VE HEARD LOTS OF DISCUSSION IN OUR COMMUNITIES, SOME OF IT VERY HEATED, ABOUT WHAT THE COMPRESSOR STATION WILL MEAN FOR OUR AREA, AND WE'D LIKE TO SUM IT UP FOR YOU.

As we have just 6 minutes, we'll be quick about it. Joan will repeat the pro-pipeline arguments we've heard ...AND STU WILL OFFER THE REBUTTALS. HERE WE GO:

1. THE FRANKLIN COMPRESSOR WILL BE OVER A MILE AND A HALF FROM THE OTEGO ELEMENTARY SCHOOL; THE TRAIN IS MUCH CLOSER AND MUCH DIRTIER-the train goes through in just a couple of minutes, but the compressor station will foul the air around the clock; a mile and a half is not far enough to be safe from air pollution when the predominant winds, according to NYSERDA, blow right from the compressor site to the village of Otego and the school. (NYSERDA map attached)
2. THE EPA SETS POLLUTION LIMITS-the Halliburton loophole exempt gas facilities from the Clean Air Act; where there are limits, the operators ignore them with the excuse that venting is an emergency procedure; the most imminent danger may be in short term (3-4 hour) spikes as venting occurs. (We have attached a copy of the SouthWest PA Environmental Health Project compressor station emissions report.)
3. COMPRESSOR STATIONS USE FILTERS; THE AIR LEAVING IS CLEANER THAN THE AIR GOING IN-the tobacco industry told us that smoking was safe. How many millions of people died while the long term studies were being done to prove that they were lying? Now the gas companies would have you believe that air pollution from compressor stations is safe-will your kids be a statistic?
4. NOISE ABATEMENT MEASURES ARE EFFECTIVE-true, but the problem is not about noise, it's about air pollution.
5. THE COMPRESSOR STATION IS IN FRANKLIN, SO THIS IS FRANKLIN'S PROBLEM-the whole region will get the air pollution, so it is a problem for Otego and Oneonta and Meredith residents as well.
6. THE PIPELINE AND COMPRESSOR STATION WILL BRING JOBS- Kinder Morgan says the compressor station will employ 2 people; other than temporary construction jobs, the pipeline will bring no jobs to our area; if you want long term jobs, support the development of wind and solar and geothermal renewable resources.
7. WE ALREADY HAVE PIPELINES IN OUR AREA-yes, little 8 inch lines that do not have compressor stations in our vicinity; the small pipeline blast in 1990 in Blenheim killed two, injured 5 more, and left 40 residents homeless.
8. IT'S JUST ONE COMPRESSOR STATION IN THE MIDDLE OF NOWHERE-The NED is piggybacking on Constitution, which does not yet have a compressor station in its 124 mile run; when they decide to install one, the easiest place will be right alongside the Kinder Morgan facility in Franklin. This project segmentation scam was used on the Millennium pipeline, laying the pipe first, and then siting the compressors later.
9. THE COMPRESSOR STATION WILL NOT RUN ALL THE TIME-the pipeline companies are not

spending hundreds of millions of dollars on things to just sit there; especially after the export terminals get up and pumping, these things will only shut down for maintenance (which is when they vent raw gas, which is worse).

10.OUR CHILDREN ARE MOVING AWAY BECAUSE THERE AREN O JOBS HERE-the pipeline will bring no permanent jobs to the region, and the compressor station will scare away young families and our region's most financially desirable immigrants, retiring downstate professionals who love our safe rural environment.

11.THERE ARE MANY VOCAL CITIZENS IN FAVOR OF GAS DEVELOPMENT IN OUR AREA many well-intentioned people have been fooled by promises of jobs and an economic boom; go visit Dimock-it's the same depressed region it was ten years ago-but remember to take a water bottle with you.

12.THE PIPELINE COMPANIES HAVE BEEN VERY SUPPORTIVE OF OUR SCHOOLS AND FIRE DEPARTMENTS AND EMS SERVICES--the gas companies have come through our region trying to buy people's loyalty by throwing around gifts but they don't add up to anything like the costs of the damages they will bring; property values around the Hancock compressor station are down 50 percent.

13.GAS FIRED TURBINES BURN VERY CLEANLY- but they still emit formaldehyde, benzene, toluene, and many other volatile organic compounds, plus radioactive radon, and lead and polonium particulates that are common in Pennsylvania Marcellus gas. Many of these disastrous chemicals are linked to childhood leukemia -remember the Halliburton loophole-gas facilities are unregulated air pollution sources.

14.WE HAVE VISITED COMPRESSOR STATIONS AND FOUND NOTHING TO FEAR-you can't see the air pollution, it is invisible; you can't smell the raw gas-it has not been scented yet; the workers on the site are all paid by the gas companies ....do you think they would risk their jobs by telling the whole truth?

15.THIS ISA FERC ISSUE/A FRANKLIN ISSUE/A STATE ISSUE, SO WE CAN DO NOTHING-if you believe you are powerless, then you are powerless; you can urge FERCTo deny the Kinder Morgan NEDaplication. If you have no faith in FERC,urge your local officials to send a letter to the DECand the Governor supporting a gas infrastructure moratorium.

THANK YOU FOR YOUR ATTENTION.

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*{1 page Wind Resource Report with map & charts, not included here}*  
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### **SWPA-EHP**

## **SOUTHWEST PENNSYLVANIA ENVIRONMENTAL HEALTH PROJECT**

www.environmentalhealthproject.org

### **Summary on Compressor Stations and Health Impacts**

February 24, 2015

*{SEE 20150803-0013 above for copy of this report}*

{The original report, is available at <http://www.environmentalhealthproject.org/wp-content/uploads/2012/03/Compressor-station-emissions-and-health-impacts-02.24.2015.pdf>}

**20150821-4018**

July 16, 2015

Kimberly D. Bose, Secretary

FERC

888 First Street, NE

Washington, DC 20426

Docket # PF14-22

Re: NED project

My name is Kristina Turechek. I live in Otsego County, Laurens Township, very close to Otego. The proposed NED compressor station in Franklin may well affect me and my family where we live, and also where we work here in Oneonta, both of which are around 10 miles away as the crow flies.

Thank you for taking my comments.

Here we are again. Many of us do not trust you, for myriad reasons, but it is our legal duty to tell you what we expect you will include in the scope of your research for this project, almost all of which research, we were surprised to learn the last time around with the Constitution pipeline, won't be done by you but is provided to you by the company whose project you will be ruling on. Furthermore, that company, among others, provides the money for your commission to exist and to operate. [From your FY 2015, Congressional Performance Budget Request}:

***“FERC recovers the full cost of its operations through annual charges and filing fees assessed on the industries it regulates.”*** II And” ***Federal Statutes require the Commission to recover its operating costs from the entities it regulates.”*** Does that sound like the fox in the henhouse? It does to me.

Many times FERCCuses the word “**stakeholders**”. For example (p.28) you describe your training seminars as being attended by stakeholders such as

***“state, local and federal agency officials, natural gas company representatives, construction contractors, and consulting firm staff”*** When it's convenient for you, like tonight, you might be pressed to say that we, the people, are stakeholders. Do you mean people like those in Delaware and Schoharie counties who recently have had their land taken by Eminent Domain, their property values lowered, life savings destroyed, their retirement or country home dreams shattered, not to mention new fears of explosion and leaks created? (Yes, we remember that fatal explosion of a small pipeline in Blenheim.) All of this was done with NO benefit to them just so that a private company can build the Constitution pipeline to take gas north for export. This is private profit made by shipping American resources out of America at the expense of American people - and of the climate. Who are the stakeholders here?

In your scope of work, I ask that you assess the cumulative damage to the people and to the environment along the right of way that will accrue because of this second pipeline. The first one, Constitution, will cut through prime forests, wetlands and farms, risking erosion and damage from the inevitable floodwaters that care not where they go - just down. The second can only make the damage worse. Please bear in mind that there is no such thing as mitigation. If you are bull-dozed, clear-cut and killed, can you be mitigated?

In your scope of work, we ask that you honestly consider the public interest, determine whether this NED pipeline is actually needed, will provide “**sustainable energy for consumers**” [Mission Statement], and will benefit the American people, indeed, could possibly benefit all those living on the planet.

Thank you,

Kristina Turechek  
392 Hathaway Road  
Otego, NY 13825

#### **20150821-4019**

Hand written FERC Comment forms, 5 pages: William D. Young, Jr., 10024 County Highway 21, Franklin, NY 13775-3220, containing many scoping questions

#### **20150821-4020**

July 27, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A

Washington, DC 20216

RE: Tennessee Gas Pipeline Company, Docket No. PF14-22-000, Northeast Energy Direct Project

The following comments are submitted in response to the FERC scheduled Public Scoping Sessions for the Northeast Energy Direct Project (NED) Docket No. PF14-22-000, and are focused primarily on “reasonable alternatives” that when in full consideration of impact now and certainly in near-term future years, will render the need for a greenfield pipeline unnecessary.

The New England region is host to a wide variety of viable alternative renewable energy resources including, but not limited to, on-shore and off-shore wind, solar, domestic hydro and imported hydro, hydro-kinetic and others.

Energy Efficiency - as stated in the July 2015 Resource Report 10 Alternatives, Section 10.1.1 Energy Conservation - “they (energy efficient technologies) are not expected to eliminate the steadily increasing demand for energy or natural gas”.

1. ISO-New England has recently stated that the 2014 energy consumption numbers are 2% lower than 2013 and the winter peak for those years is also lower (4.2%), and further indicate that EE and Solar are having an impact. “When the EE savings are factored into the region’s load forecast, energy usage is expected to remain flat, with an average annual growth rate of 0.0% , rather than the 1.0 “ projected in the baseline load forecast 1”.
2. Why are these two entities on absolute opposite sides of the spectrum?
  - a. This warrants a comprehensive analysis as Massachusetts has been ranked #1 in Energy Efficiency 2 for the last four years in a row - adding major fossil fuel infrastructure is clearly NOT the answer if Massachusetts intends to continue this trend toward a clean and renewable future.
3. According to the US Environmental Protection Agency 3, “improving energy efficiency is one of the most constructive and cost-effective ways to address the challenges of high energy prices, energy security and independence, air pollution, and global climate change.”

Wind Power - as stated in the July 2015 Resource Report 10 Alternatives, Section 10.1.2.1 - “Wind power is not an option ....” And then closes by stating that “Should these projects be developed, the 2,800 MW proposed by GLIA could reduce pressure from the New England gas supply and reduce greenhouse gas emissions.”

1. Why has Tennessee Gas Pipeline Company, LLC (TGP) upfront dismissed this ‘free’ (zero fuel cost) source of energy? ISO-New England references of 4,000 MW of wind power 4&5 in the 2015 queue.
  - a. The above discrepancies must be accurately assessed and also combined with energy storage viability as addressed within the next section - Solar Power.

Solar Power - as stated in the July 2015 Resource Report 10 Alternatives, Section 10.1.2.2 Solar Power “These systems generally are not well-suited for use as large-scale generation in the proposed Project area .....

1. Why is solar power so promptly dismissed? When in fact, worldwide, nationally, and regionally solar is increasing exponentially (reference ISO NE for regional increases), yet TGP has chosen to state that it is not a viable energy source despite the fact that the cost of this energy source (a.k.a fuel) is zero?
  - a. from the Solar Energy Industries Association “Solar provided roughly one third of aU new electric generating capacity in the U.S. in 2014,,6.
  - b. Battery technology is not addressed at all, yet is currently available by a number of companies, one which “offers its clients a 20-year insured warranty7” for grid-scale batteries.
  - c. Both solar and energy storage (battery) capabilities require accurate and full consideration.

Other Systems - contrary to the statement listed in the July 2015 Resource Report 10 Alternatives, Section 10.2.2 Other Systems, Portland Natural Gas Transmission System (PNGTS) has offered an existing alternative to supply the amount requested by the LDC’s in their statement to the MA DPU.

1. “PNGTS is working with interested parties and is participating in regional initiatives to potentially expand its total system capacity up to 600,000 Dth/day by the addition of compression, in 100,000 Dth/day increments. This service could start as early as November 2018,,8.

#### Existing Alternatives

New England, particularly Massachusetts is already host to underutilized and unused infrastructure, namely three LNG terminals:

1. Distrigas in Everett, MA (oldest functioning LNG import terminal in the country) and is currently underutilized.
2. Northeast Gateway deepwater port (off the coast of Gloucester, received its first shipment in 4 years this past winter.
3. Neptune deepwater port (off coast of Gloucester) unused since its commissioning in 2010
  - a. “The U.S. Maritime Administration announced it was issuing the temporary license suspension at the request of the company, a subsidiary of France’s GDF Suez. In its notice of the suspension, the Maritime Administration said the company requested the action because “the Neptune Port has remained inactive since its commissioning and will likely remain inactive for the foreseeable future”

In closing, why would New England as a region need additional underutilized fossil-fuel infrastructure, which its residents will ultimately pay for over the next twenty years, while directly conflicting with compliance to the Massachusetts Global Warming Solutions Act?

Respectfully Submitted,

Kenneth W. Berthiaume  
52 Fryeville Road  
Orange MA 01364

#### References:

- 1 ISO NEWSWIRE <http://isonewswire.com!updates!2015!S/5!long-term-forecasts-electricity-usage-willremain-f1at-and-p.html>
- 2 American Council for an Energy-Efficient Economy <http://www.aceee.org/state-poliCY/scorecard>
- 3 Benefits of Energy Efficiency <http://www.epa.gov!statelocalclimate!state!topics!energy-efficiency.html>
- 4 4,000 MW of Wind Power <http://isonewswire.com!updates/2015/4/22!iso-ne-marks-earth-day-withan-update-on-energy-efficiency-s.html>
- 5 Renewable Energy in New England Pg 3 <http://www.iso-ne.com/staticassets/documents/2015!06!iso ne capacity mkt discussion paper 06 03 2015.pdf>
- 6 Solar Energy Industries Association <http://www.seia.org/news!us-installs-62-gw-solar-pv-2014-30-over-20B>
- 7 Alevo CEO <http://www.greentechmedia.com!articles!read/alevo-ceo-says-tesla-batteries-will-struggletodo-more-than-solar-smoothin>
- 8 Reference Testimony of Keith D. Nelson D.P.U. 15-48 June 4, 2015 Page 12 lines 9 -12 <http://webl.env.state.ma.usIDPUIFileRoomAPIapi/ Attachments/Get!?path= 15-48%2IDPUI548TestimonyandSupportingA.pdf>
- 9 Neptune Deepwater Port <http://www.inillworldnews.com!usa-ne.ptune-suspends-Ing-deepwaterport-operations!>

#### 20150821-4021

Comments prepared for FERC Scoping Hearing July 29, 2015 by Meg Burch on behalf of the **Town of Conway**.

My name is Meg Burch. I am **Chair of the Conway Ad Hoc Pipeline Task Force and a member of the Board of Health**.

I would like to state that the this testimony is incomplete, as is the Draft Environmental Report and Project Scope Update released by the Tennessee Gas Pipeline company and Kinder Morgan late last week. The Conway Selectboard and Board of Health have both submitted letters to the Federal Energy Regulatory Com-

mission requesting that the deadline for written comments be extended given the less than timely release of these revised reports, the new information contained in the reports, including the location of a Mainline and remote blowoff valve in Conway, a 2.6 acre temporary workspace not identified previously, and the lack of complete information related to the Horizontal Directional Drilling portion of the project that will begin in Conway and go under the Deerfield River. Given the pending Energy Need analysis being conducted by the State Attorney General, the quantity of new information, and the level of detailed data still "To Be Determined" these Scoping Hearings are premature and need to be extended.

The Town of Conway lies in the foothills of the Berkshires just west of the Connecticut River Valley, a region rich in agriculture and history. Conway shares boundaries with seven other towns, three of which are also directly impacted by the proposed North East Direct pipeline project. Conway is the first hilltown northbound on Route 116, one of seven designated Scenic Byways in Western Massachusetts.

The proposed NED pipeline project will specifically and significantly impact the Town of Conway, its citizens, and our region. 3.41 miles of the proposed Tennessee Gas Pipeline North East Direct project is routed across the Northern end of the Town of Conway.

Specific comments will follow in written format, but a few areas of concern are as follows:

- We are concerned about the impact of this project on the quality of water in our wells, streams, and aquifer.
- We are concerned about the impact to environmentally sensitive areas including: vernal pools, cold water fisheries, braided streams, core habitat, priority habitat for rare species, prime farmland, and permanently protected open space.
- Noise is a concern. Noise during construction. Noise during operation given the main line valve and remote blowoff in an area characterized by hills and river valleys, where sound travels and echoes.
- The impact of planned, as well as unplanned, gas releases on the air quality, environment, and health of residents is a concern.
- The impact to roadways, bridges, and related infrastructure given the enormity of this project is a concern.
- The proximity of a natural gas pipeline to high tension power lines is a concern.
- Emergency access and response is a concern as residences could be cut off from our fire and EMS as the route bisects a major roadway in town.

As I have prepared this brief statement and considered the impact of this project on my town and our region, the word that comes to mind is unconscionable. Defined by Merriam- Webster as unscrupulous, excessive, and unreasonable. This process must be delayed to allow for a fair and just assessment of the need as well as a thorough exploration of how best to avoid, minimize, or mitigate the impact of this project. Thank you.

**20150821-4022**

Kinder Morgan NEDProject  
FERC Environmental Impact Scoping Hearing  
**Testimony of Mark Burton, Greater Boston Chapter of Trout Unlimited**

July 29, 2015

My name is Mark Burton and I live in Ashfield, Massachusetts. I am a fly fisherman and I speak on behalf of the Greater Boston Chapter of Trout Unlimited, of which I am a member. The chapter has over 1,100 members, many of whom spend days and vacations fly fishing the great trout streams we have to offer in this part of the state.

My concern tonight is the certain adverse impact the NED project will have on our local ecology, specifically the impact on our cold water resources and the habitat of the Eastern Brook Trout.

One hundred years ago, much of New England, and certainly all of the Berkshire region and Pioneer Valley, had healthy brook trout streams. Today, after decades of land development, brook trout have entirely disappeared from 7% of their historical habitat, have been greatly reduced in another 28%, and reproducing

populations are unknown in another 42%.

(<http://www.mass.gov/eea/agencies/dfg/dfw/fish-wildlife-plants/fish/trout-information.html>)

According to the Eastern Brook Trout Joint Venture Report on the status and threats to the species, analysis reveals that in only 5% of historical habitat does a fully sustaining brook trout population exist, and a reduced but sustaining level in 9% of historical habitat. (<http://easternbrooktrout.org>) Virtually all of these populations reside in the western part of the state where the NED project will be located

Clearly there is much at stake here for the habitat ~ brook trout, and what we ask of FERC tonight is that you include in the scope of the EIS a full review of the impact on trout habitat and the necessary mitigation and remediation measures that undoubtedly will be required to be taken in order to minimize it, and hopefully negate adverse impact to the project

We respectfully request FERC to include the following in the scope of the EIS

- A full evaluation of the direct, indirect and cumulative impacts of the proposed pipeline on native and wild trout populations and their watersheds. This would include the impact which deforestation of thousands of acres will have on water temperature in the affected watersheds (i.e., Hoosic, Housatonic, Westfield, Deerfield, Millers, and Connecticut Watersheds) at the level of first order tributaries through to the large rivers.
- A comprehensive analysis of alternative pipeline routes and construction methods that avoid or minimize impacts to native and wild trout populations and their watersheds, including smaller rights-of ways (e.g. 50 foot rather than 75 foot and 150 foot rights of way which is possible using alternative construction methods) must be conducted as part of the EIS process.
- At least 15 different direct negative effects from sedimentation have been demonstrated to impact trout and salmon, ranging from stress, altered behavior, reductions in growth and direct mortality. There must be an assessment of quality turbidity impact and efforts to mitigate the potential for erosion and sedimentation impacts from construction of the proposed pipeline on trout streams, water quality and aquatic life.
- Stream restoration/mitigation plans must be prepared for each stream crossing and use the best available science to ensure that streams are restored to their original condition and long-term impacts avoided.
- Type of crossing method for each proposed stream crossing should be determined on a site-by-site basis, based upon field conditions rather than just a desktop analysis. The wet crossing method should not be used for any crossings on native and wild trout streams. If dry crossing method is specified, then the type of dry crossing method should be identified as each type of dry crossing has unique impacts that must be identified in the EIS so that appropriate mitigation measures can be included in the EIS.
- Sufficient information about stream characteristics should be collected at each proposed stream crossing. Such analysis should include, at a minimum: proximity to the nearest confluence up and downstream; stream discharge, channel gradient, channel sinuosity, stream substrate, cross-sectional surveys, channel debris; sediment storage, and stream order; information about bed and bank stability, scour depth and depth of pools; and a scour depth analysis to determine the potential for vertical or lateral adjustment of each stream.
- Stream crossing installations must be able to handle certain percentage of the 10-year, 50-year or 100-year base flow, based upon site specific conditions at each stream crossing. This is the only way to limit potential flooding impacts. A critical shear stress analysis for all sites with any definable risk of bed scour, to ensure that the stream bed remains stable under flow conditions associated with 100-year storm events and that the pipeline company is using the best engineering practices to assure that stability.
- Geotechnical feasibility studies to determine if horizontal directional drilling, Direct Pipe™ or other conventional bore methods are appropriate and feasible must be conducted for each stream crossing.
- The depth that the pipe is buried beneath the stream must be determined on a site-by-site basis, based upon the potential for vertical or lateral adjustment of the stream.

While this construction project is clearly adverse to trout habitat and will contribute to its long term degradation and potential extirpation of wild and native trout populations, your diligence in ensuring that its

effects are mitigated, remediated, or eliminated is of critical importance.

Thank you for hearing my testimony

**20150821-4023**

Hand written FERC Comment form: David Dempsey, 143 W. Chestnut Hill Rd, Montague, MA, asking what proportion of proposed pipelines are approved by FERC.

**20150821-4024**

Hand written FERC Comment form: Robert English, 367 Four Mile Brook Rd, Northfield, MA 01360, opposing

**20150821-4025**

**Franklin Regional Council of Governments**

STATEMENT FOR FERC NOI SCOPING SESSION (PF14-22)

KINDER MORGAN TENNESSEE GAS PIPELINE NORTHEAST ENERGY DIRECT PROJECT

July 29, 2015

The Franklin Regional Council of Governments (FRCOG) submits the following initial comments on the proposed Kinder Morgan Tennessee Gas Pipeline (TGP) Northeast Energy Direct (NED) pipeline project (PF14-22). The FRCOG is the Regional Planning Agency for the 26 communities of Franklin County. The FRCOG serves eight communities along the proposed route, as well as abutting communities, that will be impacted by the 34 miles of pipeline and large-scale compressor station proposed for our region. We have actively participated in the FERC process and have also formed a Regional Pipeline Advisory Committee, with representatives from the eight communities along the proposed pipeline route, to provide technical assistance on the FERC process. This is the largest proposed project in Franklin County since the I-91 interstate highway was built.

The FRCOG has significant concerns about the natural and cultural resource impacts of the NED pipeline project. The resources in Franklin County that would be directly impacted by the proposed pipeline include: public and private drinking water supplies, permanently protected open space, farmland, rare and endangered species habitats, public infrastructure, and historic resources. The short and long-term impacts that the proposed project would have on our communities and region are profound.

We request that the FERC thoroughly evaluate the need for this pipeline, which has only 500,000 dekatherms per day under agreement with gas companies. Even with the recently proposed reduction in pipeline size to 30 inches and 1.3 Bcf/day, this pipeline project still has only 38% of its capacity committed. If the larger 36-inch pipeline with a capacity of 2.2 Bcf/day were permitted, only approximately 23% is committed. In the absence of a demonstration of need, FERC lacks authority to approve the project.

We also request that other alternatives to meet electricity generation and natural gas demand in New England be fully explored, including energy conservation, renewable energy production, LNG storage, expansion of existing gas pipelines and improved operational efficiencies by other pipelines that can result in recapture of leaked gas. We also ask that alternative routes be analyzed that could have less impacts on environmental resources. We trust that FERC will include a detailed analysis of these alternatives in the Draft Environmental Impact Statement to be developed and published for public comment.

The FRCOG intends to submit additional, more detailed Study and Information Requests in coordination with other Regional Planning Agencies in Massachusetts and New Hampshire for inclusion in the Environmental Impact Statement before the deadline established by FERC for the Notice of Intent (NOI) Scoping Session comment period. In addition to the alternatives analysis requested above, our Study and Information Requests will focus on the following areas:

- Protection of Water Resources (public & private drinking water supplies, rivers, lakes, ponds & wet-

lands)

- Protection of Air Quality
- Protection of Public Safety
- Protection of Critical Habitat Areas for Rare & Endangered Species
- Minimizing Noise Impacts
- Mitigating Impacts on Infrastructure including Roads, Bridges, Culverts and Electric Transmission Lines
- Addressing Impacts on Private & Public Property
- Avoiding Impacts on Permanently Protected Open Space
- Avoiding Impacts on Historic and Archeological Resources
- Addressing Economic Development Impacts on Heritage & Recreational Tourism and Natural Resource Based Businesses including Agriculture and Forestry
- Addressing Fiscal Impacts on Towns

The Study and Information Requests that will be submitted are directly related to the general headings listed in the FERC Notice of Intent dated June 30, 2015 (Pages 5-6) for the TGP NED project and will provide the level of information needed for FERC to fully evaluate the environmental, land use and socioeconomic impacts of the proposed project and make an informed decision. Thus far, the information submitted by the company as part of the pre-filing stage has not been sufficiently detailed to allow for meaningful public comment. Thus, it is our hope that by asking for specific studies, FERC will develop a record of decision that includes adequate detail on the proposed pipeline project so that the public can fully understand and comment on the potential impacts.

We respectfully request that after the Scoping Session NOI comment period is closed, that FERC advise us as soon as possible about what information will be included in the Draft Environmental Impact Statement (DEIS). We also request an extension of the NOI comment period from August 31, 2015 to September 30, 2015 to provide additional time for public review of the recently filed Resource Reports by TGP on July 24, 2015 which contain a vast amount of information on the project.

Thank you for this opportunity to provide comments on the development of the Environmental Impact Statement for the proposed Kinder Morgan Tennessee Gas Pipeline NED Project.

**20150821-4026**

**THE GENERAL COURT OF MASSACHUSETTS**

STATE HOUSE, BOSTON 02133-1053

LEGISLATORS' STATEMENT TO THE FEDERAL ENERGY REGULATORY  
COMMISSION SCOPING SESSION ON NORTHEAST ENERGY DIRECT  
PROJECT Docket No. PF14-22-000

July 28, 2015-Jittsfield, Massachusetts & July 29, 2015-Greenfield, Massachusetts

We are unable to attend this hearing tonight due to legislative sessions in Boston, but we wish to comment on the matter before FERC due to the critical importance of this regulatory process in evaluating the environmental impact of this proposed project on the communities that we represent.

First and foremost, we believe that FERC should suspend the current environmental scoping process and withdraw the Notice of Intent that was issued on June 30, 2015. It was only days ago, on Friday July 24, 2015, that the latest Resource Reports for the Northeast Energy Direct project were filed for public comment and review as part of this process. These documents are massive, with thousands of pages of highly technical and important environmental information about this project.

Despite the lateness of the filing of these reports, they are incomplete, and omit critical information that is

necessary for a thorough and accurate review of the impacts of this proposed project in our communities. In this short amount of time, it is simply impossible for citizens, organizations, and experts to properly analyze and comment on the environmental and economic impacts of this project.

In order to have a credible and respected regulatory process, we believe that it is incumbent upon FERC to postpone this seeping process. We believe that it should be restarted with the issuance of a new Notice of Intent, extending the public comment period for at least 60 days in light of the July 24th Resource Reports. A new schedule of seeping hearings should be issued to allow for meaningful public comment during this period.

Without re-starting of this process, we believe that our constituents who would be affected by this project will be unable to offer full and meaningful testimony and comments on a project which threatens the environmental health and quality of life in our region. We respectfully ask that you approve this request before proceeding further.

Senate President Stan Rosenberg

Sen. Benjamin Downing-Berkshire, Franklin, Hampshire, Hampden District

Rep. Gailanne Cariddi-1st Berkshire District Rep. Stephen Kulik-1st Franklin District

Rep. Paul Mark-2nd Berkshire District Rep. Susannah Whipps Lee\_2nd Franklin District

### **20150821-4027**

Pixie Holbrook, Conway, MA

local Council of Governors held a public informational meeting that included a gas industry engineer, whose specialty was pipeline installation. When asked how far away a pipeline should be from high-tension wires, he quickly responded with "400, 500 feet away". Then with a lowered voice, "1000 feet. ..II We would like Kinder Morgan to justify the placement of this pipeline that runs

last Friday KM ~rovided us with an extr~engthy Resource Report delineating the details of the installation and operation of this pipeline. They gave it to us only 6 days before this hearing. Clearly intentional, this is unethical behavior. I am here with many others~,,"}and a new schedule with a full 60 days for us to review the information

Thirdly, you should be questioning the ethics of this company, Kinder Morgan, in general. They lie about hiring 1000's of people to install this pipeline, while in fact we know historically that they bring in their own crews. They lie about building a pipeline to benefit New England, yet there are countless indications that this gas is for export. They display a photograph of a quaint barn like building, a very small compressor station. In fact, the one planned for our neighbors in Northfield, is the largest compressor station in the nation. They say they will reduce the size, but we all know full-well that once given your approval, that that station will return to one large enough to provide ample gas to Europe

want to add that in u~i:I(ReSource Report, we discovered that my rural, Conway is the location for a Main-line Valve and a Remote Blowoff Valve. It will serve to periodically release the pressure in the pipe, sending pressured fracked gas into our air. We know that fracked gas carries countless particles of chemicals used in the tracking process. Those particles are heavier than air, and once released, will shoot up into the air, then travel and drop to the ground ... on our rivers, streams, wetlands, farms, livestock, flower gardens and swings. For years and years and years ...

We don't need this pipeline and it is of no benefit to us here. Pipeline leaks can be fixed, other pipelines can be run at capacity. Gas can be stored in the warm months for cold days in winter. We can further pledge, as a state, to conservation and renewables. We ask you to tell Kinder Morgan tq., pack up and leave. They're not wanted or needed here. Thank you.

### **20150821-4028**

Pamela Kelly

32 Spruce Street  
Greenfield, MA 01301

July 29, 2015 Scoping Hearing, Greenfield, MA

The Kinder-Morgan Pipeline is not needed.

(1) It is clear from the Independent Research of professional David Keith, Deerfield, that the Kinder-Morgan Pipeline is not needed, illustrated by the very minimal amount of fracked gas requested in contract by Berkshire Gas. We have ALREADY BUILT infrastructure to hold sufficient Liquefied Natural Gas to make up the minimal unmet needs for particularly cold winter weather. Add to that repair of the leaks, and we clearly do not need this extra gas.

(2) It is also clear that the main reason the Pipeline would be needed is for Tennessee Gas to EXPORT gas to Europe, which will put those of us in New England in competition with Europe for that gas, thus raising the cost of gas for New England, so the Pipeline is actually 'is DIRECTLY AGAINST OUR INTERESTS' which FERC is sworn to uphold.

(3) My own experience: I am a person who REPLACED the home gas heat of my residence with one mini-split, cold climate electric heat pump, and the electricity is generated by 24 solar collectors, ending my reliance on gas and on Eversource Electricity---and lowering my UTILITY BILLS to nearly zero. I am NOT a wealthy person, but a person who lives on social security. So how did I capitalize and pay for the solar collectors? I used my Traditional IRA which was invested in Wall Street. BUT I have eliminated my heating and electric bills, so I am free from a serious disease of the elderly "Wall Street Meltdown Fear and Anxiety!"

(4) The MA legislature is now considering House Bill 3532, to create a GREEN BANK that would initiate a LOAN FUND (same way I used an IRA) to build infrastructure to transition from fossil fuel to sustainable energy like solar. Green Banks in other states are finding that \$1.00 invested from the state will garner 5-10 times the capital from private investment. Connecticut's Green Bank has used a 4 year \$100 million investment to raise \$500 to \$600 million used to upgrade commercial and industrial properties to lower their utility costs down to zero or nearly zero ••• just like my house, except on steroids! What if MA invested the billions proposed for a Pipeline and used it to build a Green Bank LOAN FUND for commercial and industrial energy efficiency, all dedicated to lowering carbon ••• and COSTS!

FERC, if you are doing your job, should reject the Kinder Morgan Pipeline application because the Pipeline and the gas is NOT NEEDED and will actually be detrimental to our well-being. ~&

## 20150821-4030

Barbara Ann Lemoine  
498 Millers Falls Road  
Northfield, MA 01360

Kinder Morgan is slow at providing information and scheduling requested meetings. There are repeated changes to the proposed project. There is an air of secrecy rather than transparency in their actions. Rather than trying to project the image of being a good neighbor, the opposite image is emerging. Because of their self-serving stance, it is imperative that third party geologists, archeologists, wildlife experts and other subject matter experts be hired to protect and safeguard local interests. Towns should have the right to approve these experts, which will be hired at Kinder Morgan's expense.

How will residents within a specified radius of no less than two miles from the perimeters of the pipeline corridor be made whole if experiencing a decrease in property values, increase in insurance, , and any health issues caused by the proposed pipeline? Will adverse impact to property include wells, structures, livestock, driveways, septic systems, soil erosion and invasive plants? Will arbitration be the decision of local agencies, to be identified or created during the preliminary phase? Documentation should be done prior to the commencement of any work by a disinterested third party hired at Kinder Morgan's expense and approved by the Northfield Selectboard. What are the impacts on recreational use? Protected lands should remain

unblemished and accessible to the public.

Historic, Native American, and important geological sites are in the vicinity of this proposed project. The pipeline corridor should bypass these important sites. Archeologists and other experts should identify sites prior to construction, mitigate adverse consequences to these sites, and continue supervision during construction. The finding of artifacts, including human remains, should cause the immediate halt of construction until the site can be thoroughly examined and properly addressed, including the redirection of the pipeline at the direction of Native American and I or Northfield authorities.

The noise and the lighting along the pipeline corridor should not exceed the levels that currently exist. Security measures should be agreed upon by Kinder Morgan and Northfield officials. Security of the pipeline should not be under the sole jurisdiction of the Northfield Police. The Northfield Fire Department and Northfield Police Department should receive specialized training deemed necessary by these departments at the expense of Kinder Morgan, including any additional apparatus and staffing.

The significantly increased truck and vehicle traffic will adversely affect town roads and residents. How will the Town and residents be compensated for this disruption and road degradation? Please set yearly minimums for Payment in Lieu of Taxes in addition to compensation for correcting any damages.

Please have Kinder Morgan disclose the amount and percentage of the gas which will be traveling through and used in the Northeast, State by State. and the amount that will be exported. A fee should be assessed for a 10% variance in the numbers cited. If the need in the Northeast is artificially inflated, then the adverse impact on Western Massachusetts will far exceed any benefit. I use gas for cooking only. I also am assessed a \$50.00 fee each year if I do not meet the minimum usage imposed. Rather than encourage users to waste a resource to avoid fees, emphasis should focus on encouraging green energy, conservation of resources, and implementation of non-fossil fuels.

**20150821-4031**

31 South St  
Montague, MA 01351  
413-367-2731 plipke@roomtomaneuver.com

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE  
Washington, D.C. 20426

July 29, 2015

Re: Tennessee Gas Pipeline Company, LLC  
Docket No. PF14-22-000, Northeast Energy Direct Project

Dear Secretary Bose:

I am a landowner with interests well within the proposed NED pipeline route's impacts.

1) Please reschedule or add additional seeping meetings. We are effectively being denied the right to have input/comment because a) We have only been given a few days to review over 6000 pages of KM's very overdue, draft EIS, b) There is a LOT of missing information, over 10,000 "TBD's."

In addition, Massachusetts' Attorney General Maura Healey is leading a regional energy and gas capacity study, which will be complete in October, 2015, and will address the question of whether more natural gas is needed in the region, and if so, how much more capacity is necessary. --There is much evidence that the 'need' for more gas is being grossly overstated by those with undue financial and/or political interests in gas infrastructure and sales.

Thus, FERC EIS hearings should occur only after the AG's report is available, KM has been required to fill in the major blanks --in a second draft-- and citizens and policy-makers have been given adequate time to review the new information.

2) Please ensure FERC and the EIS study the entire route, especially Montague and the Montague Plains

pine barren, for impacts on:

- wetlands, waterways, aquifers, public and private wells and septic systems
- any pollution to air, soil and water from natural gas and/or fracking chemicals, and their proximity and effects to human, animal and plant populations
- any rare or endangered species such as the northeastern bulrush, which is listed as being present in Montague, as well as other “listed,” or exemplary flora, fauna or natural communities,
- streams and other waterways that support human uses, whether recreational or as drinking water
- certified and certifiable vernal pools and analysis of the means by which damage would be avoided or mitigated
- all temporary work zones and staging areas used during construction, the pre-construction condition of these areas and plans for restoration and mitigation of damages incurred during construction
- sources of water to be used for hydrostatic testing during the construction process and how such water sources would be replenished or restored;
- clean-up of water used in testing, and potential impacts of run-off from the testing process.

Thank you, respectfully

Paul Lipke

cc via email to: Montague Energy Committee, Montague Administrator, Kulik, Rosenberg, Healey

#### **20150821-4032**

Hand written 2 page letter, Rena Loeb, 122 East Main St, Plainfield, MA 01070, opposing

#### **20150821-4033**

Hand written FERC Comment form: Sue Lowsigrau, 229 Maple St, Northfield, MA 01360, opposing

#### **20150821-4034**

My name is Jonathan Mark, I am publisher for Flyby News (FlybyNews.com) since 1999.

I also produced three documentary films called, Moss Brook and TGP - No Fracking Way!, Beyond Moss Brook - No Fracking Way! and Beyond Moss Brook - Save Pulpit Falls.

I received a letter from the Tennessee Gas Pipeline company about their demands to survey my land for their interstate pipeline expansion project. IfT did not cooperate with them they claimed they would petition FERC and the MA Department of Public Utilities for eminent domain. After considering their proposal, I realized that this project was fraudulent, and not in the public interest and especially harmful to our Commonwealth in Massachusetts and for New Hampshire.

The proposed \$5 billion project ‘to cross eight PI MIIfTiR Csttnty t6YfflS @! its- ~ from Wright, N.Y., to Dracut, MA, is proposed to deliver Uf’-i8 1:. willion etrbtc ~et a ‘day of fracked gas from Pennsylvania shale fields. The goal for cheaper energy in the short term is misleading. Will they account for the carbon greenhouse gases emitted into our atmosphere, now confirmed as contributing to climate change? Will they account for falling real estate values, can they thoroughly clean up polluted waterways, and accidents? The short term reductions on cost is manufactured or made up, but will not be realized in the long-run since the harm created by such a project is almost unimaginable. It would end up destroying communities and lead toward extreme climate change. This would especially be harmful to cities like Boston, NYC, Miami, areas in Louisiana at risk for rising ocean levels and extreme storms.

In 2012 the International Energy Agency (IEA) released its annual flagship publication, the World Energy Outlook. The TEA made an historic statement in the executive summary.

It said, “No more than one-third of proven reserves of fossil fuels can be consumed prior to 2050 if the

world is to achieve the 2 °C goal, “ which is the internationally recognized limit to average global warming in order to prevent catastrophic climate change.

I will me rephrase that. Over two-thirds of today’ s proven reserves of fossil fuels need to still be in the ground in 2050 in order to prevent catastrophic levels of climate change.

The \$5 Billion investment for such infrastructure if used for solar, could attain a 3,000 megawatt facility, like what was proposed for a project in Nigeria. Tn New England the Kinder Morgan proposed \$5 Billion investment would create pollution, lower property values, create noise and harm our water that is more valuable than fracked gas. Billions for infrastructure for such a finite dirty fuel makes no sense. It pollutes when extracted, transported, and burned. It would leads us toward not keeping 2/3’ s of fuel reserves left in the ground.

I implore the Federal Energy Resources Coalition to not approve such a project. There are better alternatives, and even if the short term has higher energy prices, in the long run, we all will benefit by making our decisions for an environment healthy for people and nature.

As nations grapple with the best strategy for decreasing carbon emissions ahead of the upcoming United Nations Framework Convention on Climate Change negotiations in Paris, a report, published in the journal Nature Communications, underscores the need for communities to transition away from an economy based on endless growth and towards a more renewable energy system to stem the growing climate crisis. The time is late to respond to a responsible energy and climate policy. Will FERC support our humanity or follow the money trail directives from those wanting to control, but are actually destroying our world?

## 20150821-4035

Scoping Questions-NED Pipeline  
Project Docket number PF14-22

Name: Jim Markham  
Street Address: 183 Summit Street, Plainfield, MA  
Phone: 413-634-8877  
Email Address:emandjim3@verizon.net

Draft Environmental report submitted 3 business days before scoping meeting

Location/size of compressor stations subject to change

Location/size of metering stations subject to change

Location/size of pipeline itself subject to change

According to FERC, ”Public benefits must exceed costs to society”

Alternatives: renewables, efficiency, storage and market reform, upgrades to existing infrastucture, fixing leaks in existing gas piping.

In the Environmental Impact Statement please address:

### **Cultural and historic impacts**

- Please explore the degree to which the project will impact Historic and archaeological sites.
- Please determine the impact on farms. Especially explore the affect of pipeline construction and operation on organic farms, and any risks to the organic certification of such farms.
- Please explore the degree to which the project will affect the beauty and rural character of the region.
- Please quantify the impact to the region’s tourist economy.
- Given that rural roads contribute significantly to the region’s beauty, character and ease of transportation, determine the affect of construction and ongoing maintenance on these roads.
- Please determine the means by which damage to roadways will be repaired. Public health and safety impacts

- Please research response time of first responders/firefighters in event of a problem, especially in remote rural areas on difficult terrain.
- Please evaluate the susceptibility of the region's forests and grasslands to catastrophic fire in the event of a pipeline explosion or fire (especially during dry times of year when the region has high fire danger).
- Please address issues related to aging of the pipeline and infrastructure; explore the means by which safety will be maintained as the pipeline ages.
- Please explore the means by which gas/chemical leaks will be identified and remediated.
- Please determine the human impact resulting from short term and long term exposure to gases and chemicals emitted by the pipeline and infrastructure.
- Please explore the potential safety impact of routine cleaning/maintenance operations throughout the lifetime of the system. How will toxic chemicals be contained, and what systems will be needed to rapidly and effectively address accidental releases?
- Please evaluate the human impact of noise caused by the construction and operation of the pipeline. Please evaluate the health impact of high, mid and low (subaudible) frequencies, as well as so-called "pure tones."
- Please determine the emergency evacuation plans that will be required in the event of a pipeline accident or emergency. By what means will the public be notified and, if necessary, evacuated?
- Please address the means by which first responders and firefighters would respond to an emergency during spring mud season, when many roads are impassible.
- Please evaluate the impact of long construction hours on human health and welfare. What means will be used to minimize sound/light/vibrational impact on people in the area during construction?
- Please determine the means by which the contaminated water from pipeline pressure-testing will be safely disposed of.
- Please evaluate the impact of damage to roadways from pipeline construction on emergency responder/ ambulance response times in the region.
- Please evaluate the susceptibility of the pipeline and its infrastructure to terrorist attack. By what means would remote stretches of pipeline and infrastructure be protected?

### **Environmental impacts**

- Please examine the degree to which the construction of this pipeline conforms to the requirements of the Mass Global Warming Solutions Act.
- Please determine the impact of pipeline construction and operation on any endangered plant and animal species found along the pipeline route.
- Please determine the impact of pipeline construction and operation to any wetlands or vernal pools found along the pipeline route.
- Please determine the impact of pipeline construction and operation on ponds, lakes, brooks, and rivers along the pipeline route.
- Please determine the impact of pipeline construction and operation on subsurface water such as ground water, aquifers, wells etc. What effect would the project have upon drinking water quality for the residents of Massachusetts, especially those living near the pipeline and compressor stations?
- Please determine the environmental impact of disposal of water from the pipeline pressure-testing process.
- Air quality. Please determine the level of pollutants expected to be released into the air from compressor stations, and how would these toxic emissions affect the people living downwind from the compressor sites?
- Please evaluate the potential of environmental damage resulting from a pipeline explosion or fire during windy, red flag conditions.
- Please determine the means by which a large pipeline-related fire would be controlled during red-flag con-

ditions in remote, rugged sections of pipeline.

--Please research the potential impact of naturally caused forest fire on the pipeline and infrastructure, particularly on compressor stations. How would firefighters effectively respond to such a fire scenario?

-- Please determine the impact of pipeline construction and operation on wildlife migration corridors; how would the pipeline effect the movement of animals in the region?

--Please evaluate the effect of gas fracking, transport and use on the creation of heat-trapping greenhouse gasses. Please include the entire gas production cycle, from extraction to end-point use, and including all fuels consumed in construction and maintenance, in this evaluation.

--Please compare the greenhouse gas affects of gas production and use compared to current coal-based systems. Take into account the entire scope of gas use, from extraction to construction and maintenance of pipeline, to endpoint use. Evaluate whether sufficient reductions in greenhouse gases would occur to justify a project of this magnitude.

--Please evaluate the Global Warming impact of pipeline construction and gas use, compared to the construction and use of renewable energy sources such as solar and geothermal.

--Please examine the environmental affects of ongoing pipeline and right-ofway maintenance, throughout the lifespan of the pipeline.

--Please explore the means by which pipeline piping and infrastructure will be removed after the lifespan of the system has been reached.

--Please look into the likely frequency of accidental spills from pipeline and associated infrastructure and mainenance equipment. Explore the means by which such accidents will be remediated. Determine also how the public will be informed of such accidents, and protected from harm.

--Please determine the potential increase of 4-wheeler and RVincursion into sensitive areas due to changes to the existing power-line right-of-way.

--Please determine the degree to which pipeline construction and operation will impact plant and animal conservation/protection areas such as Audubon sanctuaries.

### **Economic impacts**

--Please explore the economic impact of pipeline construction and operation on farms, both organic and conventional.

--Please quantify the impact to the tourist economy of the region from pipeline construction and operation.

--Please assess the economic impact on the region resulting from Climate change resulting from gas extraction, transportation and use. Please include in this assessment affects on the spread of invasive species due to a warming climate.

--Please examine the effect of pipeline construction and operation on the spread of invasive species. How will construction and maintenance vehicles avoid spreading invasive plants throughout the region?

--Please evaluate the impact on property values in areas through which the pipeline passes.

--Please determine the degree to which utility customers will be required to pay for this project. Please justify such billing practices when the outcome is tremendous financial gain for a private corporation.

--Please evaluate the degree to which future fluctuations in gas price and supply will impact the financial viability of this project.

### **Concerns of environmental social justice**

--Please explore the rationale by which Kinder Morgan justifies using a lower grade of piping in lower-income, rural areas.

--Please evaluate any differential impacts of the pipeline construction and operation on lower vs. upper income residents in the state.

--Given that the effects of climate change disproportionately affect the poor, evaluate the degree to which this project will impact climate change compared to the use of sustainable energies such as solar energy and biofuels.

--Please determine the degree to which roadway damage from pipeline construction and operation will have a disproportionate effect on the rural poor.

--Please evaluate the disproportionate impact of pipeline construction and operation on the life, welfare, historical sites, and cultural integrity of native Americans in the area.

### **Viable alternatives to the pipeline**

--Please explore all viable alternatives to pipeline construction, including increases in energy efficiency, conservation and renewable energy sources.

--Please determine the degree to which temporary periods of insufficient gas supply could be remedied by repairing leaks in the existing system.

--Please examine the environmental impacts of constructing and operating a pipeline vs. not doing so.

--Please evaluate the possibility of improvements to existing infrastructure vs. this planned massive expansion.

Please do not close the scoping comment period until 60 days after Kinder Morgan files new complete and accurate Resource reports.

### **20150821-4036**

Joanne McGee  
9 Main St.  
Northfield MA 01360  
413-498-5022

July 29, 2015

To: Federal Energy Regulatory Commission  
888 First Street NE, Room IA  
Washington DC 20216

Re: Tennessee Gas Pipeline Company, LLC. Docket No. PFI4-22-000, Northeast Energy Direct Project

The proposed location for the compressor and pipeline route in Northfield will adversely impact abutting conservation lands and a network of hiking trails. Others will testify about the environmental problems created by a compressor sited on a high bedrock ridge that drains to our water protection zones and to the Ct. River.

I want to tell you about the damage that this siting will cause to Northfield's Brush Mt. Conservation Area, Town Forest, and to the New England National Scenic Trail, recently designated by Congress in 2009, and one of twelve in the USA.

Ten years ago at Town Meeting I asked the residents to support our first conservation project, Brush Mt. Conservation Area, a 46-acre woodland parcel that protects

The trail head for the historic Metacomet-Monadnock Trail, a 220 mile long distance path from Long Island to New Hampshire, now the New England National Scenic Trail.

The original homestead of Calvin Swan, a free black man, well-respected member of the community, a carpenter and saw mill owner, and a founder of two anti-slavery societies in Franklin County.

Continuous wildlife habitat that runs into the New Hampshire forests. An "imperiled" forest community designated by MA Fish and Wildlife.

At that town meeting residents pledged the money to purchase this property with the help of Mount Grace Land Conservation Trust. Donations and grants originated not only from private people and foundations

but also from the Commonwealth of Massachusetts and the United States government and are specifically for land preservation and cannot be used for anything else. Removing any permanently protected land from conservation not only breaks the trust of these donors, it presents legal issues about reimbursement

Self-Help Grant	\$70,400
Appalachian Mt. Club	5,000
Girl Scout hikathon	315
Basket Raftle	450
North Quabbin Regional Landscape Partnership	4,000
Private donation (Anonymous)	5,000
Recreational Trails Grant	36,000
Fields Pond Foundation	6,000
Private donations	6,010

Brush Mt. Conservation Area is the keystone project for an evolving economy for the town based on recreational activities.

1995 Town voted to acquire Brush Mt. parcel for Conservation Area

1996 Town received SELF HELP Grant from Commonwealth of Massachusetts

1997 Town paid off all loans for Brush Mt.

2003 Calvin Swan paper Slavery/Antislavery in New England published by Dublin Seminar for New England Folklife, Written by Northfield historian Betty Congdon

2007 Congressman John Olver introduced New England Scenic Trail Designation Act in House of Representative

2008 Trust for Public Land greenprint process designated valued conservation areas

2009 Metacomet-Mondadnock Trail now designated New England National Scenic Trail (NENST)

2011 Richardson property protected to provide an additional trailhead to NENST

2010 Federal Forest Legacy funds secured to protect Northfield Town Forest

2013 Northfield Open Space Plan calls for promoting and improving trail systems.

2014 - 2015 Northfield Open Space Committee develops trail maps and builds kiosk

Brush Mt and the Town Forest are now the hub for recreational trails in Northfield. More than 10,000 hikers now travel the New England National Scenic Trail. Who would want to hike next to a noisy compressor station? Would you approve a compressor station on the Appalachian Trail or route the pipeline to weave back and forth across the Appalachian Trail?

Respectfully submitted,

Joanne McGee

[jbmcgee2@verizon.net](mailto:jbmcgee2@verizon.net)

Member, Northfield Open Space Committee

Fonner member, Board of Selectmen

Conservation Committee, Mount Grace Land Conservation Trust

## 20150821-4037

FERC Public Scoping Meeting 712912015

I am commenting on the supposed demand for more natural gas. I have not read anything that conclusively states this is necessary in order for us to meet our energy needs here in Western MA where this pipeline and compressor station are being forced on communities that have expressed many valid concerns and have voted on ordinances opposing it.

In fact I have read that studies commissioned by the New England States Committee on Electricity (NES-

COE) determined that if the current levels of our MA state energy efficiency programs continue, then there is no need for additional natural gas infrastructure even taking into account economic growth factors. And yet ISO New England and NESCOE are both calling for more pipeline capacity.

We are told there is a need for increased capacity when peak demand during cold weather creates a situation where gas for heating and gas for electric generation compete for existing pipeline capacity. However these conditions actually only happen for a few hours a day, for a few days a year, and it has never affected our capacity to generate extra electricity

It has also been determined that ISO New England has been issuing “Minimum Generation Emergency Warnings.” This relates to those times when consumers are using so little electricity that the grid operator has to ask power plants NOT to generate electricity, and that this occurs far more frequently than those few times ISO-NE comes close to dipping into the reserves for electric generation during the few peak usage days per year that occur in winter.

So what is happening here? We are being asked to accept a pipeline that will carry huge amounts of fracked gas through our local communities: amounts that are way beyond what is needed here just for our own usage. Clearly, our environment, watersheds, diverse eco-systems, and health are being sacrificed so that this gas can ultimately be shipped overseas for large profits. We are being lied to.

Natural gas is not clean energy. In fact the fracked gas now being transmitted is much more polluting and dangerous than the natural gas previously in use before it became less plentiful, and hydraulic fracturing became the norm for extraction. Furthermore this process has impacted the quality of life in the communities where it is extracted, polluting drinking water and causing health problems.

Natural gas is primarily methane, a greenhouse gas over 86 times more powerful than CO2. When a full accounting of methane’s impact is taken into consideration, studies show that it has no benefit over coal or oil in reducing greenhouse gas effects. We are at a critical point with climate change and every attempt should be focused on clean renewable energy sources. Adding more natural gas is the wrong approach for achieving Massachusetts’s greenhouse gas emission goals-based on CO2 input alone. It is not a “bridge fuel” as it has been promoted. Does anyone think that once this pipeline is built it will then be abandoned down the line given the huge profits that will be generated overseas? And the latest news that the size of the pipeline and the compressor being considered for Northfield are being reduced in size is not a reason to rejoice; especially in light that both can be increased in the future if Tennessee Gas Pipeline Company decides they want to import even more gas. And the impacts on our local communities are still just as valid.

Dorothy McIver  
88 Columbus Ave  
Greenfield, Ma 10301

**20150821-4038**

**Metro\*Hartford Alliance**

31 Pratt Street, 5th Floor

Hartford, CT 06103

tel (860) 525-4451

fax (860) 293-2592

July 30,2015

The Honorable Kimberly D. Bose, Secretary

Federal Energy Regulatory Commission

888 First Street, N.E., Room 1-A

Washington, D.C. 20426

Re: Docket No. PF14-22-000

Northeast Energy Direct Project

Dear Secretary Bose:

The MetroHartford Alliance serves as the region's economic development leader and the City of Hartford's Chamber of Commerce. Our investors include businesses of all sizes, health care providers, arts and higher education institutions as well as the municipalities of North Central Connecticut. Our mission is to ensure that the region competes aggressively and successfully for jobs, capital, and talent so that it thrives as one of the country's premier places for all people to live, play, work, and raise a family.

The Alliance is also an aggressive advocate for smart investment in our state's infrastructure. Job retention and creation is dependent upon strong infrastructure that supports the efficient movement of freight, information, people, and energy throughout Connecticut.

For too long, Connecticut has faced the unfortunate distinction of having the highest energy prices in the continental United States, while simultaneously facing insufficient access to energy sources. Inadequate natural gas pipeline infrastructure in Connecticut contributes to volatile, increased electricity prices, which in turn stifle our state's economic recovery and the private sector's ability to retain and grow jobs. The Alliance is pleased that through their Northeast Energy Direct Project, Kinder Morgan is working to be part of a solution that will enhance system reliability and lower energy costs in the state.

Reliable access to affordable energy is key to making Connecticut a place in which the private sector can thrive, grow and create jobs. By increasing our state's natural gas pipeline capacity, we can move closer to reaching Connecticut's energy goal of providing cheaper, cleaner and more reliable energy resources to the citizens and businesses of our state. Without strengthened infrastructure, residents and business in Connecticut will continue to face high electric prices and, even worse, could experience power outages.

Connecticut is at a critical point. We can no longer continue to travel down the road of higher energy costs which make our companies unable to compete on a national and global level. We appreciate Kinder Morgan's efforts to help bring reliable, lower cost energy to Connecticut's businesses and residents.

Sincerely,

Patrick McGloin

Vice President for Government Relations and Public Policy

**20150821-4039**

Federal Energy Regulatory Commission  
888 First Street NE  
Washington, D.C. 20426

July 29, 2015

Re: Tennessee Gas Pipeline Company, LLC  
Docket No. PF14-22-000  
Northeast Energy Direct Project

My name is Don Ogden, I am the producer and co-host of The Enviro Show, broadcasting from Florence, MA and aired here in Greenfield.

Your former chairperson, Cheryl LaFleur has been quoted as saying: "We don't do warming" [as in global warming]. You guys just don't get it. You are on the wrong page. There's a Climate Crisis out there. Massive methane leaks from the entire fracked gas infrastructure is making it worse (1). You can't address the environment without addressing the climate and methane leaks, OK? Your job is to determine how much worse new gas infrastructure will affect the climate. You are supposed to be regulators, not enablers for the fossil fuel industry. History will remember what you do with this project: help protect the climate that supports us all or help industry destroy it.

(1) <http://insideclimateneews.org/news/23072015/study-gets-handle-gas-leaks-80-billion-cubic-feet>

**20150821-4040**

PF14-22

Hannah Perkins  
8 Todd Pond Rd  
Lincoln, MA 01773  
781-277-1780  
hannahperkins4@gmail.com

My name is Hannah Perkins; I'm a student at Hampshire College and a resident of Massachusetts. I am 22 years old. I have my entire future ahead of me. I would like to live out that future in a world that is not constantly dealing with floods, droughts, record-breaking heat, crop failures, and rising sea levels. I would like to live in a world where the already marginalized and vulnerable, in this country and all across the world, do not have to suffer even more because of something they did not cause. I would like to have my own garden that is productive and healthy, not torn apart by floods and pests. I would like to continue drinking water that is clean and breathing air that is pure, not infused with toxic chemicals. These are the effects that climate change will have on our world if we build this pipeline and others.

Natural gas is not natural in any way, and it is not a bridge fuel. Due to the high amounts of methane that are released when natural gas is burned, natural gas, and the pipelines that carry it, exacerbate climate change immensely. According to the newest IPCC report, methane is 34 times more potent than carbon dioxide. Please look into the climate change impacts of methane from this pipeline.

Climate change is the biggest and most urgent issue of our time. The longer we wait to take action, and the longer we keep relying on fossil fuels like natural gas, the more perilous our world will become. The planet is already warming, and temperatures will continue to rise to unlivable conditions if we keep extracting and transporting natural gas. As a college student, it feels almost pointless to be preparing for a future that, right now, is unstable at best. We need to use the legislation already in place from the Global Warming Solutions Act to end all new fossil fuel infrastructure. There are many alternatives to this pipeline, including renewable energy and energy efficiency, which would have much less of an impact on the environment and on climate change, as well as create more jobs. I'm tired of waiting for this transition to happen. I want a future that is healthy, sustainable, and just- for myself, for my peers, and for all those across the globe who don't have a voice in this fight.

**20150821-4041**

Praxair, Inc.  
39 Old Ridgebury Rd.  
Danbury, CT 06810-5113  
Omar A. Vargas  
Executive Director, Government Relations

July 30, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Room 1A  
Washington, DC 20426

RE: Docket No. PF14-22-000

Dear Secretary Bose:

Praxair appreciates the opportunity to comment on the Federal Energy Regulatory Commission's (FERC) notice of intent to prepare an Environmental Impact Statement for the planned Northeast Energy Direct Project.

Headquartered in Danbury, Praxair is one of Connecticut's largest companies and one of the largest industrial and medical gases producers in the world. Praxair's commitment to our employees, customers, and the communities in which we operate is to Making Our Planet More Productive. This commitment means offering products and technologies that support a strong, growing economy and minimize environmental impacts. We have been globally recognized for this commitment and have been referred to as one of the greenest companies in the world.

As a result of our continuous investment in demand side energy efficiency, our operations are highly energy efficient. Nevertheless, we are an energy intensive manufacturer. In many areas of the country, including Connecticut, the cost of electricity, one of our main raw materials, can account for up to 70% of our total production cost. As a result, the cost of electricity is a significant determining factor of where we choose to either build new facilities or expand existing facilities. This is why Praxair strongly supports the Northeast Energy Direct and Connecticut Expansion projects.

As a direct result of limited natural gas pipeline capacity in the region, Connecticut's industrial electricity prices are the highest in the continental U.S. and significantly above the national average. The state's rates are not only high, they are highly volatile-especially in the winter freeze and summer heat. This is true throughout New England. This current reality makes it incredibly costly to be a manufacturer in the region. By way of specific example, our facility just north of here in Suffield competes against a variety of our other facilities in the region. As a result of energy prices, we can, at times of high prices, more affordably serve Connecticut customers from our facilities in New York and Pennsylvania than we can from Suffield.

Praxair strongly supports policies and projects that encourage the robust development of affordable, reliable, and cleaner energy. The Northeast Energy Direct and Connecticut Expansion are these types of projects. Combined, these projects will result significant economic impact in the immediate forms of hundreds of construction jobs and in-state capital spend but, perhaps more importantly, long-term in the form of lower and more stable electricity prices. These projects also make environmental sense in that natural gas fired generation, on a per unit of energy delivered basis, emits 32% less green house gasses than oil-fired generation furthering not only federal policy priorities, but also Connecticut's own Comprehensive Energy Strategy and the region's Six State Energy Action Plan.

Thank you.

Very truly yours,

Omar A. Vargas

#### **20150821-4042**

Hand written 2 page letter, Mark Renner, 10 Monument St, Plainfield, MA 01070, many scoping questions; opposing.

#### **20150821-4043**

PRELIMINARY STATEMENT FOR FERC NOI SCOPING SESSION (PF14-22)  
KINDER MORGAN TENNESSEE GAS PIPELINE  
NORTHEAST ENERGY DIRECT PROJECT

By Whit Sanford, July 29, 2015

Good evening,

My name is Whit Sanford. I am a resident of Shelburne Falls MA. I am a retired, fulltime volunteer. I lived and worked in the Catskill region for 25 years where I directed two nonprofit cultural organizations and served on the Boards of the Catskill Center for Conservation and Development and Catskill Forestry Association. Until 2005, I codirected the Connecticut River Watershed Council in Greenfield working on issues of region concern. I have a BS in Business and a MA in Regional Planning. As such, I am very knowledgeable about environmental and economic issues and well-versed in the communities, counties and regions through

which the NED pipeline is proposed.

My concerns focus on the impact that the pipeline will have on the economy of rural areas like the Berkshires (and Catskills) where tourism, farming, forestry and outdoor recreation are a significant and growing part of our economy. These business sectors and industries are based in and dependent upon the capacity of residents, businesses and towns to protect, restore and sustain the quality of our lands and waters, the scenic beauty of mountain landscapes, the rural character, culture and heritage of our communities, and the health and integrity of our natural and historic resources.

The Kinder Morgan pipeline and TG&E natural gas industry run counter the growth of our rural economy, compromising our farms, forests, water, scenic beauty, and rural heritage. After all, the natural gas industry has heretofore not existed in our region.

As such, in addition to analyzing the need for the pipeline and assessing alternatives to electric generation, as many have suggested be done, it is imperative that FERC evaluate the impact of the pipeline on the economy of the Berkshires and in particular Franklin County one of the poorest in Massachusetts.

FERC should study the impact on farming, forestry, tourism and recreation, where lands are taken via a one-time eminent domain payment, but the land owner loses the productivity of the land in perpetuity. If anything, land owners should be compensated on an annual basis equal to what crop, field, trail and/or timber loss they suffer annually as a consequent of the taking.

Here are some initial questions I have drafted that FERC should look into and understand before it makes its decision about the pipeline.

#### Tourism

- How will the pipeline conflict with scenic values and rural quality of Western MA?
- How will the pipeline make the region less appealing for second-home and tourism development?
- Why should a new pipeline, costing billions of dollar, be routed through pristine wild and rural lands when existing rights-of-ways could be used to support a new or expanded pipeline?

#### Outdoor Recreation, Agriculture and Forestry

- What is the value/cost of losing working lands to property owners individually and collectively?
- What is the value of timber taken?
- What are the tax implications for towns and property owners with lost property values?
- Will the pipeline compete with the region's potential designation as a new type of National Forest and/or National Recreational Trail?

#### Cost to Towns over the Long-Haul

- Impact to and cost of road repair/maintenance and other infrastructure?
- Impact on Emergency Services.
- Impact on village and town center businesses if the pipeline causes farmers that are already struggling to go out of business or tourism a growing industry to falter.

#### Rural Economic Equity

- How will Kinder Morgan and Tennessee Gas & Electric compensate landowners and towns overtime for the use of the lands and natural resources taken for the pipeline in perpetuity?
- How can there be economic parity for urban and rural residents and businesses. Just because there are fewer people in rural areas does not mean that our economy is of less value than in urban areas and that rural landowners and businesses should not be compensated properly for providing a natural gas supply through their towns that is primarily destined for urban cities to bolster urban economies.

Whit Sanford lives in Shelburne Falls, MA and can be reached at 413-458-3160.

**The Commonwealth of Massachusetts**  
**House of Representatives**  
State House, Boston 02133-1054

REP. ELLEN STORY  
3RD HAMPSHIRE DISTRICT  
FLOOR DIVISION LEADER  
HOUSE COMMITTEE ON RULES

July 29, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Room A1  
Washington, D.C. 20426

Dear Madame Secretary:

I regret that I cannot attend tonight's scoping meeting on the prospective Northeast Energy Direct Project. The state House of Representatives is in session, so I must be in Boston to attend to legislative business. Please accept this letter as testimony. .

I have strong reservations about the environmental impacts of the proposed gas pipeline. The materials that Kinder Morgan has provided to my office and to the public do not address these concerns adequately. I have heard many objections about environmental effects from my constituents, and even more from people who live in the vicinity of the prospective pipeline. In particular, I have heard a very persuasive case from a hydrogeologist who lives in a town adjacent to my district that we must study thoroughly the consequences of creating new manmade preferential pathways along this route. Because it alters the geomorphic structures of several unconnected watersheds, this project cannot move forward until the consequences on trophic interactions, nutrient dynamics and contaminant pathways are fully vetted.

Environmental review of this project should be a question for scientists, cartographers and land stewards, not corporate spokesmen, bureaucrats and lawyers. Please enforce a thorough review of this under-vetted project.

Yours sincerely,

Ellen Story  
State Representative  
3rd Hampshire District

**20150821-4045**

**PIPELINE CONCERNS FOR DEERFIELD**

**Economic**

1. Pipeline's presence could cause destruction of home values
2. Pipeline's presence could cause difficulties in financing or refinancing
3. Pipeline's presence could cause difficulties obtaining homeowners insurance

**Water Resources**

1. Pipeline's construction could cause damage to wetlands
2. Placement could cause alteration of surface water drainage patterns
3. Pipeline could be a source of contamination of water supplies
4. Construction could cause a reduction of well capacities for bedrock wells

5. Placement could result in alteration of groundwater flow patterns

#### Geology ~

1. Blasting during construction ~mpact geology and groundwater flow
2. Installation of pipe in frost zone can pose threat to pipe integrity
3. Lack of proper bedding will impact pipe integrity
4. Depth of pipeline could prohibit farming or recreational use damage

#### Public Safety

1. Deerfield does not have resources to protect against terror or vandalism threats
2. Deerfield does not have manpower or equipment to address pipeline accidents
3. Concern withRegional response preparedness
4. Pipeline's proximity to Deerfield Rail Yard could affect or alter remediation efforts at that site.
5. Look at Reverse 911 funding

#### Open Space, Recreation, and Conserved Lands

1. Pipeline will cross bodies of water and recreational areas (Deerfield River, Connecticut River)
2. Pipeline will affect recreation and retreat areas (i.e., Woolman Hill)
3. Pipeline will cross a significant portion of Deerfield farmland, causing loss of arable land, and potential long-term repercussions to farming in Deerfield.
4. Pipeline installation could affect further conservation efforts in Deerfield
5. Pipeline will pass through private and public conserved and preserved land

#### Historical

1. Pipeline will pass adjacent to Historic Deerfield and could affect tourist potential
2. Pipeline could cause disturbance to several historic homes, and potentially disturb one historic cemetery.
3. No provisions related to planning for, or conservation of potential Neolithic or other archeological sites

#### Construction

1. Heavy equipment during construction w~ damage town roads
2. Blasting adjacent to power lines wiIII~~~aten transmission line integrity
3. Construction could have a detrimental effect on farms and businesses along the construction route
4. Critical nature of construction should mandate an independent 3rd party construction monitor and certification

**20150821-4046**

**TOWN OF LEVERETT**  
Massachusetts 01054

**Statement from the Selectboard of Leverett Massachusetts to**  
The Federal Energy Regulatory Commission

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE  
Washington, D.C. 20426

Rc: Tennessee Gas Pipeline Company, LLC  
Docket No. 1'1" 14-22-000  
Northeast Direct Energy Project

Dear Secretary Bose:

The Select Board of the Town of Leverett, Massachusetts has, by resolution, approved this letter and the requests contained therein.

Wherefore, this Select Board requests that you, and the Federal Energy Regulatory Commission ("FERC"), not accept the Tennessee Gas Pipeline Company, Inc.'s ("TGP") formal filing until its Resource Reports are made complete. Currently TGP's Resource Reports as filed with this commission have approximately 10,215 instances of information or condition "to be determined." Where the health and safety of our communities is concerned these omissions create an unacceptable level of uncertainty, ambiguity, and risk. Therefore this Commission should forthwith serve notice on TGP that its Resource Reports, as filed, are rejected as incomplete and further that said reports may be refiled, when complete, i.e. with no "to be determined" evasions, within a reasonable period of time. In light of the foregoing, we hold it imperative that FERC not close the scoping period until 60 days after TGP files new, complete Resource reports and we therefore request FERC not do so.

In addition, we concur with Massachusetts Senate President Stann Rosenberg's proposal to postpone FERC's scoping hearings in this matter until at least September. That would both give the public more time to review the environmental issues involved and give TGP more time to complete its Resource Reports.

Moreover, as state leaders have made clear, there is no urgent need to rush this matter forward. To dispassionately, and disinterestedly, determine the New England regional natural gas energy needs, the office of the Massachusetts Attorney General, under Attorney General Mauro T. Healey, is currently conducting a regional gas capacity study. Attorney General Healey has stated, "As the state makes long-term decisions about additional gas-capacity investments, we should understand the facts: what the future demand is, and which cost-effective energy and efficiency resources can be deployed to meet that demand" and she has asked the Massachusetts Department of Public Utilities to "rigorously study" natural gas capacity and future needs prior to making any decisions relating to TGP's proposed pipeline.

Under The National Environmental Act ("NEPA"), consideration of energy efficiency is specifically required and under section 1502.16(e) FERC is required to discuss "Energy requirements and conservation potential of various alternatives and mitigation measures." Therefore, we request that, in addition to not accepting TGP's formal filing, that FERC conduct a comprehensive study on the potential impact on public health, on public safety, on the scope and consequences of leaks, including methane leaks, from the pipeline, and on the likely costs of mitigation in regard to the foregoing.

With regard to public health, all residents of the Town of Leverett rely on water from private wells. The aquifer upon which these wells draw is largely recharged by sources derived from the Connecticut River, the Deerfield River, and other sources—all areas where TGP's pipeline is proposed to run. Continued access to clean and safe drinking water from this aquifer is vital to our town. Therefore, we request that FERC conduct a separate study on the impact of the proposed pipeline on the aquifer and general water table, as relevant to our town and our neighboring towns along and near the proposed route. Additionally, since gas derived from hydro-fracturing processes ("fracked gas") is the principle or only gas that the pipeline will carry and since fracked gas is associated with elevated levels of internal pipeline corrosion and with the failure of welded pipeline joints, the requested study must address this issue and the consequences of the inevitable pipeline leaks resulting from corrosion and the resulting release of toxic chemicals in sensitive aquifer areas. Again, the study should identify and estimate the likely costs of mitigation, and the methods of mitigation, in regard to all of the foregoing including who will bear the financial costs to mitigate and clean up after pipeline leaks and failures.

Additionally, we request that FERC conduct a study as to the consequences, mitigation, cost allocation, and evacuation plans regarding pipeline and/or compressor station explosions. As you well know, this is a serio

us issue. According to data from the US DOT Pipeline and Hazardous Materials Safety Administration, over the past three years the averages for “serious incidents” was 631 pCI/year, for fatalities was 14 per year, for injuries was 67 per year, and for property damage was \$293,901~379,000 per year.

Leverett is justly proud of its history, traditions, environmental initiatives, and its officially recognized status as a “Green Community.” In May of 2014, consistent with this tradition, Town Meeting passed a resolution opposing the Tennessee Gas Pipeline citing reasons of public health, commitment to our protecting our environment, as well as the town’s support of renewable energy and energy efficiency. Therefore, we request that FERC use all means necessary to determine the cumulative effects over time of the impact of the proposed pipeline on our environment, including how these effects will be monitored: for drinking water, forests, wetlands, lakes, ponds, farmland, homes, and air,

Voted by the Leverett Selectboard on July 28, 2015

Peter d’errico      Julia Shively      Thomas Hankinson

**20150821-4047**

*{18 pages}*      {skip to end of 20150821-4047}

**BOARD OF SELECTMEN  
TOWN OF NORTHFIELD**

www.northfield.ma.us  
69 MAIN STREET

NORTHFIELD, MASSACHUSETTS 01360-1017

July 28, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426-0001

Re: Tennessee Gas Pipeline Company, L.L.C., Docket No. PF14-22-000  
Northeast Energy Direct Project

Dear Ms. Bose:

The Town of Northfield submits its observations and concerns regarding the above entitled project as enclosed.

This community is uniquely impacted by 8.5 miles of pipeline traversing four of the six public water supply protection districts and the placement of a 41,000-80,000 hp compressor station, both on or near environmentally sensitive areas.

We urge careful consideration of our concerns.

Respectfully submitted,

THE BOARD OF SELECTMEN

John Spanbauer    Jed Proujansky      Tracy Rogers

enclosure

cc: Congressman James MacGovern  
Senator Stan Rosenberg  
Representative Paul Mark

-----  
**TOWN OF NORTHFIELD**  
REPORT TO THE  
FEDERAL ENERGY REGULATORY  
COMMISSION

**Concerns Regarding  
Northeast Energy Direct (NED) Pipeline  
A Kinder Morgan Project  
JULY 2015  
Docket No. PF14-22-000**

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*{editor’s note: Appendices A, B and C have not been included here. They can be downloaded at:}*

*{[http://www.northfield.ma.us/files/Board%20of%20Selectmen/2015%20documents/  
Kinder%20Morgan/Approved%20FERC%20report\\_Part3.pdf](http://www.northfield.ma.us/files/Board%20of%20Selectmen/2015%20documents/Kinder%20Morgan/Approved%20FERC%20report_Part3.pdf)*

*{[http://www.northfield.ma.us/files/Board%20of%20Selectmen/2015%20documents/  
Kinder%20Morgan/Approved%20FERC%20report\\_Part4.pdf](http://www.northfield.ma.us/files/Board%20of%20Selectmen/2015%20documents/Kinder%20Morgan/Approved%20FERC%20report_Part4.pdf) }*

*{ only Part1.pdf and Part2.pdf have been included below }*

**Definitions:**

Northfield: the Town of Northfield, Massachusetts.

The Town: the Town of Northfield, Massachusetts.

Kinder Morgan: Kinder Morgan, Incorporated, any of its dba’s, parent companies, subsidiary companies, contracted parties or anyone doing work on behalf of the company building a pipeline through Northfield, MA. It refers to companies that may purchase part or all of the pipeline and or the entity that manages the pipeline.

FERC: Federal Energy Regulatory Commission

FEMA: Federal Emergency Management Agency

ROW: Right of Way

EIS: Environmental Impact Statement

MEPA: Massachusetts Environmental Policy Act

AGO: Attorney General's Office for the state of Massachusetts

DPU: Department of Public Utilities for the state of Massachusetts

DEP: Department of Environmental Protection

## 1.0 INTRODUCTION

### A. General

Northfield, Massachusetts (population 3,000) is a small rural community located on both sides of the Connecticut River. The route of the proposed Kinder Morgan natural gas pipeline extends for more than 8 miles, from the southeastern edge of town to the northeastern border with neighboring Warwick. The proposed route crosses environmentally sensitive areas, areas designated for preservation by the Town, lands that are currently designated as conserved the Town and the Commonwealth, and water supply protection zones for four public water supplies. Installation of the pipeline will require extensive blasting in areas where shallow depth to bedrock has been mapped.

The proposed pipeline and accompanying compressor station comprise the largest construction project ever planned for Northfield. Because of the conditions noted in the preceding paragraph, it is also the most complex project the Town has been confronted with. To assure a complete and comprehensive review of the project, we ask that the Federal Energy Regulatory Commission (FERC) mandate that potential implementation of the project adhere to Massachusetts Drinking Water Regulations, Massachusetts Environmental Policy Act (MEPA) procedures and Massachusetts Wetlands Protection Act regulations, all mandatory reviews for construction projects undertaken in Massachusetts.

The Town is concerned that Kinder Morgan either has not responded to, or has given incomplete responses to, questions and concerns that the Town has raised. In so doing, Kinder Morgan has created an adversarial relationship from the earliest stages of this project.

In view of Kinder Morgan's disregard for our concerns, the Town maintains that it is essential for independent, third party monitoring and certification of construction should this project proceed. The strongest protection against accidents along the route of the proposed pipeline or at the compressor station in the future is careful attention proper construction in the present. The Town believes that self-monitoring of construction by Kinder Morgan constitutes a clear conflict of interest.

The Town has prepared the following list of concerns and requests that FERC address all of these issues in the scope for the Environmental Impact Statement (EIS). In each of the areas of impact we have outlined our concerns and the requirements we think necessary to address these concerns.

### B. No Action Alternative

There have been numerous conflicting analyses regarding the need for development of this project. The Town requests that FERC include an analysis of impacts of a No Action Alternative in the EIS scope.

If FERC refuses to perform a No Action Alternative analysis, the Town requests that the EIS process be delayed to allow the Massachusetts Attorney General's Office (AGO) time to finalize their study evaluating the need for the proposed pipeline capacity. The July 6, 2015 AGO comments to the Massachusetts Department of Public Utilities (DPU) detailing the AGO concerns are appended to this document. The projected completion date for the AGO's study is October 2015. A small delay waiting for that report may have a significant impact on the results of the FERC determinations.

### C. Request to Delay Scoping Process

In light of the Massachusetts AGO request, the Town requests that the FERC EIS scoping process be delayed pending completion of the AGO report.

We also request a delay to allow affected towns along the route of the proposed pipeline sufficient time to review Kinder Morgan's Draft Environmental Report that was filed just days ago. Information provided to Northfield has been delivered in a piecemeal and ever-changing manner. As a result, it has been difficult to determine which among numerous documents is the most recent and accurate project pro-

posal.

It is essential that the Town have sufficient time to review the newly-filed, detailed project proposal and associated maps of the route so that the true impact of this project can be assessed. The Kinder Morgan proposal prepared for our review must include all plans for current and future pipelines in Northfield over the next 15 years. Without this information, it is difficult to identify all the issues related to the proposed pipeline and compressor station and to fully represent our concerns.

#### **D. Economic Impact**

The desire of the United States to move to green energy is well documented. Unfortunately, adoption of green energy alternatives has been slow to take hold due to the high cost of ownership of small scale green energy production. Because green energy has had to compete in the market place, only in recent years have costs dropped to the point where wide-scale adoption is economically feasible.

The proposed Kinder Morgan pipeline will be granted what amounts to de facto economic subsidies if taking of land for construction and installation is permitted without the pressure having to buy that land at market prices. Fossil fuel infrastructure projects thus receive an unfair market advantage by effectively removing them from the competitive constraints imposed by selling energy at the true cost of development and production. The marketplace provides an economic boost to the sale of fossil fuels at the expense of green energy facilities that are not granted these associated development costs. This unfair advantage negatively impacts green energy efforts across the country and perpetuates our reliance on fossil fuels.

If Kinder Morgan had to compete to buy land at fair market rates, the costs of the delivery of fuel would be reflected in a higher rates to endusers and lower profit margins to suppliers, and would increase the economic feasibility of green energy alternatives that, in the long run, provide a more sustainable solution to perceived energy supply shortfalls in Massachusetts and New England.

By forcing Kinder Morgan to purchase land directly without allowing them the right of eminent domain and the ability to take land they will have to pay for the true value of the land along their route and adjust their route as needed to acquire land. By causing the construction costs to reflect actual value Kinder Morgan will have to evaluate their project and its profitability accordingly and that will be reflected in the cost of gas. Should that cost be high enough it will serve to incentivize alternative energy solutions that may in the long run be better for the Northeast's economy and energy self-sufficiency.

## **2.0 GEOLOGY AND SOILS**

### **A. Depth to Bedrock**

#### **The Concern:**

The route of most of the proposed pipeline lies within areas of very shallow depth to bedrock. Extensive blasting will be necessary to achieve the required depth of cover.

#### **The Requirement:**

That there be advanced public notification regarding proposed blasting, approval of blasting guidelines and a schedule that limits the impact to residents and their livestock.

Blasting will be subject to extensive monitoring to assure the integrity of adjacent electric transmission lines.

#### **The Concern:**

All of the residences in the vicinity of the proposed pipeline rely on bedrock wells. Blasting can have a deleterious effect on these residences' water quality and quantity by opening new rock fissures or closing existing ones.

#### **The Requirement:**

That pre- and post-construction monitoring must be implemented to assure continued safe and reliable

water supply to residences that lie within a one-mile radius of the pipeline and compressor station. The Town's assumption is that any loss of water will be the responsibility of Kinder Morgan unless Kinder Morgan can absolutely prove that it is not at fault.

## **B. Pipeline Backfill and Frost Issues**

### **The Concern:**

The proposed pipe will lie in the frost zone. Northfield is concerned that the pipeline, as currently proposed, will not be buried below the frost line and therefore will be subject to damage from freezing and thawing of the pipe and its environs.

### **The Requirement:**

The Town believes it is necessary to bury the pipe a minimum of four feet below the ground, as that is the depth of the frost line in our region.

That to prevent abrasions and heaving, glacial till and blasted rock shall not be used as backfill. Only screened sand should be used to backfill around the pipe.

That stable bedding for the pipe should be required to assure adequate support.

That blasted rock or glacial till should not be used as pipe bedding.

### **The Concern:**

The proposed pipeline route is characterized by shallow depth of soil over bedrock. Consequently, any contaminants running off the site during construction or ongoing operations represent a threat to public and private water supplies at some distance from the facility.

### **The Requirement:**

That any runoff containing contaminants will be controlled.

That there will be no contaminants leaking into public or private wells.

That should there be contamination after the construction work there will be a presumption of responsibility on the part of Kinder Morgan unless they can otherwise prove absolutely that they are not at fault. (This requirement includes Laurel Lake, a Massachusetts Department of Conservation recreation facility in the neighboring town of Erving.)

## **C. Steep Slopes**

### **The concern:**

The bedrock profile along the route of the proposed pipeline path will require installation of the pipe along very steep slopes. Kinder Morgan has estimated that over one mile of pipe will be installed on slopes in excess of 40%. Installation along steep slopes will present significant challenges in controlling erosion and maintaining slope stability both during construction and during ongoing operations.

### **The Requirement:**

That there be a plan to control the impact of erosion and to guarantee stability during and after construction.

## **D. Excavations of Impervious Deposits**

### **The Concern:**

Excavation and removal of bedrock and glacial till may result in alteration of perched groundwater tables. These alterations of groundwater patterns may impact recharge to bedrock wells and water quantity available to nearby residences.

### **The Requirement:**

That there is no impact to groundwater patterns. That Kinder Morgan will be responsible for providing alternate water supplies to any entity that experiences loss of water after construction.

That the presumption of responsibility lies with Kinder Morgan unless they can absolutely prove other-

wise. That there be appropriate disposal of any unusable backfill.

## **E. Blasting near the Northfield Mountain Hydroelectric Project**

### **The concern:**

The Northfield Mountain Hydroelectric Project maintains a reservoir that was created by construction of a large earthen dam. The Town is concerned that seismic activity caused by blasting could endanger the structural integrity of the dam. Damage to this dam would result in disastrous flooding of residences and farmland located below the pumped storage reservoir.

### **The Requirement:**

That studies be undertaken and protections guaranteed that blasting will in no way affect the integrity of the dam, the turbines or water pipelines that connect these two.

That because of the potential for disaster we require that a third party review and approve any plan developed for blasting in this zone.

## **3.0 WATER RESOURCES AND WETLANDS**

### **A. Public Water Supplies**

#### **The concern:**

Northfield has eight (8) Department of Environmental Protection (DEP) designated public water supplies. The proposed pipeline route will impact four (4) of those supplies.

#### 1. Northfield Water District

The pipeline will pass through the watershed for the Northfield Water District well. (1217000-01G)

#### 2. East Northfield Water Company

The pipeline will pass through a large area of the watershed for the East Northfield Water Company Reservoir (0217001-01S)

#### 3. Northfield Mountain Hydroelectric Project

The proposed pipeline will pass through the Interim Wellhead Protection Area (IWPA) for two (2) public water supplies (1217003- 01G and 1217003-02G) serving the Northfield Mountain Recreation Area.

A significant threat to the water quality of these public water supplies is posed by the construction and operation of the proposed pipeline.

#### **The Requirement:**

That DEP be contacted regarding these water supplies and the threats represented by the proposed pipeline, and their recommendations adhered to.

#### **The Requirement:**

That the route of the proposed pipeline be relocated away from public water supplies so that it no longer impacts watersheds critical to the protection of Northfield's drinking supply.

That there will be no contamination now or in the future of Northfield's drinking water. The Town believes that rerouting the proposed pipeline is the only guaranteed way to ensure that our drinking water supplies will not be contaminated.

#### **The concern:**

A recent study conducted by Duke University found increased levels of radioactivity in the mining areas of the Marcellus Shale.

#### **The Requirement:**

That no radioactivity will be carried in the gas to prevent contamination of Northfield's water, air or lands.

## **B. Private Water Supplies**

### **The concern:**

As stated earlier, private bedrock wells may be adversely affected by construction and operation. Pre- and post-construction testing and monitoring will be essential to ensure continued safe water supplies to nearby residences.

### **The Requirement:**

These water supplies must be preserved and protected from both diversion of flow and from contamination from the construction and/or the pipeline.

That baseline studies at Kinder Morgan's expense will be done prior to any construction work. And that periodic studies be done post construction and compared to the original study to identify any change in water quality. Should changes be identified it will be the responsibility of Kinder Morgan to remediate.

## **C. Ground Water Flow Patterns**

### **The concern:**

The proposed pipeline installation and compressor station construction and operation could significantly affect ground water flow patterns, particularly those related to perched groundwater deposits. Blasting can have a significant effect on the water flow.

### **The Requirement:**

That there be hydrological testing and monitoring to guarantee a continuous water flow. The proposed pipeline route passes through multiple water recharge areas for both private and public water sources.

That baseline studies at Kinder Morgan's expense will be done prior to any construction work. And that periodic studies be done post construction and compared to the original study to identify any change in water to remediate.

## **D. Wetlands Impacts**

### **The concern:**

The proposed pipeline will pass through numerous jurisdictional wetland resource areas subject to the provisions of the Massachusetts Wetland Protection Act.

### **The Requirement:**

That a full survey of all land near the proposed pipeline, along with a complete inventory of rare and endangered species, vernal pools and other wetlands be completed. These inventories must be done by an independent third party to ensure that they are unbiased. As with all other projects in Massachusetts, the project must comply with the Wetlands Protection Act, file a Notice of Intent and obtain an Order of Conditions for construction and operation of the pipeline.

### **The Requirement:**

That long-term impacts from the proposed pipeline project on our wetlands and protected species must be considered a primary concern and measures must be guaranteed to ensure their long term viability.

## **E. Four Mile Brook**

### **The concern:**

Four Mile Brook has been identified as a stream with potential for salmon spawning. The proposed pipeline closely parallels the brook for nearly three (3) miles and crosses it and one of its tributaries. There is a significant threat to the water quality of this pristine stream and the habitat for salmon, a protected species.

### **The Requirement:**

That the proposed pipeline must take measures to guarantee the protection of this brook. Because the flow of this brook goes into the Connecticut River the impact on the Connecticut River must also be

considered.

#### **F. Millers Brook**

##### **The concern:**

The route of the proposed pipeline will cross Millers Brook, which has been identified as a cold water fishery with the same concerns as Four Mile Brook.

##### **The Requirement:**

That installation of the proposed pipeline must take all necessary measures to guarantee the protection of this brook. Because the flow of this brook goes into the Connecticut River the impact on the Connecticut River must also be considered.

#### **G. Erosion**

##### **The concern:**

Construction of the proposed pipeline presents the likelihood of significant erosion for all of Northfield's water resources, both during construction and ongoing operations.

##### **The Requirement:**

That the Massachusetts Wetland Protection Act be followed, and an Order of Conditions be obtained to prevent this erosion threat.

#### **H. Flood Plain**

##### **The concern:**

A portion of the proposed pipeline may be located in the Federal Emergency Management Agency (FEMA)-identified flood plain along the lower reaches of Four Mile Brook.

##### **The Requirement:**

That any FEMA issues be identified as soon as possible and relevant protections put in place.

#### **I. Flood Flows**

##### **The concern:**

The project will result in clear-cutting of 100 – 300 acres of forested land in Northfield. The loss of tree cover will have the potential to significantly increase runoff.

##### **The Requirement:**

That there a plan must be in place to ensure that pre- and postconstruction water flows are monitored and any potential damage mitigated to guarantee protection of all lands downhill from the clear-cut areas.

##### **The Requirement:**

That flood flows not be increased to levels in excess of pre-construction runoff flows.

### **4.0 VEGETATION AND WILDLIFE**

#### **A. Massachusetts Division of Fisheries and Wildlife**

##### **The concern:**

The Massachusetts Division of Fisheries and Wildlife (MDFW) and the Natural Heritage and Endangered Species Program has prepared a Biomap2 for Northfield that shows Core Habitat (...”areas necessary to promote the long-term persistence of rare species, other Species of Conservation Concern, exemplary natural communities and intact ecosystems”) over much of the pipeline project area.

MDFW has also identified large areas along the route of the proposed pipeline as a Critical Natural Landscape (...”intact landscapes in Massachusetts that are better able to support ecological processes and disturbance regimes, and a wide array of species and habitats over long time frame.”). As the current route of the proposed pipeline passes through large areas of these two (2) resource areas the Town believes that an alternative route should be considered.

The Biomap2 is appended to this report.

**The Requirement:**

That there be a plan in place to protect these important natural resources.

**B. Invasive Plants**

**The concern:**

Clear-cutting for construction of the proposed pipeline will create an environment favorable to the growth of invasive plant species, as disruption of intact plant ecosystems creates opens favorable for their establishment. Construction vehicle traffic along the route of the proposed pipeline also creates a vehicle for introduction of invasive plants.

**The Requirement:**

That measures should be taken post-construction to prevent establishment of invasive plants.

That a long term plan be in place to monitor and control invasive plants.

**C. Mature Mixed Forests**

**The concern:**

Clear-cutting for construction of the proposed pipeline will result in the loss of many mature deciduous and coniferous trees.

**The Requirement:**

That measures will be taken to guarantee the protection of forest resources.

**D. Wildlife**

**The concern:**

A new or expanded clear-cut Right of Way (ROW) will isolate some wildlife and limit movement of other wildlife by fragmentation of intact forest resource areas.

**The Requirement:**

That a baseline study of all wildlife that lives in the area of the proposed pipeline be conducted to identify those species that will be negatively impacted by forest fragmentation.

That detailed plans are in place to mitigate the potential damage to intact forest resources.

**E. Sound and Wildlife**

**The concern:**

The expected burden of noise from the proposed compressor station will have a negative impact on wildlife.

**The Requirement:**

That measures be taken to minimize any noise from the proposed compressor station to the point that it will have no impact on wildlife outside a to-be-determined radius of the proposed compressor station.

**5.0 CULTURAL RESOURCES**

**A. Native American History**

**The concern:**

Northfield is rich in Native American history. The proposed pipeline route crosses numerous culturally significant Native American sites, and sites related to early American settlements in Northfield.

**The Requirement:**

That Kinder Morgan take steps to preserve the history and sanctity of these culturally significant lands.

That an archeological study be conducted along the entire route of the proposed pipeline, and that appropriate protection be given to all archeological sites and sites of Native American significance.

## **B. Swan and Sikes Homesteads**

The concern:

The route of the proposed pipeline passes through the Northfield Brush Mountain Conservation Area. The Swan Homestead and the Sikes homestead, historically significant sites, are located on this property.

The Requirement:

That these important historical sites be protected and public access to the site be maintained.

## **C. Northfield and Massachusetts Historical Commissions' Reviews**

**The concern:**

The Town is concerned that historical sites will be damaged by the construction of the proposed pipeline in Northfield.

**The Requirement:**

That both the Northfield and the Massachusetts Historical Commissions must be consulted, as there are numerous historical sites along the proposed pipeline route. Adequate protection for these historical sites must be provided.

That there be a full survey of the route of the proposed pipeline in Northfield to identify and protect all historic sites, and that the development of and response to the survey be coordinated with the Northfield Historical Commission.

## **6.0 LAND USE, RECREATION AND WILDLIFE**

### **A. The New England National Scenic Trail**

**The concern:**

The site of the proposed compressor station property will abut the New England National Scenic Trail, a two hundred (200) mile long trail that extends from Long Island Sound to the northern border of Massachusetts. The trail was designated a national scenic trail by the U.S. Congress in 2009. The trail is used by ten thousand (10,000) people per year. The construction disturbances and noise pollution from the proposed compressor station will significantly impact the environment and experience this trail is meant to foster.

**The Requirement:**

That there be no impact to the trail, trail users and the associated commerce that they bring to the town.

### **B. Conservation Priorities**

**The concern:**

In 2008, Northfield contracted with the Trust for Public Lands (TPL) to develop priorities for the protection of the historic and rural character of Northfield. The TPL study identified the eastern hillsides of Northfield, where the route of the proposed pipeline is planned, as the highest priorities to protect.

**The Requirement:**

That the proposed pipeline project must protect the character of these priority lands.

### **C. Protected and Conserved Lands**

The concern:

The route of the proposed pipeline is projected to pass through the Northfield Brush Mountain Conservation Area, the Northfield State Forest and other properties preserved and conserved by the Town of Northfield and protected under Article 97 of the Massachusetts Constitution. The taking of this land would be a direct violation of the rights of the Commonwealth of Massachusetts.

**The Requirement:**

That the Massachusetts Legislature shall determine if it is acceptable to take these properties for the

pipeline.

**The Requirement:**

That the proposed pipeline be rerouted to avoid crossing any land protected under Massachusetts General Law by a conservation restriction or an agricultural preservation restriction.

**D. Hunting**

**The concern:**

For generations, people have hunted in the forested land all along the route of the proposed pipeline. Hunting is an essential part of rural New England life. To lose access to this recreational resource would be a great loss to Northfield.

**The Requirement:**

That all land that is not already designated restricted access due to safety reasons will be available for passive and active recreation, including hunting where it is permitted by local and state ordinance.

**E. General recreational activities**

**The concern:**

Northfield has spent several years working on a plan to promote Northfield as an outdoor recreation area. This includes but is not limited to:

- The federally-designated New England National Scenic Trail (National Park Service);
- The Richardson-Zlogar Hikers' Cabin (Appalachian Mountain Club);
- Brush Mountain and Town Forest (Mount Grace Land Trust);
- Trail guides and brochures, regularly scheduled hikes (Open Space Committee and Northfield Trails Association); and
- Cycling and running events (NATABA, Northfield Environmental and Recreational Center).

These recreation areas are all in the proposed route of the pipeline. Access to these areas are subject to restricted access due to the proposed pipeline. Millions of dollars in partnerships with state and federal agencies and non-profits have been invested in the planning and development of these recreational resources. The Town has endorsed these plans, and spent countless hours developing and refining them. The proposed pipeline will jeopardize these plans and waste the resources invested in their development.

**The Requirement:**

That accommodations will be made to allow these activities to continue unhindered by the proposed pipeline.

**7.0 SOCIOECONOMICS**

**A. Destruction of Home Values**

**The concern:**

Proximity of residences to the proposed pipeline and proposed compressor station is expected to have a significant negative impact the appraised value of these homes even if there are no takings.

**The Requirement:**

That Kinder Morgan makes adequate provisions to fully compensate these property owners for their loss in value. This includes impacts not only to those whose land will be taken, but also to abutters and any other property regardless of distance from the pipeline that may be negatively impacted by the construction of the proposed pipeline and/or compressor station.

**B. Difficulties in Refinancing or Obtaining Mortgages**

**The concern:**

Those property owners in proximity to the route of the proposed pipeline and compressor station antici-

pate experiencing difficulties in obtaining or refinancing mortgages. One Northfield property owner has indicated she has not been able to refinance her house, even at this early stage, because of proximity to the route of the proposed pipeline and compressor.

**The Requirement:**

That measures be put in place to protect the investments of Northfield residents in their property and homes.

That Kinder Morgan ensures that mortgages and refinancing can be accomplished without regard to the proposed pipeline.

**C. Difficulties in Obtaining Homeowner’s Insurance**

**The concern:**

Property owners may experience difficulties obtaining full and adequate coverage from homeowner’s insurance policies because of unknown hazards posed by the proposed pipeline. One resident has indicated she has already faced this situation.

**The Requirement:**

That Kinder Morgan establish that a mechanism be established to ensure that residents can get insurance at a rate similar to their rate prior to the announcement of the coming of the proposed pipeline and/or compressor station.

**D. Damages to Town Infrastructure**

**The concern:**

The infrastructure of Northfield’s roadways is not designed for extensive heavy truck traffic. Two of the roads that the proposed pipeline parallels or crosses are unpaved gravel roads (Four Mile Brook Road and Old Wendell Road). Gulf Road is not designed to carry either the volume or the weight of heavy vehicles. Extensive truck traffic that will be hauling pipe and equipment during construction is expected to cause significant damage Northfield’s roads. This will create a significant burden to the Town’s budget.

**The Requirement:**

That a \$5 million bond be posted by Kinder Morgan or its contractor to provide for all services related to the restoration of any infrastructure damaged by the proposed pipeline and compressor station construction projects.

**E. Reduction in Equalized Valuation of Northfield Tax Base**

**The concern:**

Northfield expects the equalized valuation of all property in town to decrease because of a general reduction in property values due to the installation of the proposed pipeline.

Kinder Morgan has indicated the project will result in annual tax payments to the Town of Northfield to exceed \$3 million. However, to date Kinder Morgan has not explained how the figure was developed despite repeated inquiries. Because no other town that currently hosts a pipeline has received similar tax receipts, we question the accuracy of this estimate.

**The Requirement:**

That the overall equalized valuation of the town be evaluated and the tax rates of its citizens protected.

That a minimum tax rate and Payment In Lieu Of Taxes (PILOT) be set at a rate of \$3 million as Kinder Morgan has stated that this would be their expectation of the taxes paid to Northfield from this project.

**8.0 AIR QUALITY, NOISE AND VIBRATION**

**A. Noise Impacts**

**The concern:**

Northfield residents have been informed that the proposed high capacity compressor station will gener-

ate significant noise pollution throughout much of the town, including Main Street. This will ruin the quality of life in our town.

**The Requirement:**

That noise levels meet the Massachusetts Noise Control Regulation 310 CMR 7.10 standards.

**The Requirement:**

That the proposed compressor station not result in any increase in current ambient noise levels as they exist at the compressor station property line. This is also particularly important to the New England National Scenic Trail as it abuts the proposed compressor station property.

**The Requirement:**

That full consideration be given to use of lowest noise compressor engines, specifically electric motors and/or other lower noise producing motors or engines.

**The concern:**

We also question the impact of noise and vibration on wildlife in the vicinity of the proposed compressor station.

**The Requirement:**

That a study be done to establish the impact of noise and vibration to wildlife to protect species that currently are found in the habitat in the vicinity of the proposed compressor station.

That operations will not increase the volume of noise, emissions or vibration. Regular third-party monitoring is a requirement.

**The concern:**

We believe that average noise level is an insufficient measure of noise. Kinder Morgan shall control maximum noise level, and frequency of noise events, that raise the decibel level above a base level permissible volume.

**The Requirement:**

That controls be put in place to assure that these noise events are both infrequent and do not rise above a predetermined maximum appropriate level.

**B. General Air Quality Impacts**

**The concern:**

Northfield has been informed that ongoing operation of the proposed compressor station may require occasional venting, or blow-downs, of natural gas. The chemical composition of the vented gas is in dispute.

**The requirement:**

That Northfield receive clarification on the frequency and volume of this venting and the anticipated chemical composition of the vented gas.

That the Town receive Material Safety Data Sheets (MSDS) for all chemicals that will be transported within the pipeline and for all chemicals used at the proposed compressor station.

**The requirement:**

That measures are put in place to prevent degradation of local air quality are included as part of the project.

**The requirement:**

That any gas blow-downs to be contained and then added back into the flow at a future time.

**The requirement:**

That blow-downs do not in any way affect the air quality in Northfield.

**The requirement:**

That an ongoing monitoring plan be implemented for any potentially hazardous elements that might be released.

That this monitoring be continual throughout the life of the pipeline.

**C. Health Effect of Compressor Stations**

**The concern:**

Northfield has researched and acquired a great deal of information concerning the harmful health impacts to residents near existing compressor stations.

**The requirement:**

That a determination be made by a third party for all potential, possible health impacts, and that distances from the compressor proposed station where these impacts may occur.

**The requirement:**

That a plan is in place for ongoing monitoring of potential health issues along with a guarantee that there will be monitoring of potential negative health outcomes. Should negative health outcomes appear, the flow of gas will be stopped until such time as it is established that the negative outcomes are not related to the proposed pipeline, compressor station or the gases contained within, or that approved changes in the gas delivery system are made to prevent the proposed pipeline project from causing negative health outcomes. We need assurances that the protection of human life will trump the flow of gas.

**D. Construction Noise and Air Quality**

**The concern:**

Heavy equipment and truck traffic will impact air quality and noise pollution during construction of the proposed pipeline and compressor station.

**The requirement:**

That a mitigation plan is in place and implemented to limit any air quality impact or noise pollution.

**E. Light Pollution**

The concern:

It is anticipated that there will be numerous lights for security around the proposed compressor station which will contribute to light pollution along the ridgeline where it is to be located.

**The requirement:**

That a light pollution plan be developed and implemented, and any light pollution mitigated.

**9.0 CUMULATIVE IMPACT**

**A. Assurance of Proper Construction**

**The concern:**

The best assurance of the long-term safety of the proposed gas pipeline is proper construction.

**The requirement:**

That an independent third party perform a design review, construction monitoring and certification of construction at Kinder Morgan's expense.

**The concern:**

To date, Kinder Morgan has pursued a minimalist approach to public education of the project. Northfield has no reason not to expect that approach to continue through design and construction.

**The requirement:**

That Kinder Morgan be required to provide ongoing public education and response to all inquiries made

by public officials and private citizens, with a maximum response time of two business days to all inquiries.

## **B. Traffic Impacts**

### **The concern:**

The proposed pipeline will cross underneath several roads. The shallow depth of cover could result in traffic vibrations being transmitted to the pipe, possibly resulting in damage to pipe integrity.

### **The requirement:**

That the pipe be sleeved at all road crossings to mitigate this potential damage.

## **C. Ongoing Erosion Control**

### **The concern:**

Because of steep slopes in the project area, ongoing erosion control is a concern.

### **The requirement:**

That ongoing monitoring and erosion control measures are developed and implemented as issues are identified.

## **D. Vegetation Management**

### **The concern:**

As with any utility Right of Way (ROW), vegetation control is important.

### **The requirement:**

That non-chemical vegetation control be utilized where possible, and that necessary wetlands permits be obtained for implementing vegetation control.

## **E. Invasive Vegetation Control**

### **The concern:**

Invasive plants are a significant problem in cleared and/or disrupted areas in Northfield.

### **The requirement:**

That ongoing efforts to control invasive species be implemented to mitigate this problem and that a plan, acceptable to Northfield, be put in place.

## **F. Long Term Water Quality Monitoring and Reporting**

### **The concern:**

Long-term water quality can be compromised over time due to deterioration of the proposed pipeline or compressor station.

### **The requirement:**

That Kinder Morgan establish a long-term water quality monitoring and reporting program, and that Kinder Morgan be required to protect public and private water supplies from delayed impacts from construction or impacts from pipe leaks that result in reductions in water quality.

## **G. Long Term Air Quality Monitoring and Reporting**

### **The concern:**

Long-term air quality can be an issue as pipeline deterioration and compressor station emissions increase over time.

### **The requirement:**

That a monitoring and reporting plan should be implemented by Kinder Morgan to prevent health effects from gas venting or leakage. That monitoring must include average and peak measurements and standards. Provisions for immediate correction of any issues must be a part of the plan.

## **H. Cathodic Protection**

### **The concern:**

Corrosion of metal pipelines by electromagnetic fields has been well documented. Since the proposed pipeline is to be located adjacent to the electric transmission ROW, this is a significant threat.

### **The requirement:**

That Kinder Morgan ensure that the highest degree of cathodic protection is provided.

That the cathodic protection measures be checked frequently to ensure they operating at peak performance levels.

## **10.0 PUBLIC SAFETY**

### **A. Fire Protection and training**

#### **The concern:**

As a small town, Northfield does not have the equipment necessary to fight a fire resulting from pipeline failure.

#### **The requirement:**

That the equipment needed to fight such a fire as well as facilities to house that equipment shall be provided at Kinder Morgan's expense.

#### **The concern:**

The Northfield Fire Department is staffed by volunteers who will require extensive training to address the particular dangers posed by the proposed pipeline and compressor station. The Town's emergency responders' budget is limited by of the size of our tax base. It is impossible for the town to support the necessary purchases of equipment and provide the specialized training needed to prepare for a catastrophic event.

#### **The requirement:**

That Kinder Morgan provides funding for the necessary equipment and training to allow us to develop and maintain an adequate disaster response capability.

#### **The concern:**

Often, ROWs as defined before construction do not reflect the actual location of the pipeline (the actual ROW). This makes it dangerous for anyone digging nearby.

#### **The requirement:**

That actual ROWs are delineated on the ground post-construction.

### **B. Police Monitoring**

#### **The concern:**

Northfield has a three-officer police department that does not provide twenty-four hour coverage. We currently do not have the manpower to regularly patrol the pipeline.

#### **The requirement:**

That Kinder Morgan implement mitigating measures to adequately protect against terrorism or vandalism should be implemented.

#### **The concern:**

The proposed compressor station could be an open terrorist target. Kinder Morgan has provided mixed messages as to whether it will be manned or unmanned. This presents a safety problem as Northfield does not have the police staffing to adequately protect either the proposed compressor station or the proposed pipeline.

#### **The requirement:**

That there be a plan in place to ensure that the inhabitants of Northfield are protected from potential terrorist threats to the proposed pipeline and compressor station. Kinder Morgan must either install a security response team and equipment in Northfield, or provide funds to the Northfield Police Department to do so.

### **C. Regional Emergency Measures**

**The concern:**

A pipeline accident response will strain Northfield's emergency responder staff resources.

**The requirement:**

That a regional response plan with input from local responders and emergency planners should be prepared before construction begins.

That an ongoing review plan is developed.

That ongoing training is provided for the police department in Northfield as well as neighboring towns as they provide backup for our police in the event of a large scale incident.

That this be at Kinder Morgan's expense.

### **D. Evacuation Plans**

**The concern:**

In the event of a pipeline accident, evacuation plans should be in effect for nearby residents. This would be especially essential for Four Mile Brook Road, which the pipeline crosses twice and could isolate or trap residents between the two crossings.

**The requirement:**

That measures be put in place for residents that could be blocked in should an event happen on the section of the pipeline that is between their house and the rest of the Northfield.

**The concern:**

That public notification is difficult in an area with limited cell phone and high speed internet access.

**The requirement:**

That the evacuation plan includes methods for redundant communication.

### **E. Road Conditions**

**The concern:**

As stated earlier, the heavy truck traffic expected during construction will result in significant damage to town roads. Damage to town roads is a safety threat.

**The requirement:**

That a \$5 million bond be in place to protect our town roadways over the 8.7 mile length of the pipeline.

That the town will not have to bear the costs of repair of roads.

**The requirement:**

That a plan that will prevent damage from the roads wherever possible be in place prior to any construction work begins.

### **F. Best Protection Against Pipeline Accidents**

**The concern:**

The best protection against future pipeline accidents is proper design and construction.

**The requirement:**

That an independent third party review of all plans, design specifications, monitoring and certification of construction (as-built) be conducted for all phases of the proposed pipeline and compressor station

construction. To allow Kinder Morgan to self-monitor and certify construction constitutes a clear conflict of interest.

**Appendix A: Massachusetts Attorney General DPU Comments** - Submitted with this packet.

**Appendix B: Northfield Biomap2 Report** - Submitted with this packet.

**Appendix C: Northfield Energy Committee Submittal** - Submitted with this packet.

*{editor's note: Appendices A, B and C have not been included here. They can be downloaded at:}*

*{[http://www.northfield.ma.us/files/Board%20of%20Selectmen/2015%20documents/Kinder%20Morgan/Approved%20FERC%20report\\_Part3.pdf](http://www.northfield.ma.us/files/Board%20of%20Selectmen/2015%20documents/Kinder%20Morgan/Approved%20FERC%20report_Part3.pdf)  
[http://www.northfield.ma.us/files/Board%20of%20Selectmen/2015%20documents/Kinder%20Morgan/Approved%20FERC%20report\\_Part4.pdf](http://www.northfield.ma.us/files/Board%20of%20Selectmen/2015%20documents/Kinder%20Morgan/Approved%20FERC%20report_Part4.pdf) }*

This document is submitted to the Federal Energy Regulatory Commission in reference to Docket No. PF14-22-000

Submitted on behalf of the citizens of Northfield, Massachusetts by the Northfield Selectboard.

John Spanbauer, Chairman Selectboard

Jed Proujansky, Selectboard

Tracy Rogers, Selectboard

Reply to:

Selectboard

Town of Northfield

69 Main Street

Northfield, MA 01360-1017

*{end of 20150821-4047}*

**20150821-4048**

## **TOWN OF WARWICK, MASS. FERC TESTIMONY**

JULY 29, 2015 SCOPING SESSION - PF 14-22

Ted Cady, Chairman, Warwick Planning Board

My name is Ted Cady, I am the chair of the Town of Warwick Planning Board. The proposed pipeline will cross our town.

FERC COMMENDATION - FERC staff have done a good job of reviewing the mountains of information in a timely way are commended for this.

APPLICANT NOT ABLE TO DELIVER- EXTEND SCOPING PERIOD- Kinder Morgan has received approval from less than 50% of the landowners to cross their property. This makes surveying difficult, archaeological surveying impossible, wetland vegetation analysis and wetland delineation very difficult, and identification of rare and endangered species impossible. It is hard to evaluate their resource reports when much of the information is to be determined. The burden on them is to produce the information in a timely way. In this they have failed. Waiting until the last minute to submit data should not be used by an applicant as a way shortcut the process, speed up the process, or avoid review. Within 3 days of the Scoping Session in Greenfield Kinder Morgan has produced thousands of pages. It is unreasonable to expect a review before the Scoping Session by local concerned citizens. It would be very difficult for those concerned to seek and obtain professional review of particular sections within the current time frame for comment. Again, fairness requires an extension of time.

NORTHFIELD COMPRESSOR STATION NOISE ABATEMENT - Previously we requested the FERC require the compressor station in Northfield, MA to meet the Massachusetts noise abatement general law, which is based on ambient noise level. We still recommend this and suggest requiring the ambient noise level be determined in a timely way so that adequate design time is allowed to incorporate needed sound reduction into the plans for the compressor station.

**NORTHFIELD COMPRESSOR STATION LIGHTING** - Previously we requested that the “Dark Skies” that the area is noted for, and taken advantage of by groups and individuals for viewing celestial events, be honored by careful design of the lighting at the Compressor Station. Minimizing escaping light needs to be designed into the compressor station early on to minimize the burden on designers and contractors.

**ORGANIC CERTIFICATION**- What is the impact of the pipeline passing through organic farms fields?

**AGRICULTURAL FIELDS IMPACT** - When I dig in my fields the fertility of that area is reduced for some years afterward. Kinder Morgan has publicly stated they will restore fields. How do they propose to prevent a drop in field productivity? Based on my own fields, I suspect the problem comes in part from soil compaction, and in part from the most productive topsoil being mixed with less productive topsoil and subsoil. In our region the soils vary from rich bottom land soils in the Connecticut Valley to thinner, more sensitive soils at higher elevations. The impact of pipeline on the productivity of soils, by type of soil, needs to be addressed for the soil types on the farms the pipeline will cross and measures to lessen the impact of short term fertility loss stated.

**FREEZE THAW CYCLES IMPACT ON PIPE**- Freeze thaw cycles in our area have been known to heave pipe and cause it to leak. How will this be handled?

**INVERSION IMPACT** -Inversions (where cold air is trapped in the Conn. Valley or in hill town valleys are very common in our area in winter. What will be the impact of pumping station blow downs and other releases of natural gas from metering stations when there are inversions? Would such releases be dangerous or harmful during times of an inversion? If such emissions have a reasonable probability of being dangerous, how can the danger be minimized?

**ELECTRICAL GENERATION CO2 IMPACT** - Kinder Morgan representatives have stated that the pipeline will result in lower CO2 emissions than currently exist in Mass. That needs to be documented, because currently electrical supply in MA has quite a low profile.

**GLOBAL WARMING IMPACT** - Kinder Morgan is claiming that natural gas is “cleaner” regarding global warming emissions than other fuels. This claim is an important part of selling the project. Since Kinder Morgan has made the claim they should be willing to support it (and FERC should require it) by giving a complete analysis from drilling the well to final emission when it is burned, including natural gas blow downs at pump stations, metering stations and so on.

## **20150821-4049**

Kimberly D. Bose, Secretary

Federal Energy Regulatory Commission 888 First Street NE, Room 1A Washington, DC 20216

Re: Docket No. PF14-22, TGP Northeast Energy Direct - Precedent Agreements Dear Secretary Bose:

First, I'd like to reiterate too that I feel these scoping hearings are being conducted prematurely, especially in light of Kinder Morgan (KM) having only just released their second 6500 page resource report that still has over 10,000 To Be Determined (TBO) in it. My experience to date, as a directly impacted landowner on the proposed path, is that I have been continually either not, under or misinformed of projects' details, making it very hard to comment effectively this evening on the scope of the Environmental Impact Study (EIS). Please know that I have attended 5 of KM's open houses, 2 of their presentations and, I've read the first resource report and still don't have answers to questions that concern me.

In terms of the scope of this EIS, I'd like you to please conduct an objective study, meaning one not funded by the gas industry, using established reproducible scientific methods to determine the cumulative methane emissions that the entire US gas industry will produce over the next ten years and determine the impact of these emissions on global warming. To evaluate this properly, you'd have to first determine the amount of natural gas available for extraction in the shale regions and then how much of it is anticipated to be drilled over this ten year period. Clearly, one can assume that the extracted gas's inevitable destination will be in our atmosphere regardless of whether those emissions occur in Europe.

The reason I am requesting this research is because Scientist have determined that methane is 84 times more potent a greenhouse gas than carbon dioxide over a 20 year span (1). And according to the Union of Concerned Scientist who published the Climate Deception Dossiers, there has been “a coordinated campaign underwritten by the world’s major fossil fuel companies and their allies to spread climate misinformation and block climate action” (1). I’m also requesting that this study get peer reviewed and then published so we can see the data. And, until it’s available to us, I suggest a moratorium on all new FERC gas infrastructure permits.

While the moratorium is in effect, the gas industry should be required to do repairs to existing infrastructure so there no more gas is lost in transmission. According to the Environmental Defense Fund enough natural gas is lost each year to fuel 6 million homes. This is the equivalent annual emissions of 117 million cars or roughly half the cars in the United States (2).

It’s time for YOU to reveal the truth on this subject before we are all FERC’ing fracked. Thank you for this consideration.

1) Kathy Mulvey, Seth Shulman. July 2015. The Climate Deception Dossiers; Internal Fossil Fuel Industry Memos Reveal Decades of Corporate Disinformation. Pages 1-56. [http://Uwww.ucsusa.org/global\\_warming#/VbbF8vIViko](http://Uwww.ucsusa.org/global_warming#/VbbF8vIViko)

2) Anna Geismar. July 2015. Methane Research: The 16 Study Series an unprecedented look at methane from the natural gas system fact sheet. Pages 1-4. [http://www.edf.org/sites/default/files/methane\\_studies\\_fact\\_sheet.pdf](http://www.edf.org/sites/default/files/methane_studies_fact_sheet.pdf)

## 20150821-4050

FERC Docket No.: PF14-22-000  
Project Name: Northeast Energy Direct Project Tennessee Gas Pipeline, LLC  
Company Name:

Statement of Richard G. Young

Good evening.

My name is Richard Young.

I come to this meeting as a private citizen, representing no one but myself.

My home address is 8902 Glenbrook Road, Fairfax Virginia.

I own a summer cottage in Northfield, Massachusetts.

I am a retired patent and trademark attorney. I have an engineering degree from Rensselaer and a law degree from Georgetown University.

My comments today focus on the campus of Northfield Mount Hermon School (“NMHtl) in the town of Gill.

The school was founded in Northfield in 1879. Today, it is a well-known coed boarding school) serving 650 students in grades 9 through 12.

NMH takes pride in its beautiful setting and its idyllic view of the river valley.

I am concerned that the compressor station proposed in Northfield will mar the view from the campus. This will be true during the daylight hours, but the intrusion will be even greater at night when, for security purposes, the compressor station will be highly illuminated as is customary in the industry.

Figure 1 is a photograph of the view from the school chapel. To demonstrate a worst case possibility, I have added to the photograph (1) an inset photograph of an 80,000 hp compressor station at a natural gas processing facility in Haven, Kansas, and (2) a red rectangle showing the location and approximate height of the Kansas compressor station, if it were to be built in Northfield.

Figure 2 is similar to Figure 1 except that it shows a smaller compressor station in Gallion, Alabama.

Figures 3 and 4 show that the compressor station site is directly on a line-of-sight from the chapel. They present satellite, topographic, and profile imagery from GoogleEarth and Topo USA.

If construction of the compressor station were to be approved, I urge that the following mitigation measures be utilized:

1. grading the site to lower the elevation of the compressor station,
2. constructing walls or providing other screening means,
3. orienting the buildings on the site to reduce the total surface area of the building walls that will face and be visible from the campus, and
4. minimizing nighttime illumination.

Respectfully submitted,

Richard G. Young

8902 Glenbrook Rd., Fairfax, VA 22031 (preferred postal address) 29 Cliff Rd., Northfield, MA 01360 (Rustic Ridge)  
(703) 573-2576

*{4 pages of photographs / maps omitted here}*

**20150821-4051**

### **Mount Grace Land Conservation Trust**

Protecting land and encouraging land stewardship in North Central Massachusetts

July 29, 2015

Federal Energy Regulatory Commission Public Hearing  
Greenfield, Massachusetts

FERC Docket #: PF-14-22-000

Testimony

Commissioners and Staff,

Thank you for the opportunity to comment.

My name is Leigh Youngblood. I am a Berkshire Gas customer and the executive director of Mount Grace Land Conservation Trust. Mount Grace owns land, and has facilitated numerous projects, directly affected by the N.E.D. pipeline.

I am here to address the high cost of impacts to public land, private conservation land, and property rights; and to ask whether the relative value of having this pipeline is so great that we should sacrifice the interconnected mosaic of conservation land strategically amassed through more than 100 years of effort, or whether the public benefits of the conservation land, left intact, are of greater value to Massachusetts and New England.

Massachusetts is comprised of just 5 million acres; our 6.5 million residents live on 1 million of those acres. About 1 million acres are protected. According to at least three independent analyses I , Massachusetts should dedicate one half of the remainder to wildlife habitat, forestry, and farms. In other words, we should not be sanctioning projects that undo past commitments when so much remains to be done to protect the cultural, ecologic, and economic integrity of our state.

As currently proposed, this single scheme would affect:

15 conserved farms, 5 State Forests, 5 State Wildlife Areas, 5 sections of National Scenic Trails, 9 conserved drinking supplies, 11 land trust lands, 18 municipal conservation areas, 5 sporting clubs, and the Silvio O. Conte National Fish & Wildlife Refuge.

**More than 110 conservation and recreation parcels would be impacted; 85 of these have Article 97 protection under the Massachusetts Constitution.**

These lands are public resources, established by voluntary contracts with landowners in many cases using dedicated federal, state, municipal, and charitable conservation funds. In one single project at least fifty charitable donations were made for the purpose of conserving the specific tract of land. The public trust and charitable public trusts so established extend both the harms from the pipeline and the legal duty to defend to those donors.

FERC Policy Statement (PL) 99-3-000 is clear when it states, “The strength of the benefit showing will need to be proportional to the applicant’s proposed exercise of eminent domain procedures.” And, “Vague assertions of public benefit will not be sufficient.”

A large percentage of the N.E.D. route in Massachusetts is proposed to cross public conservation land. Completing negotiations will require super-majority approval of both houses of our legislature pursuant to Article 97. This is unique to this state. Such approval is unlikely considering the overwhelming public opposition to this project in the numerous legislative districts it crosses.

It follows that a proportionately extraordinary showing of benefit would be required by FERC before granting Kinder Morgan federal eminent domain authority to be exercised against the Commonwealth of Massachusetts and its municipalities.

This pipeline proposal does not pass the cost: benefit showings test. I urge FERC to require, and carefully weigh, a full and complete accounting of the adverse impacts to public and private property rights.

Leigh Youngblood, Executive Director  
Mount Grace Land Conservation Trust 1461 Old Keene Road  
Athol, MA 01331

1 BioMap2, Massachusetts Natural Heritage and Endangered Species Program; Wildlands and Woodlands Vision for Massachusetts Forests (2005) and the New England Landscape (2010, Harvard Forest, Harvard University); and the Massachusetts Statewide Land Conservation Plan (2000, MA EOEa)

## 20150821-4052

FERC Scoping Meeting re: PF14-22-000

July, 28, 2015, Taconic High School, Pittsfield, MA

Comments of Jean Atwater-Williams, 182 Cold Spring Road, Sandisfield, MA

Illegal segmentation of NED and CT Expansion projects by Kinder Morgan’s Tennessee GasV~to.;

In the Delaware Riverkeeper Network v. FERC ruling in June 2014, the D.C. Circuit explained that an agency impermissibly segments NEPA review when “it divides connected, cumulative or similar federal actions into separate projects and thereby fails to address the true scope and impact of the activities that should be under consideration.” Delaware Riverkeeper Network v. FERC, 753 F.3d 1304 (D.C. Cir. 2014).

The court further explained that “Connected actions” include actions that are “interdependent parts of a larger action and depend on the larger action for their justification.” Id. § 150S.25(a)(1){iii}. To determine whether actions are interdependent, the court looked to the physical, functional and temporal connection between the segments.

Although Tennessee Gas insists that the CT Expansion and the NED projects are not physically connected, the evidence demonstrates otherwise. Tennessee Gas’ overbuild of the Connecticut Expansion project may well be in anticipation of the NED as both projects will serve several of the same customers. In addition, it appears that Tennessee Gas prematurely filed its application for the CT Expansion (docket CP-14-S29-000) - without the customary pre-filing - so that it can deny a temporal overlap between the projects.

Fast forward to the Northeast Energy Direct Project. The FERC has made it clear that they will conduct a thorough alternatives analysis of three potential routes identified by Kinder Morgan:

- 1) the now “preferred” route affecting Hancock, Lanesborough, Cheshire, Dalton, Hinsdale, Peru and Windsor;

2) further enlargement of the existing “200” line which would affect Richmond, Stockbridge, Lee, Tyngham, Monterey, Otis and Sandisfield; and

3) a Mass Turnpike alternative which would affect Richmond, Stockbridge, Lee, Becket and Otis.

Option 2 is the exact same corridor, impacted by the proposed CT Expansion. This is clear evidence that these two projects are indeed related and are being improperly segregated. It is therefore FERC’s duty under federal law to immediately deny

#### **20150821-4053**

Hand written FERC Comment form: Kristin Bennett, 56 Lakeshore Dr, Averill Park, NY 12018, opposing

#### **20150821-4054**

Hand written FERC Comment form: Patrick Bergmann, 149 Burden lake Rd, Averill Park, NY 12018, opposing

#### **20150821-4055**

Docket No. PF14-22-000 July 28, 2015

189 North Street, Windsor, MA 01270, 413-684-3950. [slu\(ii\)AlpineSolar@leal.com](mailto:slu(ii)AlpineSolar@leal.com)

My name is Stuart Besnoff, [ I live at a zero net energy home in Windsor, Massachusetts where I operate a solar business and buy organic food from farms also in this town. The likely contamination of our food supply is one of the reasons the voters of Windsor passed a resolution against this type of project. The environmental impact statement (EIS) should study the impact on conventional and organic farms as well as family gardens in all towns with a proposed compressor station and along the entire route of the proposed pipeline.

Exhaust from a compressor station is a major concern in a town which now has very good air quality. The EIS should identify a soil, air, and water testing program to be conducted before any construction begins, to establish a quality baseline. The water testing should include public and private wells, plus surface and subsurface water.

Alternatives to providing the energy to operate the compressor stations should be considered in the EIS. Burning gas containing fracking contaminants is not good for the environment. The alternative of using renewable energy to operate all of the compressors should be studied. It is expected that a zero net energy facility using solar energy to operate all of the compressors will have the least impact on the environment.

Employment is important for my western Massachusetts neighbors skilled in various trades. Since there is now a shortage of people to install and maintain solar hot water equipment, I will be glad to help anyone here get started in a career which will help, not harm our planet. You can see me after this meeting, or look up Alpine Solar, in Windsor.

Resource reports provided by the developer have been incomplete or late.

These scoping meetings should be repeated when more project information is available, allowing at least 90 days to examine the completed report. Also, a scoping meeting should be conducted in each town designated for a proposed compressor station.

With the objective to avoid or lessen environmental impacts, it is clear that the alternatives which should be studied most extensively are conservation, efficiency, and renewable energy; instead of damaging the environment with new fossil fuel infrastructure.

#### **20150821-4056**

FERC Comment form:

July 25, 2014 - A report released as part of the U.S. EPA’s Office of Inspector General’s “products associated with climate change,” determined that “EPA has placed little focus and attention on reducing methane

emissions from pipelines in the natural gas distribution sector.” The report notes that in 2012, the EPA said methane leaks from pipelines “accounted for more than 13 million metric tons of carbon dioxide equivalent emissions,” are almost 100 percent methane, and are more than 10 percent of total methane emissions from natural gas systems. The report also noted that the EPA has not done a comprehensive analysis of the emissions factors it uses since a 1996 study that has a “high level of uncertainty,” and the agency does not have the partnerships in place to begin controlling methane leaks, such as with the Pipeline and Hazardous Materials Safety Administration.

PLEASE DENY THIS PROJECT THAT IMPACTS OUR COMMUNITY AND SIMILAR PROJECTS UNTIL MORE RESEARCH IS DONE .

Andrew Blair  
3962 NY Highway 150  
West Sand Lake, NY 12196

**20150821-4057**

To FERC Regarding Docket # PF1422  
From Lorraine Sue Blank 251 Shadowland Cove Road, Cheshire, MA 01225 - Mailing Address: Box 42, Cheshire, MA 01225- Phone Number: 413-743-1059 - e-mail address: blankaroonie@gmail.com

Tuesday July 28, 2015

There are four different points at which fracked gas is vented all the way along the pipeline. It is vented at the metering stations. It is vented at the valve stations. It is vented at the pigging stations and it is vented at the compressor stations. I would like to know how much methane gas and how much of the carcinogenic chemicals are vented at each of the four stations along the pipeline. I would like to know how far apart each of the stations are from each other along the whole route of the pipeline. I would like to know how many metering stations there are along the whole route of the pipeline. I would like to know how many valve stations there are along the whole route of the pipeline. I would like to know how many pigging stations there are along the whole route of the pipeline. I would like to know how many compressor stations there are along the whole route of the pipeline. I would like to know how the combination of the metering stations, the venting stations, the pigging stations and the compressor stations and all of their combined emissions affect the environment in terms of how much methane gas and carcinogenic chemicals will be spewed out into the air as a whole and fall upon all of our soils and go into all of our waterways. How will this affect our environment, our wildlife, our ability to grow healthy food in healthy soil, our ability to obtain clean drinking water, and our ability to breathe clean air? How is it going to affect all of our living conditions and our ability to attract tourism to this area in the Berkshires which is so well known for the beauty of its parks, its lakes, its forests and for its recreational facilities to enjoy nature? How is it going to affect all of the farmers who earn their living from growing and selling fresh Berkshire produce? Can we afford to have our quality of life destroyed and have all of what we have along the whole of the pipeline turned into a fracked gas waste dump where no one will want to live - where no one CAN actually live because the environment will be poisoned for centuries?

**20150821-4058**

To: FERC Northeast Energy Direct Docket #PF14-22

July 18, 2015 Taconic High School, Pittsfield Ma.

Submitted by: Jan Bradley 841 route 9 Windsor, Ma. 01270

Welcome to the Berkshires, the lungs of Massachusetts. My scoping request concerns compressor station emissions. I live in Windsor, and would be 3 miles from a proposed compressor.

David Carpenter is the Director of the Institute for Health and the Environment at the University at Albany. He has said that compressor stations are as equally polluting and harmful to the environment as fracking

wells, themselves.

Last year, the Madison County NY Board of Health conducted a study of compressor station emissions in Pennsylvania and Texas. They consistently measured high levels of benzene, toluene and over 20 more VOCs. These toxic, cancer causing chemicals are in the gas because of fracking. They are released into the air during planned emissions, fugitive emissions blowdowns and accidents. One study reported 2,126 fugitive emission points from a set of compressors. Radioactive elements such as radon 222 are also found in Marcellus gas and released into the air, Radon precipitates out as radioactive polonium and lead.

Anyone living in the vicinity of 3 miles from a compressor is at high risk for nose bleeds, rashes, headaches, dizziness, nausea. And Irregular heart beat. These symptoms have been detected even further away if down wind.

(The mere fact that this is common knowledge and allowed in America is your crime against humanity ... I don't care who pays your salary.)

These studies were done on compressor stations of 12,000-18,800 hp .. I can't even find data regarding a 41,000 hp compressor. it would be one of the largest in the country. We are a very humid climate, 8 inches of rain this last June, an average of over 50 per year. Air pollution comes to the ground with precipitation.

This is for you to scope: an assessment of our air quality before construction and a list of the chemicals and toxins that would be carried to this compressor. This must be made public information based on the Freedom of Information act,. Our observations say any runoff would go right to a nearby river, designated wild and scenic, where trout spawn naturally. Of course, the pollutants would be in the air and in all bodies of water but trout are an indicator species. Like canaries in the coal mine. If they weren't killed immediately; lesions on the body and spawning issues would lead to a rapid decline.

SO, We demand that your scope involve trout assessment. Additionally, we demand the enforcement of new technology and zero emissions from these stations. ZERO. IF Kinder Morgan thinks it can go from 18,000 hp to 41,000 then any safety methods used in earlier technology would no longer be valid or sufficient. NEW technology must be

required. We demand that the compressor station would be fully enclosed and that All gas released, (planned or fugitive) , must be captured and re~entered into the pipeline.

This country, with its institutions, belongs to the people who inhabit it. Whenever they shall grow weary of the existing government, they can exercise their constitutional right of amending it, or their revolutionary right to dismember or overthrow it." 1861 Abraham Lincoln

Sources:

Madison County, New York Department of Health Comments to the Federal Energy Regulatory Committee Concerning Docket No. CP14-497-000, Dominion Transmission, Inc.

[http://www.environmentalhealthproject.org/wpcontent/uploads/2\\_017103/Compressor-station-emissions-and-health-imp-02.24.2015.pdf](http://www.environmentalhealthproject.org/wpcontent/uploads/2_017103/Compressor-station-emissions-and-health-imp-02.24.2015.pdf)

<http://www.tu.org/> phone conversation

WAMC <http://www.amc.org/>

## 20150821-4059

FERC Comment form: Rachel I. Branch, 999 Massachusetts Ave, North Adams, MA 01247, opposing Solutions Rising is Community Television program Shown from Bennington. VT, through the Berkshires, with the series 011 Stopping the Proposed Kinder Morgan Gas Pipeline Project also shown from Greenfield to Dracut, MA, and in Keene & Nashua, NH.

The series is called JIB.E.A. T" for Berkshire Environmental Action

. Team, a 501(c)(3) nonprofit, and also the umbrella organization for No Fracked Gas in Mass, a clearing-house for all the information you need to know,

Solutions Rising can be seen online at

[nofrackedgasinmass.org](http://nofrackedgasinmass.org)

by clicking on "Media," It can also be viewed at [\\_willinet.org](http://_willinet.org) by putting Solutions Rising in the Search Box and Clicking 011 the B.E.A. T. programs.

Please support our work by contributing to No Fracked Gas in Mass through contributions to the BERKSHIRE ENVIRONMENTAL ACTION TEAM.

[thebeatnetos.org](http://thebeatnetos.org)

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Letters to the editor

No pipeline movement without fact-finding

To the editor:

Massachusetts is mandated to meet the Global Warming Solutions Act, enacted Into law on Aug, 7, 2008, Approval of any application, or precedent agreement, requesting an Increase in gas capacity would ensure an increase in fossil fuels, which is In direct opposition to the requirements of the GWSA

The Department of Public Utilities must rule against the approval of any new applications, or precedent agreements, until all existing leaks in Massachusetts have been rectified and proven assurance received by DPU, The Global Warming Solutions Act demands nothing less, and it would be unconscionable on the part of DPU to not protect the public health, the public safety. and the public trust of our commonwealth residents, knowing full well that the GWSA is a response to the global climate crisis our planet is suffering,

Any company submitting new applications, or precedent agreements, for capacity needs to provide DPU with each and every efficiency and weatherization program offered its customers and the effects those programs have created In energy efficiency and the cumulative impact to reduce greenhouse gases.

I have no doubt that these applications and/or precedent agreements for more capacity are specifically geared to assist the proposed Kinder Morgan Tennessee Gas Pipeline project aka the Northeast Energy Direct(NED).

I further believe these applications are another method to obfuscate the real information the general public needs. Where are the justifications and proof that Berkshire Gas needs more capacity and its justification for imposing a moratorium on new and existing customers? Where are the justifications and proof, from its own poor energy record that every possible energy efficiency program has reached peak excellence to benefit its customers?

And where is the public information showing the effect of cleaning up the colossal leaks from Berkshire Gas's existing pipelines that are already present and/or repairing or replacing old and leaking pipes? This information is essential for informed public awareness and decision-making by DPU

It is crucial that Massachusetts residents understand the import of the ongoing claims by KMrrGP that there is a

need for more natural gas in the Northeast. I believe this is a blatant misinformation campaign. We cannot allow any precedents to be established now or in the near future that would inhibit the energy efficiency, pro-renewable energy gains and renewable and sustainable sources to solve this worldwide crisis.

No further applications and/or precedent agreements can be approved unless and until Massachusetts residents are made fully aware of what these applications are leading to and until residents know in a timely and thorough manner the entire scope of what these applications intend to accomplish - which is what I and others believe is the export of natural gas and greed,

DPU must ensure that thorough investigations of all applications are done - In this case that of Berkshire Gas, DPU must do its job and protect the residents of Massachusetts by denying Berkshire Gas any precedent agreement. Time is of the essence, It is now!

**20150821-4060**

My correspondence today concerns the proposed Kinder Morgan pipeline to run through Berkshire County Massachusetts. My home rests in a position similar to many along the route. Our house lies close enough to the pipeline that its mere existence will degrade our property values and in the worst case our lives will end in an inferno. From the end of my driveway where I now see Blue Herons in Cheshire lake I will someday have nothing but a memory that they used to like it best exactly where the hideous pipeline is. Yet, we live far enough away from the pipeline that we will receive no compensation. I urge you to take any and all action under your control to stop construction of this pipeline before any damage to lives and the environment can take place.

let's begin by examining if this project goes well. Expansion of the existing Spectra Energy pipeline will render the Kinder Morgan pipeline as unnecessary. The projected supply of gas serving as the source for the Kinder Morgan pipeline may reach depletion levels in only 10 or 20 years, while permanently scaring our area. No matter what, our personal usage of gas from this pipeline will remain at zero. It's interesting that we live in a spot that will never ever be offered natural gas or cable, yet people are trying to force an unwanted pipeline down our throats.

If the pipeline experiences failures, as it surely will, things go from bad to worse. And let's look at the history of these pipelines, there will absolutely be problems. Where, when and the severity of a breakdown may remain an issue, but the chances of a perfect record given past experiences stand near nil. Proponents of the pipeline tell me it's unlikely I'll be incinerated as the most recent technology will open valves and release gas to avoid a major explosion. Even using the shortest distances envisioned between safety points and the smaller: diameter being discussed; that still means a release into our air of over a million cubic feet of gas every time the system senses a problem. I will be happy if I can avoid incineration, but I certainly do not want a million cubic feet of chemically infused fracked gas released into the air I breathe on a regular basis.

Now let's explore a real disaster. The clean up faced by British Petroleum in the Gulf of Mexico may cost over \$50 billion. Based on a quick look at the Kinder Morgan Balance sheet, such an event would bankrupt them, and I have seen no evidence of any insurance or that insurance could cover a claim of this magnitude. One thing that stands out clearly when reviewing disaster history involves a very long list of Kinder Morgan pipeline failures, deaths, and criminal convictions.

In fact, Kinder Morgan stands convicted of criminally negligent homicide on multiple occasions. This proposed pipeline rates as analogous to the government issuing a machine gun to a serial killer and forcing us to accept them as a permanent guest in our home at our own expense.

As I stand facing an early death at the insistence of my government, let's consider that even the military draft lies as a thing of the past. Yet in this case, not only do they propose to put my life at risk, but do so for a cause that our community and our neighbors voted almost unanimously against.

The Fifth Amendment of the U.S. Constitution guarantees me the right to life liberty and property, yet the government proposes to certainly take my property and potentially take my life. Further constitutional language states property cannot be taken for public use without just compensation, yet that looks like exactly what they plan to do.

I find this pipeline unnecessary, repugnant, unconscionable and unconstitutional. I sincerely hope that you will do everything in your power to end this project before it destroys our property, way of life, natural resources and human lives.

Mory Brenner  
Lanesborough, MA

**20150821-4061**

We do not think that the Kinder-Morgan Pipeline will boost the economy!

Why do a pipeline?

Berkshire County seeks innovation to boost its economy. Berkshire Community College, MCLA, local high schools and business seeks to develop innovative approaches to science, technology, engineering, the arts and mathematics (STEAM).

There are many local ventures that reach out to develop renewable energy resources for solar, wind and water power. Developing renewable energy resources, specifically solar, creates about five or six man days of construction with probably one or two days additional days of supervision for each house. If efforts to develop local renewable energy such as solar would be encouraged for 50,000 individual dwellings then for one billion dollars, more than 500 jobs over a three year period could be produced locally. Then the 50,000 dwellings, each saving \$1,000.00 a year on power, could release fifty million dollars to the local economy for disposable income and innovation.

If we take 50,000 houses using solar power averaging 6000 KW hours per house per year that would equal 300 million kilowatt hours per year which would offset half the output of a plant using natural gas.

Natural gas is one way to get energy. Solar can provide a better price. Why do a pipeline? Energy from solar is local and renewable. The natural gas pipeline requires 20,000 horse power compression stations in Windsor and Stepentown to move the gas around. The electricity produced by roof top solar panels is consumed by that house to minimize this.

Why do a pipeline?

Let's plan to be proactive and squash any problems that Kinder-Morgan proposes. By using innovative technology with solar, wind and water Berkshire County could grow its local economy improve air quality and maintain its beautiful environment. KinderMorgan means leaking pipes, water contamination, problems with noise and pollution that lead to other health problems. Let's model and promote employment with clean, renewable energy to benefit the people of Berkshire County and Massachusetts rather than short term, short sighted Kinder-Morgan pipeline that is aimed off shore for parts unknown.

Let our voices be heard Tuesday, July 28 at 7PM at Taconic H.S.

Marietta Rapetti Cawse Jim Cawse

132 Kittredge Road Pittsfield, MA01201 413 499 3519

**20150821-4062**

Typed FERC Comment Form: Katherine Cioffi, 34 Helen Wood Lane, Averill Park, NY 12018

December 5, 2014 - A team of medical and scientific researchers, including from the Institute for Health and Environment at the State University of New York (SUNY) at Albany, reviewed the scientific evidence that both adult and early life - including prenatal- exposure to chemicals from fracking operations can result in adverse reproductive health and developmental effects. These include: endocrine-disrupting chemicals potentially increasing risk for reproductive problems, breast cancer, abnormal growth and developmental delays, and changes in immune function; benzene, toluene and xylene (BTX chemicals) increasing risk for impaired sperm quantity and quality in men and menstrual and fertility problems in women; and heavy metals increasing the risk of miscarriage and/or stillbirths. Potential exposures occur through both air and water. Based on their review, the authors concluded, "Taken together, there is an urgent need for the following: 1) biomonitoring of human, domestic and wild animals for these chemicals; and 2) systematic and comprehensive epidemiological studies to examine the potential for human harm." Lead author Susan Nagel said in an accompanying interview, "We desperately need biomonitoring data from these people. What are people actually exposed to? What are the blood levels of people living in these areas? What are the levels in the workers?"

PLEASE DENY THIS PROJECT UNTIL MORE RESEARCH CAN BE DONE.

## THE FACT THAT SAFETY STANDARDS IN RURAL AREAS IS DISCRIMINATORY

### 20150821-4063

Typed FERC Comment Form: F? Cioffi, 30 Evergreen, Averill Park, NY 12018

December 5, 2014 - A team of medical and scientific researchers, including from the Institute for Health and Environment at the State University of New York (SUNY) at Albany, reviewed the scientific evidence that both adult and early life - including prenatal- exposure to chemicals from fracking operations can result in adverse reproductive health and developmental effects. These include: endocrine-disrupting chemicals potentially increasing risk for reproductive problems, breast cancer, abnormal growth and developmental delays, and changes in immune function; benzene, toluene and xylene (BTX chemicals) increasing risk for impaired sperm quantity and quality in men and menstrual and fertility problems in women; and heavy metals increasing the risk of miscarriage and/or stillbirths. Potential exposures occur through both air and water. Based on their review, the authors concluded, "Taken together, there is an urgent need for the following: 1) biomonitoring of human, domestic and wild animals for these chemicals; and 2) systematic and comprehensive epidemiological studies to examine the potential for human harm." Lead author Susan Nagel said in an accompanying interview, "We desperately need biomonitoring data from these people. What are people actually exposed to? What are the blood levels of people living in these areas? What are the levels in the workers?"

PLEASE DENY THIS PROJECT UNTIL MORE RESEARCH CAN BE DONE.

THE FACT THAT SAFETY STANDARDS IN RURAL AREAS IS DISCRIMINATORY

### 20150821-4064

Typed FERC Comment form: Jeffrey Clark, 2561 NY Highway 43, Averill Park, NY 12018

April 16, 2013 - In a presentation on oil field light pollution for a conference on "Sustainable Environment and Energy: Searching for Synergies," Roland Dechesne of the Royal Astronomical Society of Canada described problems of "Light trespass," glare, and poorly-aimed fixtures in oil fields in Alberta. He described resulting "mass waterfowl mortality" linked to artificial illumination and other biochemical impacts of light pollution on wildlife, as well as the possibility of these effects on humans, including circadian disruption, melatonin suppression and possible resulting hormonally-linked diseases. Known to have ecological impacts, outdoor light pollution from drilling and fracking operations may also be linked to artificial light associated health effects documented in humans, including breast cancer.

The light pollution from this compressor station will pose these same risks for our community.

Say NO to this project.

### 20150821-4065

FERC Comment form: Stephen Clemus?,

The proposed lighting and the volume of noise associated with this project is an assault on our quality of life. It will cause migration of wildlife, sleep disturbances in residents, and a complete change to the rural character of our community. The bald eagles that nest in the area of the proposed compressor will be gone. We will no longer be able to view the star lit evening sky we now know,

The toxins released into the air will present problems for those with respiratory and likely other health related illness.

Our property values will be destroyed.

People come to rural areas for peace and quiet.

I AM OPPOSED AND ASK YOU TO DENY THIS PROJECT.

**20150821-4066**

Hand written FERC Comment form: Thomas Dahun, 4 Creekview Lane, Porter Corners, NY 12859, object-ing to different safety standards in rural areas.

**20150821-4067**

Typed FERC Comment form: Carolyn DeJoseph, 3 Hucklebery Drive, Castleton on Hudson, N&Y 12033  
Compressor stations are noisy. "Blow-downs" can last for two hours. The noise is comparable to a commer-cial jet taking oft. Blow-downs are needed if a gas pipeline is taken off-line for maintenance, in the event of emergencies, or to accommodate fluctuating demand. They often occur in the middle of the night.

THIS WILL HAVE AN IMPACT ON OUR CHILDREN, SLEEP, OUR WILD LIFE, OUR PEACE AND QUIET, OUR STRESS.

DENY THIS PROJECT.

**20150821-4068**

Typed FERC Comment form: Zachary DeJoseph, 3 Hucklebery Drive, Castleton on Hudson, N&Y 12033  
Compressor stations release huge amounts of toxins. These toxins include benzene, toluene, sulfuric oxide, and formaldehyde. Citizens within 1500 feet of compressor stations in PA, TX, LA and other states have suffered from nose bleeds, rashes, headaches, sore throats.

WHAT ELSE WILL THESE TOXINS DO TO OUR CHILDREN AND FAMILIES AND ANIMALS.

DENY THIS PROJECT.

**20150821-4069**

Project docket number PF14-22-000 Name: Joan L. Devoe  
Street Address| Mailing Address: 14 South Main Street  
P.O. Box 941 Lanesborough, MA 01237  
Phone #: 413-443-6421  
Email Address:jld1251@verjzon.net

My Testimony:

Before giving my testimony. I would like to state the following for the record:

Given the incomplete nature of Kinder Morgan's Resource Reports and recent changes to the scope of the project. these scoping meetings are being conducted prematurely and failing to provide information that would benefit the NEPA process. Also, since almost no Scoping Meetings are being conducted in communi-ties that will bear the affects of the compressor stations and meter stations, these Scoping Meetings need to be repeated when more Information on the project is available and they need to Include Scoping Meetings in all towns that are slated to have compressor and meter stations.

Since I am a homeowner in Lanesborough, MA, a retired schoolteacher, and a cancer survivor who wants to live in a safe and healthy environment in a home that will maintain its value, you can Imagine how horri-fied I was to learn that my house is located near the Incineration Zone or Blast Area of the proposed Kinder Morgan natural gas pipeline. Also, this pipeline is slated to pass through our aquifer, conservation land, and pass under the Cheshire reservoir - thus threatening our health and safety.

Therefore, I request that FERC assign an independent third-party to conduct a scientific "No Action" Alter-native assessment to determine the impacts of not building the pipeline. This study would assess the current property values, public health, wildlife habitat, watersheds, vernal pools, aquifers, private wells, and the quality of the air, water, and soil all along the pipeline from Hancock to Dracut as well as in the areas where the compressor and meter stations are proposed. This will establish a baseline so that individual property owners, businesses, and towns will be able to receive adequate and fair compensation for any accidents, pol-

lution, health consequences, or any damages that may occur if the pipeline is built.

However, if the pipeline is built, there needs to be an ongoing scientific assessment by an Independent third-party that can monitor any changes in the infrastructure, public health, property values, conservation lands, private wells, aquifers, watersheds, vernal pools, wildlife habitat, and the quality of public drinking water, air, and soil all along the entire pipeline from Hancock to Dracut

Also, a detailed written emergency plan needs to be made available to every community in Massachusetts that is situated near this pipeline, plus there needs to be a plan for the annual training of all medical and emergency personnel that details how to respond to a pipeline explosion or any other pipeline-related health hazards that could occur. This includes an evacuation plan that provides detailed information on how residents will be supplied with food, water, shelter, medical care, and other basic necessities.

Also, there needs to be detailed legal documentation that specifies how communities, businesses, and residents will receive fair and adequate compensation for any negative impacts during the building of this pipeline and after the pipeline goes online in the all of the areas mentioned above.

It is important that there be shutoff valves every 2 miles not every 10 - 20 miles and that the pipe have a thicker lining then the one being proposed. It is also important that the pipeline be buried well below the frost line.

Since this proposed pipeline places communities in Berkshire County and all across this state in danger of undermining our property values, quality of life, health, safety, natural wildlife habitats, and the quality of our air, soil, and water, it is clear to me that no option is the best option.

Therefore, I request that FERC NOT grant Kinder Morgan permission to build this pipeline in Massachusetts but to instead look into the development of projects that expand clean, renewable energy in our state.

#### **20150821-4070**

Typed FERC Comment Form: Charlie Dunigan, 11 Beach Rd, Averill Park, NY

I am not a scientist, but I would like you to analyze what happens to the toxic gases released from the compressor station are blown over Burden Lake where they will cool over our water. I would also like to know who will be responsible if and when our drinking wells and lake water are contaminated.

I am opposed to this project.

#### **20150821-4071**

Typed FERC Comment Form: Lori Dunigan, 11 Beach Rd, Averill Park, NY, 12018

May 29, 2014 - In New York State, more than 250 medical organizations and health professionals released a letter detailing emerging trends in the data on fracking that show significant risk to public health, air quality, water, as well as other impacts. With signatories including the American Academy of Pediatrics, District II, the American Lung Association in New York, Physicians for SOCIAL Responsibility, and many leading researchers examining the impacts of fracking, they wrote, "The totality of the science - which now encompasses hundreds of peer-reviewed studies and hundreds of additional reports and case examples-shows that permitting fracking in New York would pose significant threats to the air, water, health and safety of New Yorkers. n

THE SAME TOXINS ARE RELEASED AT COMPRESSOR STATIONS. WE WILL HAVE THE SAME RISKS TO WATER SUPPLY AND AIR QUALITY.

DENY THIS PROJECT .

#### **20150821-4072**

Typed FERC Comment Form: Maddy Dunigan, 11 Beach Rd, Averill Park, NY, 12018

More study is needed, including baseline measures of air quality, ongoing environmental monitoring, and

health impact assessments.

THIS COMPRESSOR STATION IS FAR TOO CLOSE TO OUR COMMUNITY. THE COMPANY HAS A POOR SAFETY RECORD.

THE NEED HAS NOT BEEN DEMONSTRATED.

THE BENEFITS OF NATURAL GAS ARE QUESTIONED IN MANY STUDIES. THERE ARE LESS HARMFUL FORMS OF ENERGY THAT THE PRESIDENT HAS SPPORTED.

SAFETY STANDARDS ARE NOT ACCEPTABLE.

PLEASE DENY THIS PROJECT.

**20150821-4073**

Typed FERC Comment Form: Kendra Durivase,864 Burden Ln, Nassau, NY

DIFFERENT SAFETY REGULATIONS AND STANDARDS FOR RURAL COMMUNITIES IS DISCRIMINATORY.

THE LIVES OF MY FAMILY AND MY PROPERTY VALUE SHOULD BE AS IMPORTANT AS THE LIVES AND PROPERTY IN URBAN AREAS.

URBAN AREAS HAVE MORE EMERGENCY SERVICES TO HANDLE A DISASTER. OUR SERVICES ARE NOT EQUIPPED AND ARE VOLUNTEERS LIVING NEAR WHAT COULD INVOLVE THEM IN A DISASTROUS ACCIDENT.

DENY THIS PROJECT.

**20150821-4074**

Typed FERC Comment Form: Mark Eichhorn, 88 Lake Shore Dr, Averill Park, NY, 12018

May 10,2011 -In the American Journal of Public Health, two medical experts cautioned that tracking “poses a threat to the environment and to the public’s health, There is evidence that many of the chemicals used in tracking can damage the lungs, liver, kidneys, blood, and brain.” The authors urged that it would be prudent to Invoke the precautionary principle In order to protect public health and the environment.

THE SAME TOXINS ARE RELEASED AT COMPRESSOR STATIONS. WE WILL HAVE THE SAME RISKS TO WATER SUPPLYANDAIR QUALITY,

DENY THIS PROJECT.

**20150821-4075**

Typed FERC Comment Form: Megan Eichhorn, 88 Lake Shore Dr, Averill Park, NY, 12018

December 5, 2014 - A team of medical and scientific researchers, including from the Institute for Health and Environment at the State University of New York (SUNY) at Albany, reviewed the scientific evidence that both adult and early life - including prenatal - exposure to chemicals from fracking operations can result in adverse reproductive health and developmental effects. These Include: endocrine-disrupting chemicals potentially increasing risk for reproductive problems, breast cancer, abnormal growth and developmental delays, and changes in immune function; benzene, toluene and xylene (BTX chemicals) increasing risk for impaired sperm quantity and quality in men and menstrual and fertility problems In women; and heavy metals increasing the risk of miscarriage and/or stillbirths. Potential exposures occur through both air and water. Based on their review, the authors concluded, “Taken together, there is an urgent need for the following: 1) biomonitoring of human, domestic and wild animals for these chemicals; and 2) systematic and comprehensive epidemiological studies to examine the potential for human harm.” Lead author Susan Nagel said in an accompanying interview, “We desperately need biomonitoring data from these people. What are people actually exposed to? What are the blood levels of people living in these areas? What are the levels in the workers?”

PLEASE DENY THIS PROJECT UNTIL MORE RESEARCH CAN BE DONE.  
THE FACT THAT SAFETY STANDARDS IN RURAL AREAS IS DISCRIMINATORYIII

**20150821-4076**

**P·L·A·N**  
**PIPE LINE AWARENESS NETWORK for the NORTH EAST, INC.**

July 28, 2015

Kimberly D. Bose, Secretary

Federal Energy Regulatory Commission 888 First Street NE, Room IA Washington, DC 20216

Re: Docket No. PFI4-22, TGP Northeast Energy Direct - Scoping Comments for Pittsfield, MA

Dear Secretary Bose:

I'm Kathryn Eiseman, president of the Pipe Line Awareness Network for the Northeast and speaking on behalf of the organization.

It is critical that the Commission prevent the improper segmentation of the NED project and TOP's Connecticut Expansion project, and evaluate them as a single Northeast Expansion project. This issue was addressed in detail in a comment filed by the Massachusetts Pipeline Awareness Network on July 1 st, and I incorporate that comment by reference into our scoping comments.

Tonight I am commenting primarily on the need for the Commission's analysis to fully examine the socio-economic costs associated with the pipeline. This means not only the direct and immediate costs to municipalities, farms, businesses, communities and residents along the route, resulting from disruption by construction activities and damage to roads. This evaluation also requires a thorough analysis of the impacts that the proposed pipeline is already having, and would continue to have after construction, on communities along and near the route.

- Many of these communities are rural communities that have already been struggling to deal with declining populations, aging populations, and threatened or closing schools. In this context and others, the impacts of a new industrial corridor must be evaluated in terms of the community-wide effects. The impact on landowners' ability to sell their property must also be studied. The overall effect of the pipeline on appraised values of directly impacted properties must be evaluated, as well as the effect on property values within two miles of the route and any proposed infrastructure. Projections must be based on actual recent trends in property sales where similar infrastructure has been installed in socioeconomically comparable communities.
- Cumulative impacts on the demographics and the character of communities must be considered with respect to not just the immediate project, but the infrastructure and disruption that is proposed and likely to follow as a result of the project - including pipeline expansions, additional compressor stations, and gas-fired power plants.
- Impacts to the tourism and hospitality industries must also be evaluated.
- The employment impacts of nonpipeline alternatives versus pipeline alternatives should be studied in terms of not just the number of jobs created, but their duration and the percentage of the jobs that are provided to local residents.
- Also important to include in FERC's analysis is the longterm impact on gas prices, should the LNG exporter customers that TOP seeks materialize. Since some of the project's domestic customers are seeking twenty-year contracts, evaluation of ratepayer impacts over the first twenty years of operation should be evaluated under scenarios that include forecasts of LNG export and their impacts domestic gas prices.
- The EIS must also include a comprehensive ecosystem services analysis to evaluate, from a socioeconomic perspective, water quality, air quality, biological and other impacts described in other sections of the EIS.

- From a public benefit perspective, an economic analysis is meaningless without an equally thorough economic analysis of the alternatives. The Commission must evaluate, with an equal level of detail, the costs and benefits of the project and of the alternatives set forth in the EIS, including the no-action alternative, in order to determine which alternative is in the public interest.

Lastly, but importantly, before any of the analyses I've mentioned are undertaken, the Commission must squarely address the fundamental question of the purpose of the project and whether it serves a public need, or merely the interests of Kinder Morgan and its affiliates' and customers' stockholders.

Respectfully submitted,

Kathryn R. Eiseman, President

Pipe Line Awareness Network for the Northeast, Inc.

17 Packard Road Cummington, MA 01026 info@plan-ne.org 413-320-0747

**20150821-4077**

Typed FERC Comment Form: Emily R D, Averill Park, NY, 12018

DIFFERENT SAFETY REGULATIONS AND STANDARDS FOR RURAL COMMUNITIES IS DISCRIMINATORY.

THE LIVES OF MY FAMILY AND MY PROPERTY VALUE SHOULD BE AS IMPORTANT AS THE LIVES AND PROPERTY IN URBAN AREAS.

URBAN AREAS HAVE MORE EMERGENCY SERVICES TO HANDLE A DISASTER. OUR SERVICES ARE NOT EQUIPPED AND ARE VOLUNTEERS LIVING NEAR WHAT COULD INVOLVE THEM IN AN DISASTROUS ACCIDENT.

DENY THIS PROJECT .

**20150821-4078**

Typed FERC Comment Form: Sheila Custore, 75 Lake Shore Dr, Averill Park, NY, 12018

December 5, 2014 - A team of medical and scientific researchers, including from the Institute for Health and Environment at the State University of New York (SUNY) at Albany, reviewed the scientific evidence that both adult and early life - including prenatal - exposure to chemicals from fracking operations can result in adverse reproductive health and developmental effects. These Include: endocrine-disrupting chemicals potentially increasing risk for reproductive problems, breast cancer, abnormal growth and developmental delays, and changes in immune function; benzene, toluene and xylene (BTX chemicals) increasing risk for impaired sperm quantity and quality in men and menstrual and fertility problems In women; and heavy metals increasing the risk of miscarriage and/or stillbirths. Potential exposures occur through both air and water. Based on their review, the authors concluded, "Taken together, there is an urgent need for the following: 1) biomonitoring of human, domestic and wild animals for these chemicals; and 2) systematic and comprehensive epidemiological studies to examine the potential for human harm." Lead author Susan Nagel said in an accompanying interview, "We desperately need biomonitoring data from these people. What are people actually exposed to? What are the blood levels of people living in these areas? What are the levels in the workers?"

PLEASE DENY THIS PROJECT UNTIL MORE RESEARCH CAN BE DONE.

THE FACT THAT SAFETY STANDARDS IN RURAL AREAS IS DISCRIMINATORY!

**20150821-4079**

Good evening.

My name is Richard Evans. I live at 7 Fern Hill in Great Barrington.

I thank you for the opportunity to speak at this time, and what I wish to speak about tonight is legacy; my

legacy and yours.

Yesterday when I told a friend where I was going what he had to say surprised me. He said , “Be realistic, your efforts will be useless because the FERC will approve the KM pipeline no matter what anyone says. Wow, I thought. Here I am. going with the belief that my voice, along with that of others, will matter. So I turned to my friend and said;

If I choose to believe that our voices do matter and that the people to whom I will be speaking, the members of FERC, will honor their mandate to act in the public interest and take seriously the many concerns and questions we have about this proposed pipeline.

And foremost is the question: Do we need this huge pipeline.? Has the case been made to spend billions of dollars to move billions of cubic feet of fracked gas from the shale fields of Pennsylvania to Atlantic ports in Canada? .. As we know KM is already engaged in tactical pull back on the size of the pipeline but the problem is the same, 36 inches or 30 inches.

If a case had been made for this pipeline why would our state attorney general, secretary of energy and several well informed citizen groups be calling for further study? Why would there be such honest disagreement about whether in fact we have experienced a real, or a manipulated, winter shortage of natural gas? And even if there were to be some energy shortage there are alternatives and the proposed pipeline capacity would far exceed what could be used, leading to the our belief that KM intends to move the fracked gas to Atlantic ports for overseas sales. And who will benefit from that? Not the people of our states. We will simply bear the costs and the risks.

And given the unenviable safety record of KM in its other operations across this country, well documented when you investigate,. the risks are considerable.

So the cost-risk/benefit analysis becomes clear; if the pipeline is built the corporation benefits and we bear the cost and risk .. And by we I mean all of us , for we will have here missed an opportunity to avoid yet another in a series of mistakes we have made in regard to our future. That future must not lie in new pipelines that will simply perpetuate the use of planet warming fossil fuels. We can't do that to our grand-children.

And that is what I meant when I said I wanted this evening to speak about legacy; mine and yours.

Thank you. Richard Evans,MD 7/28/15

#### **20150821-4080**

Typed FERC Comment Form: James Frankoski, 284 Old Best Rd, West Sand Lake, NY 12196

Please examine the impact of the Troy Sand and Gravel Company mining in the same area as the pipeline and compression station. If there is blasting will it increase the chances of pipes leaking and breaking.

DENY THIS PROJECT.

#### **20150821-4081**

Typed FERC Comment Form: James Frankoski, 284 Old Best Rd, West Sand Lake, NY 12196

Will well water and air quality be monitored before and after this project?

DENY THIS PROJECT

#### **20150821-4082**

Typed FERC Comment Form: Nancy Fresina, 33 Lakeshore Dr, Averill Park, NY 12018

I do not want my family and children exposed to the toxins released by the compressor station. There are far to many health risks.

DENY THIS PROJECT

**20150821-4083**

Typed FERC Comment Form: Margaret A. Fusco, 6 Andrews Way, Averill Park, NY, 12018

I am strongly opposed to the NED project. Please consider the safety record of Kinder Morgan's projects. In Texas from 2003 to 2014, Kinder Morgan experienced 36 "significant incidents", resulting in fatalities or hospitalization, fires, explosions, or spills.

Throughout the U.S. since 2003, Kinder Morgan and its subsidiaries' pipelines have been responsible for at least 180 spills, evacuations, explosions, fires, and fatalities in 24 states.

I also do not believe there is a need for this project. Where is the gas going and who benefits. Not the residents near the compressor station who will experience health and safety hazards and diminished property values.

Deny this project!

**20150821-4084**

Hand written FERC Comment Form: Cathy Garcia, PO Box 86, Windsor, MA 01270, opposing

**20150821-4085**

John Garcia, PO Box 86, 376 High St Hill, Windsor, MA

Please study the potential risk for health problems to people and wildlife when a compressor station is engulfed in thick heavy fog and blizzards so that the blow off chemicals can't draw up to the sky and they stay low to the ground for days on end . This is typical weather for Windsor, MA.

Please research the effect on drinking water from all surrounding reservoirs (Cleveland, Wahconah, Ashmere, and all private wells in Windsor from the 15 or more chemicals that will be emitted from the compressor station exhaust stacks, especially associated with thick fog, blizzards, and rain.

Please research and measure how much chemical pollution from a compressor station accumulates in the different layers, of high volumes of winter snowfall, before melt off.

Please study the effect that chemicals from a compressor station will have on farm produce, livestock and individual gardens and will they be safe to eat.

7/27/15

**20150821-4086**

My name is Jenny Gitlitz. I live at 2 Pomeroy Ave. in Dalton, MA 01226.

I'll focus on 2 issues tonight: drinking water, and noise and light pollution.

1) The pipeline will traverse watersheds that Dalton and Pittsfield depend on for drinking water.

Please ask Kinder Morgan to disclose a full list of chemicals in pipeline gas, including:

- Common names (by CAS number), and alternate names.
- Concentrations in the gas at expected pressures.
- What plans exist to detect leaks?

In the event of contamination,

- What plans exist to provide residents with alternate drinking water?
- How will soils and water sources be restored?

How does Kinder Morgan plan to maintain pipeline integrity when it is only buried 3 feet underground, and when the frostline in our region can be 5 feet deep?

2) Noise and light pollution

Noise and light pollution from compressor stations are likely to be highly disruptive to people and wildlife.

Locally, the Notchview Reservation and the Moran Wildlife Management Area provide over 5,000 acres of wildlife habitat, and recreational areas to tens of thousands of visitors annually.

In terms of noise pollution, please ask Kinder Morgan to provide or identify:

- Exactly where the Windsor compressor station will be located.
- The exact levels of sound generated there throughout the day.
- When maximum sound levels will occur, and for how long?
- A detailed map of sound travel (in meters) and levels (in decibels).
- What types of wildlife will have to flee to less desirable habitats due to noise?
- What other impacts will noise have on wildlife?
- What economic impacts will loud noise have on the Notchview Reservation?

How many of the 10 to 15,000 annual visitors will be dissuaded from coming to ski or hike due to noise, and the loss of peace and quiet they value?

Windsor and the surrounding areas are one of the few truly dark skies left in Massachusetts. Dark skies are valued not only by astronomers, but by anyone who likes to look up at the night sky. They're also important for nocturnal animals. In terms of light pollution, please ask Kinder Morgan to identify:

- What size area will be illuminated by the Windsor compressor station?
- The exact levels of light that will be generated, in lumens.
- Please provide a detailed map showing light levels that will be visible directly and indirectly through glare-at a 1,000-foot radius, a 1-mile radius, etc., up through 20 miles.
- At what distance will light pollution no longer be visible?
- What types of wildlife will be forced to flee to less desirable habitats due to light pollution?
- What other impacts will such light levels have on area wildlife?
- What economic impact will light pollution have on western Massachusetts?

In closing:

- 1) Due to the large amount of missing information in the Resource Reports-over 10,000 TBDs at last count-please do not close the scoping comment period until 60 days after Kinder Morgan files new, complete Resource Reports.
- 2) I would ask FERC to allow the development of alternative sources of renewable energy-such as wind and solar built at residential, commercial, and industrial scales-to be studied before making a decision about the NED pipeline.

Thank you.

Statement of Jenny Git/itz, 2 Pomeroy Ave. Dalton, MA 01226  
FERC Scoping Hearing on the Kinder Morgan/Tennessee Gas Pipeline, Pittsfield, MA  
7/28/15

#### **20150821-4087**

Hand written FERC Comment Form: Raul Haro, 864 Burden Lake Rd, Averill Park, NY, 12018, opposing the compressor station location

#### **20150821-4088**

Typed FERC Comment Form: Quinn Hathaway, 60 Schumann Rd, Averill Park, NY 12018

Will well water and air quality be monitored before and after this project?

DENY THIS PROJECT

**20150821-4089**

Typed FERC Comment Form: Tammy Goddard Hathaway, 60 Schumann Rd, Averill Park, NY 12018

I am strongly opposed to the NED project. Please consider the safety record of Kinder Morgan's projects. The Wall Street Journal asked, "Is Kinder Morgan Scrimping on its Pipelines?" after an investment analyst charged the company with staving its pipelines of routine maintenance spending in order to return more cash to investors. I am a resident of Burden Lake and do not want this resource destroyed by this project.

**20150821-4090**

Typed FERC Comment Form: Tammy Goddard Hathaway, 60 Schumann Rd, Averill Park, NY 12018

WHERE WILL OUR BALD EAGLES GO WHEN THE COMPRESSOR STATION COMES?

WHAT HAPPENS TO THE EMISSIONS THAT BLOW OVER OUR LAKE? THE FINANCIAL IMPACT TO OUR DEVALUATED HOMES IS DEVASTATING

DENY THIS PROJECT .

**20150821-4092**

Typed FERC Comment Form: Tim Hathaway, 60 Schumann Rd, Averill Park, NY 12018

The proposed lighting and the volume of noise associated with this project is an assault on our quality of life. It will cause migration of wildlife, sleep disturbances in residents, and a complete change to the rural character of our community. The bald eagles that nest in the area of the proposed compressor will be gone. We will no longer be able to view the star lit evening sky we now know.

The toxins released into the air will present problems for those with respiratory and likely other health related illness.

Our property values will be destroyed.

People come to rural areas for peace and quiet.

I AM OPPOSED AND ASK YOU TO DENY THIS PROJECT.

**20150821-4093**

Typed FERC Comment Form: Bridgit Hivbecky, 11 John Rd, Averill Park, NY 12018

I HAVE WONDERED WHY COMPRESSOR STATIONS ARE AUTOMATED. IS THAT TO REDUCE THE HEALTH RISKS FOR THOSE WHO MIGHT OTHERWISE BE ON SITE?

THERE ARE FAR TO MANY ASSOCIATED HEALTH RISKS AND ENVIRONMENTAL RISKS ASSOCIATED WITH ANY COMPRESSOR STATION LET ALONE ONE OF THIS SIZE.

DENY THIS PROJECT.

**20150821-4094**

Hand written FERC Comment Form: Bridgit Hivbecky, 11 John Rd, Averill Park, NY 12018, opposing

**20150821-4095**

Typed FERC Comment Form: ??, 6 Bear? Rd, Averill Park, NY 12018

I do not want my family and children exposed to the toxins released by the compressor station. There are far to many health risks.

**20150821-4096**

Typed FERC Comment Form: ??, 2 Second Dyke Rd, Averill Park, NY 12018

Uniform New York state mortgage agreement used by Fannie Mae and Freddie Mac requires that homeown-

ers not permit any hazardous materials to be used or located on their property. For those of us abutting this pipeline and compressor station, this could create problems for our mortgages and capacities to get loans.

This is only one of my concerns. What about home owners insurance? What will be covered and who is responsible if there is toxins in my water supply or an explosion.

I oppose this project.

**20150821-4097**

July 28, 2015

Project Docket number PF14-22 Susan Jacobs

565 Worthington Road, PO Box 68 Windsor, MA 01270-0068 rmspjl@verizon.net

Good evening. My name is Susan Jacobs; my address is 565 Worthington Road, Windsor, Massachusetts where our family has lived for 25 years. For seven of those years, we opened our home as a Bed & Breakfast, welcoming guests from around the US as well as Europe. Citing the quiet, peaceful surroundings, fresh air and ability to see the stars on clear nights, many came back repeatedly. This project, with a proposed compressor station barely 2 miles due west of our home will change all of that.

My concerns are many, but tonight I will focus on air and water quality.

The Sierra Club cites many concerns with the natural gas industry, including the numerous loopholes the industry exploits in order to ignore basic environmental and health protections. The Sierra Club goes on to list some of the many problems associated with inadequate safeguards in natural gas development, including:

- Harmful air emissions that pollute communities surrounding drilling operations, compressor stations and pipelines;
- Lack of environmental assessments, monitoring and regulatory enforcement to gauge damages to landscapes and wildlife.

I respectfully request that you determine the realistic amount of pollution that would be released from the compressor stations, and take steps to reduce the dangerous gases and chemicals in it to zero through the use of scrubbers, and any other technology that could be used to protect our clean air.

Like everyone else in Windsor and many of the surrounding rural communities, our home has a well. Much of our area of town also has wet, boggy areas, and is adjacent to brooks and streams feeding into the Westfield River. The VOCs contained in the emissions of the compressor station and other installations along the pipeline will not only be present in the air we breathe, but will fall to the ground to pollute our gardens, streams, and ultimately, our drinking water unless Kinder Morgan is forced to take all necessary steps to protect our resources.

During the construction process, where will Kinder Morgan access the large quantities of water they will need for hydrostatic testing? Will there be guaranties that that these sources of water will not compromise the local wells?

Please study how our pure water can be protected, not just mitigated when later studies show our wells, streams and rivers have become polluted.

Also, I respectfully request that the Resource Report submitted by Kinder Morgan be rejected until such time as they can provide complete information. Do not accept their submission if it contains even one "TBD" - To Be Determined!

Your job is to protect and represent the public. I ask that you do your job, and make the best decision for the public and deny KM a permit for this project.

**20150821-4098**

Typed FERC Comment Form: Lisa Johnas, 17 Lakeshore Dr, Averill Park, NY 12018

We have just completed a sewer project to protect our lake from the contamination from antiquated septic systems. We invest thousands in efforts to manage weeds.

Do not undo our hard work and endanger Burden Lake by placement of the pipeline and compression station within our community. The threats of emissions and leaks but our health, safety, and the enjoyment of our natural resource at risk. Will our children and grandchildren be able to use this lake when pipes begin to leak into ground water? Will the asthmatics in our community suffer more with the emissions? Will the inner city youth who enjoy Camp Adventure on our lake be at risk or frightened by blow downs? Where will the wild life be when exposed to the noise and light pollution? What stress with associated health conditions will we experience with the noise and light pollution?

DENY THIS PROJECT.

**20150821-4099**

Hand written FERC Comment Form: Tim Jones, 14 Van Potter Rd, Averill Park, NY 12018, opposing

**20150821-4100**

Typed FERC Comment Form: Vicki Jones, 108 Ramsey Place, Albany, NY, 12209

May 29, 2014 - In New York State, more than 250 medical organizations and health professionals released a letter detailing emerging trends in the data on fracking that show significant risk to public health, air quality, water, as well as other impacts. With signatories including the American Academy of Pediatrics, District II, the American Lung Association in New York, Physicians for SOCIAL Responsibility, and many leading researchers examining the impacts of fracking, they wrote, "The totality of the science - which now encompasses hundreds of peer-reviewed studies and hundreds of additional reports and case examples-shows that permitting fracking in New York would pose significant threats to the air, water, health and safety of New Yorkers. n

THE SAME TOXINS ARE RELEASED AT COMPRESSOR STATIONS. WE WILL HAVE THE SAME RISKS TO WATER SUPPLY AND AIR QUALITY.

DENY THIS PROJECT .

**20150821-4101**

Typed FERC Comment Form: William W. Jones, 43 Lakeshore Dr, Averill Park, NY 12018

I am strongly opposed to the pipeline and compressor project. I have concerns for toxic emissions, spills, and toxic chemicals leaking into our ground water, wells, and our lake. My concerns are only heightened by the long standing record of safety violations and accidents with Kinder Morgan projects. I would ask you to review the records. This company has been responsible for loss of life, property, and destruction or natural resources.

I would also argue that there are far less damaging solutions to fossil fuels and that FERC would better serve residents and our environment if the focus was on wind and solar energy. There are many studies that suggest natural gas in the long run is not the answer to climate change.

Please do not approve this project

**20150821-4102**

Hand written FERC Comment Form: Charles Kieley, 66 Lakeshore Dr, Averill Park, NY 12018, opposing

**20150821-4103**

Hand written FERC Comment Form: Christopher Derby Kilfoyle, 46 Howland Avenue, Adams, MA 01220, business owner, opposed

**20150821-4104**

Typed FERC Comment Form: Connor Kepcha, 20 Helenwood Lane, Averill Park, NY 12018

WHERE WILL OUR BALD EAGLES GO WHEN THE COMPRESSOR STATION COMES?

WHAT HAPPENS TO THE EMISSIONS THAT BLOW OVER OUR LAKE? THE FINANCIAL IMPACT TO OUR DEVALUATED HOMES IS DEVASTATING

DENY THIS PROJECT .

**20150821-4105**

Typed FERC Comment Form: Alexandria Lambright, 2561 NY HWY 43, Averill Park, NY 12018

I believe FERC needs to do studies of the health risks for individuals living near compressor stations and pipelines before any more projects are approved.

Benzene, a naturally occurring component of crude oil and natural gas, is a known carcinogen. There are already documented studies of people near compressor stations having more respiratory illness, rashes, nose bleeds and a variety of other health problems. If you are approving these projects to provide what is questionably more affordable energy, maybe you should consider the cost of the resulting required health care.

**20150821-4106**

Typed FERC Comment Form: Alexandria Lambright, 2561 NY HWY 43, Averill Park, NY 12018

I oppose this pipeline and compressor for many health and safety reasons. I also feel it is outrageous that the safety standards for rural areas are lower than for urban areas. It indicates to me that the government has done a cost analysis and determined that there are fewer people in rural areas so the risk of loss doesn't necessitate the extra money required to be safer.

Yet, the government does not have any problem asking me to abide by the same tax tables.

If there is an explosion, have you considered our small community has only a volunteer fire department. Some of these volunteers may be incapacitated by the explosion. In any case, it is not adequate to deal with the scope of destruction a pipeline would cause.

I do not want this project. If you do approve it despite opposition, which is unfortunately your history, apply the same safety standards to ALL communities.

**20150821-4108**

Typed FERC Comment Form: Trisia? LaR? Vind?, 95 G? Pt Road, Averill Park, NY 12018

Please consider that our community already has had one lake destroyed by big business. Nassau Lake has PCPs from GE. Do not risk another natural resource that our community is able to enjoy for the sake of big business.

DENY THIS PROJECT .

**20150821-4109**

Typed FERC Comment Form: Fran LaRose, 42 Helenwood Lane, Averill Park, NY 12018

I HAVE WONDERED WHY COMPRESSOR STATIONS ARE AUTOMATED. IS THAT TO REDUCE THE HEALTH RISKS FOR THOSE WHO MIGHT OTHERWISE BE ON SITE?

THERE ARE FAR TO MANY ASSOCIATED HEALTH RISKS AND ENVIRONMENTAL RISKS ASSOCIATED WITH ANY COMPRESSOR STATION LET ALONE ONE OF THIS SIZE.

DENY THIS PROJECT.

**20150821-4110**

Hand written FERC Comment form: Marcia LaRose, 42 Helen Wood Lane, Averill Park, NY 12018, opposing. Emissions causing skin rashes to swimmers?

**20150821-4111**

Typed FERC Comment Form: Frank Maier, 77 Gundrum Point Rd, Averill Park, NY 12018

Kinder Morgan has demonstrated a disregard for the safety and caused significant harm to lives and property. Does FERC consider safety records when evaluating a project? Consider these examples:

In June 2012, in Garb County, Texas, a Kinder Morgan Natural Gas Pipeline or America 26' diameter pipeline failed at Compressor Station 154, Mile Post 52, 4 miles east of Lawton. The failure blowing a crater 30 foot diameter and burning 2 acres of agricultural land as well as two 500' gallon plastic tanks used to store liquid nitrogen plus two telephone poles and transformers. State Highway 162 was closed for several hours. The cause was a 50-foot-long longitudinal rupture in the pipe.

On December 26, 2012, in West Melbourne, Florida, a Kinder Morgan Florida Gas Transmission Company pipeline exploded in a pasture. The blast ejected a 20-foot section of 20' diameter pipe which landed about 16 feet from the rupture.

On May 8, 2013, a Kinder Morgan Texas pipeline compressor station near Crockett, Texas, had a

On June 18, 2013, in Louisiana, a Kinder Morgan Florida Gas Transmission Company 30' diameter pipeline ruptured and exploded before dawn, jolting residents out of their beds in a rural, wooded area of Washington Parish. No one was seriously hurt but 55 homes were evacuated. The blast knocked down trees in an area about 200 yards across and the fire burned. Within another 300 yards, "The ground would be the color of a complete, bare. The dirt would be just like it had been cooked in a kiln," and an 80-foot section of pipe was destroyed. The fire caused \$7,502,188 in property damage.

Would you select a doctor with a record like this? What criteria do these guys have to meet? Who monitors them? I don't want my family and home to be victims of their greed and irresponsibility.

This project does nothing for our community but pre-emptive hazards and disruption of our rural life. Who benefits from this gas? Where is it going?

**20150821-4112**

Typed FERC Comment Form: Frank Maier, 77 Gundrum Point Rd, Averill Park, NY 12018

I am opposed to this project. I am particularly concerned about emissions and air quality. In addition to the toxins released with blow downs I am concerned about oil leaks. I have read that oil is

circulated through compressors to provide cooling and prevent wear. The lube oil is pressurized and as a result there is a chance for leakage. Oil can spray into the atmosphere in an oil mist. It could produce toxic smoke or cause explosions. Gas transportation companies report many oil leaks a year in a compression station. This is an environmental hazard. The compressor station is located south of Burden Lake and I would like an analysis of how the prevailing winds could carry the emissions and oil spray clouds.

We work hard to protect and improve our water quality. We have a long range weed maintenance program and pay a great deal for the sewer project that was completed last year. We do not want our homes, families, and resources destroyed by poor air quality and contaminated water.

**20150821-4113**

Typed FERC Comment Form: Justine Malo, 1315 Burden Lake Rd, Averill Park, NY 12018

I am strongly opposed to the NED project. Please consider the safety record of Kinder Morgan's projects. In 2009, the Pipeline and Hazardous Materials Safety Administration (PHMSA) cited Kinder Morgan for violating safety standards regarding the distance between a natural gas pipeline and a "high consequence area"

such as a school or hospital; the pipeline was too close for safe operation in case of a leak. I realize the issue in this case was defining a school and hospital. I would argue that a lake that provides recreation to hundreds of residents, thousands of visitors, and a summer experience for inner-City residents of Rensselaer County is a “high consequence area”.

**20150821-4114**

Typed FERC Comment Form: Pamela Maier, 77 Gundrum Point Rd, Averill Park, NY 12018

I am opposed to this project. I have concerns about low frequency noise. I have read that this causes significant health problems if you are within an 5-8 mile radius of a compressor station. Children and animals are particularly sensitive. I am also concerned about toxic emissions. This compressor station is too close to homes and farms. OUF sensitive natural habitat will be destroyed. Deny this project.

**20150821-4115**

Hand written FERC Comment Form: Cindy Mathias, 160 Mantle Ave, Lee, MA 01238, opposed

**20150821-4116**

Typed FERC Comment Form: Laura N Gle?, 532 Bloomingrove Dr, Rensselaer, NY 12144

February 13, 2014 - A major study in Science by Stanford University, Massachusetts Institute of Technology and the U.S. Department of Energy found that methane leaks negate any climate benefits of natural gas as a fuel for vehicles, and that the EPA is significantly underestimating methane in the atmosphere.<sup>325</sup> Lead author Adam R. Brandt told The New York Times, “Switching from diesel to natural gas, that’s not a good policy from a climate perspective.”<sup>326</sup> This study also concluded that the national methane leakage rate is likely between 3.6 and 7.2 percent of production.

PLEASE DENY THIS PROJECT THAT IMPACTS OUR COMMUNITY AND SIMILAR PROJECTS UNTIL MORE RESEARCH IS DONE.

WHAT WILL METHANE LEAKS DO TO OUR CHILDREN, WILDLIFE. WATER SUPPLY,?

**20150821-4117**

Typed FERC Comment Form: Jon Milkiewicz, 44 Holly Hill Rd, Averill Park, NY 12018

August 5, 2014 - A Climate Central piece appearing in Scientific American outlined the natural gas-related factors that threaten any ability to achieve climate goals through President Obama’s proposed Clean Power Plan. “No one has any idea how much methane is leaking from our sprawling and growing natural gas system. This is a major problem, because without a precise understanding of the leak rate natural gas could actually make climate change worse.” Referring to an interactive Climate Central tool that runs various methane leakage scenarios, the article notes that, “... even with modest leak rates and a fairly aggressive transition, we could still end up with little or no climate benefits by 2030 after an enormous financial and political investment in natural gas.”

PLEASE DENY THIS PROJECT THAT IMPACTS OUR COMMUNITY AND SIMILAR PROJECTS UNTIL MORE RESEARCH IS DONE.

**20150821-4118**

Typed FERC Comment Form: Karen Milkiewicz, 44 Holly Hill Rd, Averill Park, NY 12018

We have just completed a sewer project to protect our lake from the contamination from antiquated septic systems. We invest thousands in efforts to manage weeds.

Do not undo our hard work and endanger Burden Lake by placement of the pipeline and compression station within our community. The threats of emissions and leaks put our health, safety, and the enjoyment of our natural resource at risk. Will our children and grandchildren be able to use this lake when pipes begin to leak

into ground water? Will the asthmatics in our community suffer more with the emissions? Will the inner city youth who enjoy Camp Adventure on our lake be at risk or frightened by blow downs? Where will the wild life be when exposed to the noise and light pollution ? What stress with associated health conditions will we experience with the noise and light pollution?

DENY THIS PROJECT .

#### **20150821-4119**

Typed FERC Comment Form: Stephen J. ?, 634 Hoags Corner Rd, Nassau, NY 12123

May 10,2011 -In the American Journal of Public Health, two medical experts cautioned that tracking “poses a threat to the environment and to the public’s health, There is evidence that many of the chemicals used in tracking can damage the lungs, liver, kidneys, blood, and brain.” The authors urged that it would be prudent to Invoke the precautionary principle In order to protect public health and the environment.

THE SAME TOXINS ARE RELEASED AT COMPRESSOR STATIONS. WE WILL HAVE THE SAME RISKS TO WATER SUPPLYANDAIR QUALITY,

DENY THIS PROJECT.

#### **20150821-4120**

Project Docket #PF14-22-000

Lyndon Moors

14 South Main St.

PO Box 941

Lanesboro MA01237 (413) 443-6421 Lyndon213@verizon.net

Thank you for the opportunity to speak with you today. My name is Lyndon Moors. I live at 14 South Main Street in Lanesboro, just half a mile from where the proposed pipeline is to cross Route 7. Lanesboro Massachusetts is celebrating our 250th anniversary this year. We celebrate our small-town, pre-Colonial-era heritage, our clean air and water, our natural resources, our green spaces, and our forests. The State Champion Elm sits outside my front door. Our town flag depicts the Constitution Oak, named for the legendary spot from which the signing of our Constitution was announced to Lanesboro residents in 1787. We value our recreational and agricultural lands. We set down our own roots, buying land, building homes, and educating our children.

I encourage you to fully consider the negative impacts this proposed pipeline will have on what we hold to be important.

- What is the risk to our aquifer, our town’s source of clean water, under which this pipeline would be run?
- What destruction would be brought upon Constitution Hill, perhaps our most historic location, but awaiting Kinder Morgan’s bulldozers?
- What impact will this project have on our private property values and insurability, and will its completion make our homes more difficult to sell?
- Is there a less destructive path for this pipeline, even though many analysts now claim that the project is excessive and unnecessary in its proposed scope?

I would also ask you to schedule additional opportunities such as this one, so that we may provide relevant testimony as Kinder Morgan’s plans continue to evolve. We know precious little about their plans for metering stations and compressor stations, and their potential impacts should also be considered in your deliberations.

Thank you very much.

**20150821-4121**

Typed FERC Comment Form: Cindy Nadel, 634 Hoags Corner Rd, Nassau, NY 12123

Natural gas is a bigger threat to the climate than previously supposed. Methane is not only a more potent greenhouse gas than formerly appreciated, real-world leakage rates are higher than predicted. Within the last five months, multiple teams of independent scientists have published data on fugitive emissions that, all together, call into question earlier presumed climate benefits from replacing coal with natural gas. Further, evidence increasingly suggests that the natural gas abundance brought by fracking is slowing the transition to renewable energy and is thus exacerbating, rather than mitigating, the climate change crisis, DENY THIS PROJECT.

**20150821-4122**

TO: Federal Energy Regulatory Commission

FROM: Fred & Barbara Nuffer

SUBJECT: Northeast Energy Direct Pipeline - Docket # PF14-22-000

Water Issues at our Residence @ 171 Radley Road Averill Park, NY 12018

My wife and I are concerned about the proposed route of the Kinder-Morgan Northeast Energy Direct pipeline project. We have been notified that the NED may be constructed along the National Grid Right-of-Way (ROW) approximately 200 feet north of our home and may require Kinder-Morgan to take a ROW along our property laying just north of the National Grid ROW.

Our concerns relate to our two water sources on our property and the potential for the pipeline construction (side slope benching, trenching and blasting) to have a negative impact on these water sources:

1. Our domestic water supply comes from a low yield (less than 112 gallon/minute) artesian well. The well fills from the bottom to the top and overflows into a waste drain. The pressure or "head" on the water is influenced by the steep hill side which rises approximately 100 higher behind our house. The drilling of this well was very costly. We also have several expensive treatment systems in place to treat issues with bacteria levels and sulfur.
2. A supplemental water source for our household is a spring that dates from the construction of our house in the 1930's. It is used to water our extensive vegetable gardens, including a large greenhouse. This water source is essential due to the low flow issues from our well.

Construction of the NED pipeline is proposed along on the northern edge of the National Grid Right of Way (ROW). This ROW is located on a steep slope only several hundred feet behind our house. Approximately 50 to 75 feet upslope of the National Grid ROW is the crest of the hill. To the north of the crest the terrain is much flatter.

Placement of this pipeline a significant distance to the north side of the National Grid right of way may help to mitigate some of these potential water supply issues as well as requiring less terracing and less earth disturbance than construction on a side slope. We request that the pipeline route be placed 200 hundred yards to the north of the top of grade of the hill behind our house to provide a buffer zone around our well head recharge zone.

Also of concern is a grove of Spruce trees along the south of the National Grid ROW. These large mature trees would endanger our house if there is any disruption of the soil above them. Erosion and loosening of the roots would cause these 100 foot trees to fall down the slope onto our home.

**20150821-4123**

Typed FERC Comment Form: Rick Pfielsticker, 17 Campus View Dr, Loudonville, NY 12211

Please examine the impact of the Troy Sand and Gravel Company mining in the same area as the pipeline and compression station. If there is blasting will it increase the chances of pipes leaking and breaking.

DENY THIS PROJECT.

**20150821-4124**

July 28, 2015

Pittsfield MA

PERC scoping Hearing:

My name is Stephen Philbrick, minister of the West Cummington Congregational Church. I live in Windsor, where a compressor station is planned. Our house is near the proposed pipeline route.

Before my scoping request I'd like to say that these hearings have lost relevance and lost our respect, because you allow them to continue this evening and tomorrow in Greenfield mere days after Kinder Morgan has filed a 6,000 page Resource Report. Studying the facts to make a wise decision takes time. You don't appear interested in doing this yourself and you are denying us the opportunity to do so.

One of your responsibilities is to oversee environmental matters related to natural gas projects, so before anyone is allowed to put a shovel in the soil of Windsor,

would you please analyze:

The geology all along the proposed route, with particular focus on: .” Blasting in the furore by quarries or for future road construction.

Any miscalculation of the charge based on ignorance of the local rock formations can result in ground-shaking damage .

- Frost heaves and steel quality, particularly for the lightest gauge which is what we will receive in Windsor, since our lives and environment are apparently worth less to you than those in other communities .

- Rust

- Ionization of the pipes by the high tension line .” Vulnerability to vandalism

- Vulnerability to terrorism, domestic or foreign, since we are so far from any watchful eye, even the screens in Houston.

In addition, I call upon you to fulfill your charge to study the siting of this pipeline in regard to the health and well being of New Englanders of every species.

Since another of your charges is to monitor and investigate energy markets, you should know that this pipeline is not necessary for a single thing in the world but Kinder Morgan's profits.

**20150821-4125**

Typed FERC Comment Form: Cindy Pitts, 240 Thais Rd, Averill Park, NY 12018

July 21, 2014 - An independent assessment report by Scientists for Global Responsibility and the Chartered Institute of Environmental Health reviewed current evidence across a number of issues associated with shale gas extraction by hydraulic fracturing, including environmental and public health risks, drawing on academic research. Among the report's conclusions: there are major shortcomings in regulatory oversight regarding local environmental and public health risks; there is a large potential for UK shale gas exploitation to undermine national and international efforts to tackle climate change; the water-intensive nature of the fracking process which would cause water shortages in many areas; the complete lack of evidence behind claims that shale gas exploitation will bring down UK energy bills; and concerns that it will impact negatively on UK energy security. Despite claims to the contrary, the report noted that evidence of local environmental contamination from shale gas exploitation is well reported in the scientific literature. It emphasizes that, "[t]here are widespread concerns over the lack of evidence on tracking-related health impacts, and that there is a lack of substantive epidemiological study for populations exposed to shale gas extraction." 425

Webb, E., Bushkin-Bedient, S., Cheng, A., Kassatis, C.D., Balise, v., and Nagel, S.C. (2014). Developmental

and reproductive effects of chemicals associated with unconventional oil and natural gas operations. Reviews on Environmental Health 29(4), 307-318.

423 Sample, I. (2014, December 5). Fracking chemicals could pose risks to reproductive health, say researchers. The Guardian. Retrieved from <http://WWW.theguardian.com/environment/2014/dec/05/fracking-chemicals-could-pose-risks-to-reproductive-health-say-researchers>

424 Korfmacher, K.S., Gray, K. M., and Haynes, E. (2014, September 15). Health impacts of unconventional natural gas development: A comparative assessment of community information needs in New York, North Carolina, and Ohio. Project Report, UR-UNC-UC Supplement 2012-13. Retrieved from <http://www.urmc.rochester.edu/MediaLibraries/URMCMedia/environmental-health-sciences-center/COEC/documents/UNGD-information-needs-assessment-final-project-report-091514.pdf>

425 Harrison, G., Parkinson, S., and McFarlane, G. (2014). Shale gas and fracking: examining the evidence. Published by Scientists for Global Responsibility (SGR) and the Chartered Institute of Environmental Health (CIEH). Retrieved from <http://www.cieh.org/WorkArea/showcontent.aspx?id=53520>

DENY THIS PROJECT UNTIL YOU HAVE MORE RESEARCH ON THE IMPACT TO HEALTH.

### **20150821-4126**

Typed FERC Comment Form: Charles ?, 40 Morgan Road, ?, NY 12061

February 13, 2014 - A major study in Science by Stanford University, Massachusetts Institute of Technology and the U.S. Department of Energy found that methane leaks negate any climate benefits of natural gas as a fuel for vehicles, and that the EPA is significantly underestimating methane in the atmosphere.<sup>325</sup> Lead author Adam R. Brandt told The New York Times, “Switching from diesel to natural gas, that’s not a good policy from a climate perspective.”<sup>326</sup> This study also concluded that the national methane leakage rate is likely between 3.6 and 7.2 percent of production.

PLEASE DENY THIS PROJECT THAT IMPACTS OUR COMMUNITY AND SIMILAR PROJECTS UNTIL MORE RESEARCH IS DONE.

WHAT WILL METHANE LEAKS DO TO OUR CHILDREN, WILDLIFE. WATER SUPPLY,?

### **20150821-4127**

Typed FERC Comment Form: Ryan P?, 40 Morgan Road, East Greenbush, NY 12061 September 2, 2014 - Analyzing the level of greenhouse gas emissions attributable to electricity from natural-gas-fired power plants and coal-fired power plants, economist Chris Busch and physicist Eric Gimon conclude that, over short time frames and at high rates of leakage, natural gas offers little benefit compared to coal and could exacerbate global warming. Although Busch and Gimon acknowledge that natural gas offers some reductions in greenhouse gas emissions over longer time frames, they point out that such reductions are not large enough for natural gas to play an expanded role in efforts to manage emissions. They conclude that under the best of circumstances, natural gas-fired electric power offers a modest benefit toward abating climate change, while if poorly developed (i.e., with extensive methane leaks, estimated by these authors to be on the order of 4% or higher), or if used to displace energy efficiency or renewable energy, natural gas could seriously contribute to increased greenhouse gas emissions.

PLEASE DENY THIS PROJECT THAT IMPACTS OUR COMMUNITY AND SIMILAR PROJECTS UNTIL MORE RESEARCH IS DONE .

### **20150821-4128**

Cheryl Rose; Dalton, MA July 28, 2015 Docket PF14-22-000

Concerns regarding the scope of the environmental impact of the Northeast Energy Direct (NED) project On the FERC website, the Commission describes as “paramount” that all proceedings be open and fair to all participants. New Resource Reports from Kinder Morgan became available just a few days ago; and in them

many variables are “ToBeDetermined”. It is not fair to ask us to respond to over 6500 pages of incomplete information in just these few days.

- I request the FERC repeat the scoping hearings when more information is available, and hold hearings in towns slated for compressor stations.

As a resident of Dalton I am concerned about the effects of construction and operation of the proposed NED project on my drinking water quality, air quality, and safety -

The proposed route is perilously close to the drinking water supply which serves my town. I ask the FERC to require Kinder Morgan to provide:

- plans for baseline tests, and regular monitoring for and mitigation of impacts to Cleveland and Egypt Reservoirs.
- and a guarantee of safe drinking water delivered to our homes if construction or operation of the pipeline or pipeline accident contaminates or harms Cleveland or Egypt Reservoir irreparably in anyway.

Kinder Morgan should also provide:

- plans for baseline testing and continued monitoring of air quality near both the compressor station in Windsor and the Mainline Valve planned for Dalton
- and plans for response and remediation for increased air contamination with toxic chemicals contained in material to be transported through the pipe.

Finally, the FERC’s own mission statement is “to assist consumers in obtaining reliable, efficient and sustainable energy services at a reasonable cost”. I call on you to be true to your mission. The financial, health and environmental costs of this project, which will ultimately be borne by the consumers to which you refer, warrant a comprehensive study of our energy needs and the alternate ways they may be met. OUF Attorney General, Maura Healey, has engaged such a study.

- I ask the FERC to include the results of Attorney General Healey’s study in their determination of our need for this project.

The data on the negative effects of burning and transporting fracked methane, and the limited amount of methane available from Marcellus shale, continue to grow. In contrast, abundant clean energy resources are available; and the projects to deliver them are ready to be built at a faster rate than our government is supporting, under pressure from the fossil fuel industry.

The FERC has the power to impact our state energy policy for many years to come. Given what we know about energy, the environment and human health, I believe asking us to invest in this pipeline is wrong. The people of Massachusetts want to protect our health and the health of our environment; and we need our dollars to invest in true renewable and sustainable. and ultimately cheaper energy that will provide us long-term energy security.

- I call on the FERC commissioners to accept their responsibility with respect to impacts of their decision on climate change. This is not just about the immediate impacts of burying a pipe in the ground.

FERC statement 7/28/15 PF14-22-000.

I am Henry Rose, a resident of Dalton and a local physician. I have many health and safety concerns that I would like FERC to address.

First I need to reiterate that this scoping meeting is premature. These meetings should be held again and located in the communities slated for compressor stations.

Some 20% of existing gas is estimated to be lost from pipeline leaks, improving efficiency of energy use in homes and businesses has a long way to go, and green/renewable projects like solar and wind are certainly safer and more sustainable. The impact of these measures must be studied before moving further with a \$3.5 billion project that will be paid for by ratepayers, obligate the use of even more fossil fuel for years to come, and subvert the work to be done in green energy.

I request that the environmental impact statement not just assess the impact of construction. The gas in the TG pipeline is obtained by fracking, which employs numerous chemicals that are suspected or known carcinogens and endocrine disruptors. Pipelines are known to leak over time and the effects of these chemicals need to be looked at thoroughly, including the potential long term impact of ingesting or inhaling small amounts over many years, and especially the impact on children and pregnant women. The pipeline is planned to go near the Cleveland Reservoir, which supplies Dalton's and Pittsfield's drinking water. The potential impact on this reservoir and all other affected reservoirs need to be studied. In addition, when a pipeline is constructed, water is used to test its integrity. I would like to know where this water comes from and where it is discharged.

I also have concerns about compressor stations and pigging operations that release methane and the toxic fracking chemicals into the air as part of normal operations. The potential local and regional effects on air quality should also be determined.

Safety concerns about potential explosions and massive fires have not been sufficiently addressed. Such catastrophes have occurred and I request that FERC detail how a large fire or explosion would be dealt with in the Berkshires.

FERC has a mission to look at costs. I request that these costs include the health, safety, and economic costs of degrading the environment.

Much of the gas supplied by the pipeline is likely planned for export. The price of gas will reflect the global market price and gas prices will rise in the US. FERC's obligation is to this country.

Finally, I would like to say to my fellow citizens whose work is to repair and construct pipelines. I want you to have good paying union jobs with good benefits ... repairing our leaking infrastructure, stopping the waste that we already pay for with our gas bills, and reducing greenhouse emissions. I work for a hospital that is constantly upgrading to new technology-- they are not investing in electric typewriters or x-ray equipment from the 1970s. We have the ability to move forward with cleaner and more sustainable technology, and I hope you will help us.

**20150821-4129**

Hand written FERC Comment Form: Helen Russo, 56 Bellview Terrace, Rensselaer, NY 12144, opposing

**20150821-4130**

Hand written FERC Comment Form: Alice Russo, 9 Jennell Dr, EG, NY 12061, opposing

**20150821-4131**

Typed FERC Comment Form: Rosemary Scully, 38 Hellenwood Dr, Averill Park, NY 12018

I am strongly opposed to the NED project. Please consider the safety record of Kinder Morgan's projects. The Wall Street Journal asked, "Is Kinder Morgan Scrimping on its Pipelines?" after an investment analyst charged the company with stalling its pipelines of routine maintenance spending in order to return more cash to investors. I am a resident of Burden Lake and do not want this resource destroyed by this project.

**20150821-4132**

Typed FERC Comment Form: Kim SeEVERS, 348 Lakeshore Dr, Averill Park, NY 12018

I am strongly opposed to the NED project, Please consider the safety record of Kinder Morgan's projects, In 2011 r PH MSA cited Kinder Morgan for these safety violations:

- failing to maintain update maps showing pipeline locations.
- failing to test pipeline safety devices.
- failing to maintain proper firefighting equipment. jt failing ro inspect its pipelines as required, and

- failing to adequately monitor pipes' corrosion levels.

How many second chances does Kinder Morgan get!

### **20150821-4133**

Typed FERC Comment Form: Lois M. Siegel, 37 Aspen Rd, Latham, NY 12110

May 15, 2014 - A recent review of existing data on lifecycle emissions of methane from natural gas systems concluded that, as a strategy for addressing climate change, natural gas is a "bridge to nowhere." The review found that, over a 20-year time frame, natural gas is as bad as or worse than coal and oil as a driver of climate change. Referencing this review and other recent studies, Bloomberg Business News reported that the EPA has underestimated the impact of methane leakage resulting from the production transmission, and distribution of natural gas and is using outdated estimates of methane's potency compared to more recent estimates from the Intergovernmental Panel on Climate Change.

PLEASE DENY THIS PROJECT THAT IMPACTS OUR COMMUNITY AND SIMILAR PROJECTS UNTIL MORE RESEARCH IS DONE.

### **20150821-4134**

Project docket number (PF14-22)

Samuel W. Smith  
1216 Hancock Road  
Williamstown, MA 01267  
Ph: 413-458-4309  
Email: sam@caretakerfarm.org

Testimony before FERC Hearing in Pittsfield, MA, July 28, 2015

The overwhelming evidence from all over the world-from the scientific community and all who have eyes to see-is that the struggle to protect us from climate change is failing. The evidence speaks for itself: vanishing snowpacks, rising sea levels, shifting seasons, record temperatures; wildfires, floods, droughts, heat waves, and storms. Everywhere one looks failure is writ large.

While fully aware of how little time is left to amend our failures, two sources challenge us to restore faith in a future, with us in it.

Until very recently the goal of nations was to limit warming to below 2 degrees centigrade. But now-according to a study published in the journal Nature Climate Action by researchers at the International Institute for Applied Systems Analysis (IIASA), the Potsdam Institute for Climate Impact Research (PIK), and others-it is critical that warming be kept below 1.5 degrees centigrade.

"The 1.5° degree goal," note the study'S authors, "leaves no space to further postpone global mitigation action and emission reductions ... Any imperfections - be it a further delay of meaningful policy action, or a failure to achieve negative emissions on a large scale - will make the 1.5°C goal unattainable during this century."!

Parenthetically, pipeline proponents claim the NED "fracked gas" is necessary as a transitional bridge to a clean power future. But, as expert testimony has pointed out, the need for the gas is poorly documented and also very likely redundant due to conservation and the growing installation of alternative energy sources in Massachusetts and throughout New England.

The second source is an interview with Dale Jamieson', a professor of environmental studies and philosophy at New York University and the author of "Reason in a Dark Time: Why the Struggle to Stop Climate Change Failed - and What it Means for Our Future. "

In the interview published in the NY Times Opinion Pages entitled "What Can We Do About Climate Change?", Jamieson affirms that the way forward is a bottom-up rather than a top-down process; that our

primary hope to address climate change is grounded in actions and organizing at the local and regional level.

In Jamieson's words, "International agreements matter but their importance is exaggerated. At the Rio Earth Summit in 1992 most northern environmentalists thought the solution to climate change would be an international agreement that would bind countries and force them to behave. But we don't live in a world in which such authority exists either external to nations or in their superegos. Most action on climate change will take place within regions, within countries, within communities, and in the hearts and minds of individuals. Once there has been enough change at these levels then effective agreements can be made. In a way the point is simple. When it comes to fundamental change law tends to follow politics and morality rather than leading them."

Jamison's words underscore the importance of WE THE PEOPLE - as agents in the FERC process and in stopping the pipeline, participating in actions in behalf of emissions reductions, and determining our future.

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1 Rogelj J, Luderer G, Pietzcker RC, Kriegler E, Schaeffer M, Krey V, Riahi K. (2015). Energy system transformations for limiting end-of-century warming to below 1.5°C. *Nature Climate Change*. 21 May 2015.001: 10.1038/NCLIMATE2572

2 Dale Jamieson is the author of *Reason in a Dark Time: Why the Struggle to Stop Climate Change Failed - and What It Means for Our Future*.

3 May 18, 20 IS NY Times Opinion Pages

#### **20150821-4135**

Typed FERC Comment Form: Melissa Spann, 43 Lakeshore Dr, Averill Park, NY 12018

I am strongly opposed to the NED project. Kinder Morgan has a history of a significant number of safety violations. Please check the records.

In Texas from 2003 to 2014, Kinder Morgan experienced 36 "significant incidents", resulting in fatalities or hospitalization, fires, explosions, or spills.

Throughout the U.S. since 2003, Kinder Morgan and its subsidiaries' pipelines have been responsible for at least 180 spills, evacuations, explosions, fires, and fatalities in 24 states.

On November 30, 2010, a 30" diameter Kinder Morgan I Tennessee Gas Pipeline failed in a semi-rural area between Highway 1 and State Road 3191 t two miles NW of Natc:hitoche!< Luuisiana. 1/4 mile NE of a count!'} dub, and 200' south of a residential subdivision. Louisiana state police evacuated 100 homes. Pipe cracked: 52.5 inches long & about 0.5 inches in maximum width. The failure site is near where TGP had a previous failure In 1965, with multiple fatalities That failure was attributed to stress corrosion cracklnq.]

In 2011, the Carteret, New Jersey, KMLT had a leak and fire during maintenance work on March 14, 2011. On April 4, 2013. the PHMSA Office of Pipeline Safety issued a Notice of Probable Violation, Proposed Civil Penalty and Proposed Compliance Order (NOPV) after an inspection.

In 2013, Kt'.IIT paid a penalty of \$63,100 and was required to complete pipeline integrity testing and other corrective measures by May 2015.

These are only an example of the violations and accidents I found. I DO NOT WANT OUR COMMUNITY TO BE ANOTHER STATISTIC RELATED TO A COMPANY THAT HAS SACRIFICED SAFETY FOR FINANCIAL GAIN.

#### **20150821-4136**

Hand written FERC Comment Form: Jeanne Taylor, 530 Narrows Church Circ, Pallas, GA 30132, opposing

#### **20150821-4137**

Typed FERC Comment Form: Lynn Thorpe, 25 F?, Averill Park, NY 12018

August 5, 2014 - A Climate Central piece appearing in Scientific American outlined the natural gas-related factors that threaten any ability to achieve climate goals through President Obama's proposed Clean Power Plan. "No one has any idea how much methane is leaking from our sprawling and growing natural gas system. This is a major problem, because without a precise understanding of the leak rate natural gas could actually make climate change worse." Referring to an interactive Climate Central tool that runs various methane leakage scenarios, the article notes that, "... even with modest leak rates and a fairly aggressive transition, we could still end up with little or no climate benefits by 2030 after an enormous financial and political investment in natural gas."

PLEASE DENY THIS PROJECT THAT IMPACTS OUR COMMUNITY AND SIMILAR PROJECTS UNTIL MORE RESEARCH IS DONE.

**20150821-4138**

Typed FERC Comment Form: Rick Thorpe, 25 E?, Averill Park, NY 12018

I believe FERC needs to do studies of the health risks for individuals living near compressor stations and pipelines before any more projects are approved.

Benzene, a naturally occurring component of crude oil and natural gas, is a known carcinogen. There are already documented studies of people near compressor stations having more respiratory illness, rashes, nose bleeds and a variety of other health problems. If you are approving these projects to provide what is questionably more affordable energy, maybe you should consider the cost of the resulting required health care.

**20150821-4139**

Typed FERC Comment Form: ??, 2 Candlestick Lane, Averill Park, NY 12018

September 24, 2014 - According to a paper published by scientists from the University of California and Stanford University, "... without strong limits on [greenhouse gas] emissions or policies that explicitly encourage renewable electricity, abundant natural gas may actually slow the process of decarbonization, primarily by delaying deployment of renewable energy technologies. The study builds on previous research by examining natural gas in a range of supply curves, with a tested economic model, and across three different types and levels of climate policy. Researchers found that abundant natural gas, even with low rates of methane leakage, does little to reduce - and may increase - greenhouse gases. They conclude that, "... delaying deployment of renewable energy technologies, may actually exacerbate the climate change problem in the long term."

Where is the energy from this project going? Who is benefiting? CERTAINLY NOT OUR ENVIRONMENT!

**20150821-4140**

Typed FERC Comment Form: Dale Tobler, 2 Olive Tree Lane, Averill Park, NY 12018

A typical compressor (from FERC application for the Compressor Station in Reed, PA.) also emits 46.2 tons of nitrous oxide per year. An anesthetic for dental surgeries, nitrous oxide can cause numbness and mental impairment. It has a sickly sweet smell. Nitrous oxide and volatile organic compounds interact to produce ground level ozone. Ozone inhibits crop growth by up to 30%. HOW DOES FERC PROTECT US FROM THIS.

DENY THIS PROJECT.

**20150821-4141**

Typed FERC Comment Form: Paul T?, 192 2nd Dyke Rd, Averill Park, NY 12018

More study is needed, including baseline measures of air quality, ongoing environmental monitoring, and health impact assessments.

THIS COMPRESSOR STATION IS FAR TOO CLOSE TO OUR COMMUNITY. THE COMPANY HAS A POOR SAFETY RECORD.

THE NEED HAS NOT BEEN DEMONSTRATED.

THE BENEFITS OF NATURAL GAS ARE QUESTIONED IN MANY STUDIES. THERE ARE LESS HARMFUL FORMS OF ENERGY THAT THE PRESIDENT HAS SUPPORTED.

SAFETY STANDARDS ARE NOT ACCEPTABLE.

PLEASE DENY THIS PROJECT.

**20150821-4142**

Typed FERC Comment form: Typed FERC Comment Form: Michael Riddle, 28 Lakeshore Dr, Averill Park, NY 12018

Compressor stations are noisy. "Blow-downs" can last for two hours. The noise is comparable to a commercial jet taking off. Blow-downs are needed if a gas pipeline is taken off-line for maintenance, in the event of emergencies, or to accommodate fluctuating demand. They often occur in the middle of the night.

THIS WILL HAVE AN IMPACT ON OUR CHILDREN, SLEEP, OUR WILD LIFE, OUR PEACE AND QUIET, OUR STRESS.

DENY THIS PROJECT.

**20150821-4143**

What a privilege to speak one's mind and now even moria when it concerns such a huge public health, safety, and well-being issue. } With non-polluting technologies such as solar, tidal, wind, wave energy, bio-mass, and geo-thermal power at our disposal, it is unconscionable that any corporation, state planning board, or federal agency would consider actually expanding fossil fuel use now that the hard effects of global warming caused by the industrial release of carbon into the atmosphere are clearly seen and has brought us all to the point of climate crisis.

The process of fracking for natural gas is irretrievably destructive to animals, the environment, and to public health. In farms and residential areas bordering frack wells in Pennsylvania, methane has backed up into people's water wells and plumbing systems to such an extent that their sink faucets can literally be set on fire --- creme broulee at the sink anyone? Toulouene, bezene, and other deadly chemicals are leaching into drinking water --- hmmm, how many of these substances can you feed your toddler?

When corporations crack massive layers of bedrock, blast water at astonishing pressures, strip mine for coal by tearing off whole mountaintops, clearcut massive acreages for timber, they have a word that they use to try to ignore the devastation to people, animals, and the environment that they leave in their wake; that word is "externalities." They literally seek to block out any thought of the destruction and pollution that their activities lead to so that the focus can be on their bottom-line profits. Here are some more "externalities" that those blinded by profit may not have considered. On Pennsylvania farms adjacent to frack wells calves have been born with no pupils or irises in their eyes; yes, just solid white marbles for eyes. Homes in Oklahoma near frack wells that have so much methane backed up into their plumbing and basements that people brace for an errant spark to set off a massive explosion in their own house; people cannot move away because there houses are now unsellable.

Pipelines as these can explode and anyone who balks at that idea simply has to remember the massive explosion in Edison, NJ a few years back when eyewitness accounts reported that people thought a nuclear bomb had been detonated, the sky was so lit up in orange and white. Fire crews became disoriented because the explosion ripped through multiple weak points along a two-mile stretch of the pipe; firemen had no idea where to respond first.

Please use common sense to protect our children, our grandchildren and ourselves: vote "No action" on this issue. Do not build any pipeline. Thank you.

**20150821-4144**

Typed FERC Comment Form: Dianna Vanderbogart, 20 Sheer Rd, Averill Park, NY 12018

Unsafe levels of radon and its decay products in natural gas produced from the Marcellus Shale, known to have particularly high radon content, may also contaminate pipelines and compressor stations, as well as pose risks to end-users when allowed to travel into homes.

WHAT WILL IT DO TO THE ENVIRONMENT AROUND OUR HOMES?

**20150821-4145**

July 28,2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission 888 First Street NE  
Washington, D.C. 20426

Re: Tennessee Gas Pipeline Company, LLC Docket No. PF14-22-000  
Northeast Energy Direct Project

Dear Secretary Bose:

My primary objections to the proposed pipeline involve safety.

First: the herbicides used to kill woody plants on utility right-of-ways are teratogenic; they cause birth defects. I Increasing the width of the current ROW will increase the amount of herbicide applied, which will increase birth defects in exposed human and wildlife populations. In this case, less would be better than ~.

Can TGP reduce our exposure, to reduce birth defects in future generations? Can they replace spraying crews with cutting crews? ,

A second safety problem is that a 30” diameter high-pressure gas transmission pipeline has a blast impact radius of more than 700 feet.’ How, then, can DOT allow a new pipeline less than 100 feet from occupied dwellings? DOT regulations must have been designed for the convenience of the pipeline industry; they do not have public safety in mind.

DOT’s pipeline setback distance needs to be increased to reflect the huge impact radius of today’s larger-diameter high-pressure pipelines’ leaks and explosions.

Can Tennessee Gas voluntarily increase the setback to the blast distance, for public safety?

Thank you.

Glendyne Wergland  
53 Lindsay Drive, Dalton, Massachusetts 01226  
413.684.1560 or G.Werglandra:~yahoo.com

I “Teratogenic Effects of Glyphosate-Based Herbicides; Divergence of Regulatory Decisions from Scientific Evidence. Journal of Environmental & Analytical Toxicology S4:006 (2012). doi: 10.417212161-0525.54-006. “GlyphosateBased Herbicides Produce Teratogenic Effects on Vertebrates by Impairing Retinoic Acid Signaling.” Chemical Research in Toxicology 23 (2010):1586-95,001: 10.1021/txI001749.

2 H. Noel Duckworth and Robert Eiber, Report On Assessment of Pipeline Integrity of Kinder-Morgan, Conversion of the Rancho Pipeline To Cit), of Austin Texas (June 2004), pp. 29-30, at prirniss.phmsa.dot.gov, accessed June 23, 2014. Managing System Integrity o/Gas Pipelines, American Society of Mechanical Engineers, B3 1.8S-2004, [https://www.asme.org/products/codes-standards/managing-system-integrity-of-gas-pipelines-\(1\)](https://www.asme.org/products/codes-standards/managing-system-integrity-of-gas-pipelines-(1)), accessed June 23, 2014,

**20150821-4146**

Project docket number (PF14-22)

Peggy White

5 Lafayette Drive PO Box 475  
Hinsdale, MA 01235  
413-655-2020  
daymountaindawn@verizon.net

1. The Northern long eared bat has been determined under the Endangered Species Act to be threatened. Section 4d of the act provides measures necessary for the conservation of the long eared bat and limit destruction of its habitat. Berkshire County is one of many counties that have infected bats with white nose syndrome and forest habitat disruption is considered a further threat. Please determine the environmental impact of the clearing of forest and trees for access roads, staging and pipeline construction and easement including the required 100 feet adjacent to existing utility corridors on the already compromised Northern long eared bat habitat.
2. Tourism is the main industry in Berkshire County and people come here for the pastoral scenery and the natural beauty. Indeed the unspoiled nature and beauty, outdoor recreation and wilderness are reasons many people choose to work and make a life here. Berkshire County is known for its many thriving small farms and many local farmers markets. To support local business, farmers, workers and residents we need to maintain the beautiful surroundings which are preserved by the mostly agricultural and residential zoning. We rely on preserving our natural landscape, our rural heritage and the beauty of this place. Please determine the impact of the NED pipeline on tourism, home values and the economy of Berkshire County.
3. When a home is built the foundation is built 4 feet under the ground level, when plumbing lines are placed they are required to be 4 feet under ground. We have long cold winters here and the frost line can easily go more than 4 feet in certain areas. Please study the impact of cold, frost heaves and potential for pipe disruption when the pipes are required to be buried no more than 3 feet under the ground and above existing frost lines.
4. Rural homes rely on wells and septic systems, please determine the potential contamination to these systems with construction and blasting.
5. I live in Peru like many hilltowns have a volunteer fire department, please determine the anticipated training, services and equipment necessary as first responders to answer the call to a pipeline emergency.

#### **20150821-4147**

Oral comments by Jane Winn Berkshire Environmental Action Team (BEAT) to the  
Federal Energy Regulatory Commission Scoping Meeting - Pittsfield, MA July 28, 2015

Kinder Morgan just released new Resource Reports thousands of pages long, and these Reports are STILL missing huge amounts of information. Without this information, we - the public - are at a huge disadvantage trying to come up with comments on the scope of what we would like to see in your Environmental Impact Statement. These scoping meetings are being conducted before Kinder Morgan has provided enough information on exact locations and sizes of facilities that would allow us to provide comments that would truly benefit the NEPA process. It is also clearly unfair that no Scoping Meetings are being conducted in Windsor or Northfield - communities whose character and environment would be heavily impacted by proposed compressor stations.

That said, tonight I would like to take my three minutes to focus on jobs.

We strongly support unions. Unions in the past helped to shrink income inequality and helped to counter corporate control of our democracy. We would like the unions to join with us in asking Local Distribution Companies - in our case Berkshire Gas - to start using well-trained union labor for fixing their most likely-to-explode gas leaks. Right now, Berkshire Gas is required to fix their most dangerous gas leaks over the next five years. We would like to know those jobs are going to highly trained union labor - right now, they are not. We will be pushing for ALL gas leaks in distribution lines to be fixed - consumers are paying for all that gas even though, at least in the Boston area, 2.7% of that gas is leaking into the atmosphere - wasting

consumers' money and contributing to climate change. Fixing these leaks could provide years of local, well-paying jobs.

We feel that this proposed pipeline threatens jobs - clean energy jobs - one of our fastest growing sectors in Massachusetts. At the end of 2014, clean energy employed 88,372 people according to the 2014 Massachusetts Clean Energy Industry Report. This is as many people as are working in the insurance industry here; an industry universally recognized as one of our leading industries.

The clean energy industry employs 2.4% of all Massachusetts workers. At the end of 2014, there were 5,985 clean energy businesses in our state. Clean energy jobs account for 2.5% of the Massachusetts gross state product. And these numbers are growing fast. The number of jobs in the industry grew by 10.5% from 2013 to 2014. This was the third year in a row of double-digit growth, resulting in a 47% increase over the past 4 years. Projections are for the clean energy industry to continue this double-digit growth.

We need the "no action" alternative for this proposed pipeline and to put our union friends to work immediately fixing the gas leaks in our state.

Thank you.

Sincerely,

Jane Winn, Executive Director

BEAT 29 Highland Ave. Pittsfield, MA 01201 \* 413-230-7321 \* jane@thebeatnews.org

#### **20150821-4148**

Hand written FERC Comment Form: David A. Yonkers, 324 Hays Road, Rensselaer, NY 12144, opposing

#### **20150821-4149**

FERC DOCKET # PF14-22

Here are comments from overwrought residents of Third Burden Lake. The largest lake in Rensselaer County where inner city children and veterans come for a summer experience. It has 100s of residents and thousands of visitors each summer. It is the home of a 50 year old thriving restaurant that claims customers from many different states and many miles away. And it will have the highest impact from the compressor station.

The comments ask you to include in your EIS these negative socioeconomic, health, environmental and cultural impacts:

1. Kinder Morgan's atrocious safety record including deaths that have happened in more that 36 "significant accidents" Their skimping on Pipes which are proven to leak. Not could leak, but will leak. Their failure to maintain, test, inspect and monitor their pipe's corrosion levels.
- 2 .. Research the leakage of methane, nitrous oxide and other toxins (that they do not have to disclose to us). The same toxins that come from fracking, also come from compressor stations. They cause prenatal problems, lower sperm count and fertility problems in women.
3. There are documented cases of people living near compressor stations developing respiratory illnesses and other health problems in their kidney, liver and brain.
4. The blowdowns and constant hum and vibrations and the health risks they incur
5. No emergency services to handle an accident
6. Mining in the same area as the pipeline
7. Benefits are little to non existent for residents and very large for foreign markets
8. Lights and constant humming will harm wildlife including bald eagles, blue herons, painted turtles, bears, many types of fish, alpacas, black angus beef farm and many others.
9. Explain why the safety standards are different between cities and rural places Why rural lives are expendable?

10. Study what happens when their mortgages and homeowner's insurance are called in and nullified due to harmful toxins on or near their property. Will Kinder Morgan be able replace these?
11. Will Kinder Morgan make up the difference of decreasing property values?
12. Pay for testing our water before and after the compressor station is built and continually monitor our water.
13. How will the fireworks and snowmobiling and quading in the area be affected.

Missing from my pile here are all the comments from the people that don't even know about this, or don't understand the harmful and even fatal impact it can have on our community and our world. Please include ways to notify ALL the residents in the towns affected. Maybe the US Mail could be used. Then it might not appear like the Gas companies and the Federal Government are trying to hide what you are doing to us.

Lastly, I am just asking you to think as you lay your heads on your pillows about what you are doing to people's lives. Their health, their financial position, their children, their animals, their mental state etc ... What will your decision do to your mental states knowing that you helped harm people by not denying this application. Is money worth people's lives? Please just go home and think about this as if it was in your backyard.

Thank you for your time,

Karen Zantay  
35 Blue Heron Dr. Averill Park, NY 12018

#### **20150821-5006**

Elizabeth Reilly, Nassau, NY.  
Elizabeth Reilly  
149 Clarks Chapel Road  
Nassau, NY 12123

In the resource report dated July 24, 2015, the impact on property values were addressed. They only addressed the impacts from the pipe and not the compressor stations. There is evidence that homes located next to an industrial complex sell for less than if they were located in a residential or rural setting. It also states if we feel our properties value has been impacted, then to seek a tax assessment reduction through our town. How will that help me when I have to sell and receive less than I paid for it. I just purchased my property in 2013, I currently have \$340,000 Invested in just the purchase, not including the improvements we have done since. I am located right next to the compressor station on Clarks Chapel Road in Nassau, NY. I have spoken with local real estate agents and appraisers. They all have stated if a home is located next to a source of noise or industrial complex then the values go down and sit on the market for a longer period of time. In the EIS please put a true picture as to how the value of resident's homes will be impacted. Perhaps Kinder Morgan should have to pay for us to have a pre-construction and post construction appraisal done on the values of our homes. The people appraised should include a minimum of all land abutters and 1/2 buffer zone properties.

Below is the July Resource report information on property values, below that is information on a town in New York that has had to get their property values reduced.

From July 2015 Resource Report

#### **5.6 PROPERTY VALUES**

It is not anticipated that the Project will negatively impact property values outside the proposed pipeline ROW. Landowners who believe that their property values have been negatively impacted may appeal to the local tax agency for reappraisal and potential reduction of taxes.

Allen, Williford & Seale, Inc. (2001) prepared a study for the Interstate Natural Gas Association of America ("INGAA") Foundation to determine the impact of natural gas pipelines on real estate. Four separate geo-

graphically diverse areas were selected for the case study: (1) a suburban area crossed by one natural gas pipeline; (2) a suburban area crossed by multiple natural gas and products pipelines; (3) a rural area crossed by one natural gas pipeline; and (4) a rural area crossed by multiple gas pipelines and one products pipeline. The results of the study revealed that there was no significant impact on property sales located along natural gas pipelines and that the pipeline size or the product carried did not impact the sale price. The study also revealed that there were no significant impacts on demand for properties within the geographically diverse areas and that the presence of a pipeline did not impede development of the surrounding properties. In addition, the existence of a pipeline had no significant impact on development decisions (e.g., lot size) and it did not impact specific property types more or less severely than other property types (Allen, Williford & Seale, Inc. 2001). Other studies have reached similar conclusions: PGP Valuation, Inc. (2008) for Palomar Gas Transmission Inc.; Ecowest (Fruits 2008) for the Oregon liquefied natural gas (“LNG”) Project; Diskin et al. (2011); and Hansen et al. (2006).

Real Facts for homes located next to Compressor stations and this is only 15,000 hp far less then the one that will be right next to the residents of Nassau NY.

#### FOR IMMEDIATE RELEASE: PROXIMITY OF COMPRESSOR STATION DEVALUES HOMES BY AS MUCH AS 50%

Fremont Center, NY — Homeowners living near the Millennium Pipeline Company’s 15,000 horsepower compressor station on Hungry Hill Road in Hancock, New York have seen the value of their homes decline by as much as 50 percent since the industrial facility was constructed in the midst of what used to be a quiet, rural community.

In May 2014 several Hungry Hill residents sought real estate tax relief citing the adverse impact of the compressor station on their property values. The Town of Hancock, denied the tax grievances, but Catskill Citizens for Safe Energy subsequently offered to fund homeowner appeals. On August 25, 2014, small claims hearings were held in the Hancock Town Hall. Two homeowners, a certified Real Estate Appraiser, and a representative of Catskill Citizens testified that the compressor station was responsible for heavy truck traffic, noxious odors, persistent low-level vibrations, and air contamination. The witnesses also asserted that the facility presented a safety threat and recounted how a Millennium employee suddenly knocked on the door of a house late one evening and urged the family to quickly evacuate their home. Finally, it was alleged that blasting during the construction of the compressor station had cracked the foundation of one house, which in turn led to an unsafe spike of radon levels. (Pre and post-construction radon tests conducted by Professional Home Inspection Service of Binghamton, New York showed that radon levels in the home jumped from 3 pCi/L to 6.1 pCi/L, which is above the EPA recommended action guideline of 4.0 pCi/L.)

In light of the evidence proffered, the Town of Hancock tax assessors agreed to decrease the assessed valuation and real estate taxes on two homes by 25 percent. The assessed valuation and taxes on a third home, the one that had been physically damaged, were cut by 50 percent. Hearing Officer John Creech, who presided over the settlement, was familiar with the compressor station and remarked, “I wouldn’t want to live next to it.” After the tax assessors agreed to the 50 percent tax cut he told the owners, “You have a good lawsuit here.”

#### **20150821-5009**

Richard Dumas, Walnut Creek, CA.

The NED project would comprise more than 418 miles of new and modified pipeline that would transport natural gas from the Marcellus Shale in Pennsylvania through New York, Connecticut, western Massachusetts, Southern New Hampshire, and finally to its terminus at a compressor station in Dracut, from which smaller lateral pipes would spiderweb throughout other parts of the state.

Please do not allow this project to proceed. It will be forced into the backyard of my friends and family members against their wishes destroying pristine countryside while putting them within a dangerous blast zone. You should not allow a for-profit energy company to get away with using tactics like “eminent do-

main” to pursue commercial plans that violent the wishes of residents, destroy home values and put human life at risk.

## **20150821-5010**

Timothy Somero, New Ipswich, NH.

From a socio-economic perspective, the forced transition from a rural, clean environment to an industrial scar over the pipeline route feels like a raping of awesome American natural resources.

So be it.

The current self-evident, caustic process is unbalanced so that a small number of Americans are burdened with a focused subsidy on infrastructure that has no benefit to the individuals.

It’s worse than taxation without representation, this is simply a thinly-veiled, focused TAX on America that lines the pockets of a private corporation.

For the sake of my comment today, so be it.

I wrote that to set context.

My concern today is that we Americans have scant remaining freedoms including the right to privacy in medical issues.

What process and protection does every affected American have to discuss medical concerns related to the pipeline project?

Where are our HIPPA rights?

What is our recourse when a before and after event occurs?

Look ahead and imagine:

1. Before the pipeline, our children were healthy.
2. After the pipeline, they are not.

When will each American have the right to discuss medical issues in a protected safe harbor?

## **20150821-5113**

### **Plainfield Conservation Commission**

Town Office

304 Main St.

Plainfield, MA 01070

August 21,2015

To: Kimberly D. Bose, Secretary Federal Energy Regulatory Commission

Subject: Comments on environmental Issues regarding the Northeast Energy Direct Project, Docket PF 14-22-000

We, the members of the Plainfield Conservation Commission, hereby request that FERC address the following issues in its preparation of an Environmental Impact Statement (EIS) regarding the “Northeast Energy Direct” project of the Tennessee Gas Pipeline, Inc. Submission of the following issues does not imply agreement with the current scheduling of scoping sessions in July and August, 2015. Given the incomplete nature of Kinder Morgan’s Resource Reports to date, we request that scheduling of scoping sessions be delayed until final, revised and complete editions of the reports have been issued and examined by all concerned. The following concerns presented by the Plainfield Conservation Commission apply not only to Plainfield, but to all towns through which the pipeline may pass and should be addressed relative to all such areas.

1. We request that impacts to habitat, wetlands, waterways, and protected open space should be avoided. Measures to avoid or mitigate impacts should be specified in detail for every aspect of construction and for each specific site along the route, including staging areas, temporary workspaces, temporary and perma-

ment access routes, temporary contractor yards, pipe yards, cathodic protection and grounding bed sites, and mainline valves. To construct an “in-kind mitigation wetland resource”, detailed assessments of each wetland resource area need to be conducted, taking into account the functions and values relative to topography, hydrology, vegetation and soils.

2. The numerous unspoiled streams whose headwaters originate in Plainfield are tributaries to the National Wild and Scenic Westfield River to the south. Therefore, we request that all of the wetlands, waterways vernal pools (certified and certifiable), floodplains and all jurisdictional areas under the Mass. Wetlands Protection Act within 200 ft. of the disturbed areas along the route be detailed in the EIS, including those missing from the March and July, 2015 Resource Reports, together with mitigation strategies as outlined in (1).

3. We request that NHESP “Priority Habitats of Rare Species”, NHESP “Estimated Habitats of Rare Species” and BIOMAP II “Core Habitats” and “Critical Natural Landscapes” be studied so as to avoid habitat fragmentation and all other impacts on the biota. In the case of unavoidable impacts, means of minimization by all possible measures should be specified in detail.

4. The project route passes through rough topography and ledge which will necessitate careful attention to downstream impacts of blasting and erosion on streams and wetlands. Therefore, we request that details of both pre- and post-construction erosion and sedimentation control procedures be described, including the restoration and post-construction monitoring for each specific site along the route.

5. Because Plainfield is relatively free of non-native invasive plants, we request that detailed procedures regarding the prevention of their introduction by construction equipment be included. Similar concerns apply to instances where soils may be trucked in for pipeline fill and bedding material.

6. In Plainfield, the large amounts of water used to pressure test segments of the pipeline would have to come from local surface waters. These withdrawals could have a serious impact. We request that the EIS include alternatives. If it becomes necessary to obtain water from another watershed and to discharge it into one of the town’s watersheds, a detailed methodology for the prevention of the introduction non-native aquatic species and damage caused by hydrostatic testing in wetlands near the ROW should be included.

7. The proposed compressor station to be located nearby in the town of Windsor will periodically release airborne hazardous and carcinogenic chemicals which may spread to streams in Plainfield through drift or entrainment in rain or snow. Therefore, we request that baseline studies of stream biota be conducted to establish the potential impact of each chemical.

8. The proposed “Class 1”, thin-walled pipes to be used through Plainfield are inadequate to provide the long-term protection needed to safeguard wetlands and vital ecological systems. The most robust pipes by regulation (i.e., “Class 4”) that provide optimal protection must be installed through wetland resource areas as defined in the Massachusetts Wetlands Protection Act.

Respectfully Submitted,

Judith Williams, Chairperson

Erik Burcroff

John Nelson Jr.

Alice M. Schertle

Edward Stockman, Wetlands Scientist

## **20150821-5138**

Dorothy Crawford, Fitzwilliam, NH.

Among our many concerns over the NED project is the blasting. We are interested in knowing more about the intended blasting zones. We are called the Granite State for a very good reason. How much bedrock is involved? On any given day when blasting is taking place, how many hours? How many days? What time do they stop and start? What are the decibel levels? What is the potential impact on wildlife? Needless to say the impact on us humans will be severe. Residents of our lovely little corner of NH moved here largely

for the quiet. How is the impact of extensive blasting on the human ear measured? Will we all be issued noise-cancellation headphones? What about our cats, dogs, horses, llamas etc? I can't imagine they will be able to tolerate the noise any better than we will.

#### **20150821-5146**

Kathleen Gauvin, New Ipswich, NH.

I am commenting to the lack of follow-up on your part to schedule Scoping meetings in New Ipswich, NH the site of the NED Pipeline project compressor station and Cheshire County in NH. We know that the Governor of NH along with the NH delegation to Washington, DC have written several times to FERC demanding that these scoping meetings take place so that everyone in New Hampshire will have the opportunity to speak to their concerns. I would think that this would be a minimal requirement. We do not expect that we will be "blown off"!

#### **20150821-5194**

Testimony for FERC Scoping Hearing in Pittsfield, Massachusetts on Tuesday, July 28th

Before giving my testimony, I would like to state for the record that I believe these scoping meetings to be premature because Kinder Morgan's Resource Reports are incomplete and because the scope of the project was recently changed. Hence, the hearings will fail to provide the information necessary to fulfill the mandate of the National Environmental Policy Act (NEPA). I would also like to state that I consider it unfair that no scoping meetings have been scheduled for the communities where compressor stations, among the largest ever proposed, are slated to be built. Scoping meetings need to be reprised when information on the project in its final form is available, and should include meetings in the towns closest to compressor stations.

First, full disclosure: I am a member of Pipeline Awareness Network. To some that makes me one of those who have been falsely dubbed "eco-terrorists," but unlike true terrorists, I and most of my neighbors and the majority of our elected officials who oppose the pipeline, constitute no danger. How could we when our only weapons are the questions we want answered? I confess to believing that building a huge new and patently unnecessary pipeline will inevitably damage our protected wildlife areas; degrade the natural beauty of our region which is our economic lifeblood; threaten our air and water with contamination; subject our neighbors along the pipeline route to an ever present danger of leaks and explosions; will, as we already know, involve the construction of huge compressor stations running 24 hours a day that will result in noise and light pollution, and the periodic venting of highly toxic chemicals into the air; and above all will derail our states commitment to goals for converting to renewable sources of energy under the Global Warming Solutions Act and will in fact, bequeath to our children instead of a brighter carbon-free future, an increase in our dependence on fossil fuels for many more decades and an acceleration of global climate change, despite the crisis level we are already experiencing and that demand immediate reduction in our carbon footprint.

Here are my questions and requests:

- As part of an economic analysis please examine the impact of a pipeline alternative involving energy conservation by local gas distribution companies and by their domestic and commercial customers. Please determine based on current estimates for the cost of the construction of NED and of its maintenance over the next twenty years, how much additional natural gas would be available if a fraction, say one-half for argument's sake, of the full amount were allocated for a mix of the following conservation measures: the repair of leaks in the existing supply lines; the weatherization of homes and businesses by upgrading insulation, replacing single with double-pane windows, replacing low-efficiency boilers with new high-efficiency ones, installing heat pumps and other measures commonly known to reduce energy needs; the institution of time-of-day pricing and smart metering systems and the like. In order to find out whether such an alternative expenditure might actually pay for itself, please determine how many jobs at locally prevailing wages over a twenty year period the alternative would generate and support as compared to the jobs generated and supported by the construction and maintenance of NED at whatever

pay-scale Kinder Morgan and its investors consider favorable to their annual profits and the value of their stock. Please determine the total dollar value of the economic contribution to the local economy, including the ripple effect, of the NED pipeline compared to the investment in conservation of one-half of the price tag of the pipeline.

- I further request that FERC examine the pipeline's community health impact in an analysis showing a) what is the baseline incidence of proven fossil-fuel related diseases and outcomes among the communities within 75-miles of the existing pipeline corridor with its current capacity and then b) extrapolating from the baseline using the Healthcare Energy Impact Calculator (EIC) show what the EIC estimates to be the increase in premature deaths, chronic bronchitis, asthma attacks, emergency room visits and other health measures by kilowatt hour per year of "brown" power once the pipeline becomes operable. The analysis should demonstrate the cumulative health impact of the additional "brown" power over the 30-year period following the introduction of the NED pipeline. I am also requesting that FERC determine how Kinder Morgan intends to avoid these negative health impacts; and if unable to do so, how it will minimize or mitigate negative health outcomes; how it will monitor public health in all the communities along the pipeline route, including those in the impact zone for the compressor stations, to determine the effectiveness of its mitigation activities, and how it will address the failure of its mitigation strategy. And I request that FERC determine how much Kinder Morgan plans to spend on these efforts on an annual basis over the 30-year period including and following the construction of NED.
- The Commonwealth, as you know, has created numerical goals under the Global Warming Solutions Act (GWSA) of 2008 for transitioning from fossil-fuels to renewable energy: a 25% reduction of Greenhouse Gas (GHG) emissions by 2020 and an 80% reduction by 2050. The emissions from GHG used in the generation of electricity constitute 1/5 of total emissions. I am requesting FERC to obtain an answer to the following question: if the NED pipeline and infrastructure is designed for decades of use as one must assume it is, since the huge expenditure to build it would not be justified otherwise, how much out of compliance will the Commonwealth be with its own law for reducing GHG emissions if NED is built; and how much closer to its legally sanctioned goals under GWSA will Massachusetts be if NED is not built?
- The venting of gas that is a normal part of the maintenance of the pipeline is a worrisome concern for people along the pipeline and those downwind of it. I request that FERC determine the identity of the chemical components of the toxic brew flowing through the pipeline and mixing in the air we breathe every time venting occurs. What is the volume of these releases on an annual basis. Which of them are known to cause harm, including increased incidence of cancers, birth defects, respiratory ailments, and endocrine disruption, and at what levels do they do so? What steps will the Kinder Morgan take to determine baseline health measures among the potentially affected population; how will it avoid the transmission of proven toxic chemicals into the air following venting; if unable to avoid transmission, how will it minimize and mitigate the impact; how will it monitor whether mitigation is successful; and if monitoring proves that mitigation is unsuccessful, how will it address that failure?

Respectfully submitted,

Frank Farkas  
69 Spadina Parkway  
413-443-2508  
Farkas1945@gmail.com

**20150821-5203**

Comments on  
Tennessee Gas Pipeline Company's  
Northeast Energy Direct Project  
(Docket No. PF-14-000)

There are alternatives to the proposed action of providing a 30” pipeline to provide additional natural gas to the Northeast United States to provide the region with more usable energy. These alternatives include solar, hydroelectric, wind and storage of energy facilities. The need for this project needs to consider these alternatives. The report also needs to address the possibility of increasing the size and or pressure of the existing pipelines that service the area.

Peter Traub  
197 Lake Shore Drive  
Cheshire MA 01225

## 20150821-5219

Kristi Margaritis Bradshaw, Merrimack, NH.  
8/21/2015

Mr. Duff and Mr. Hartman:

I am a homeowner in the neighborhood of Whittier Place in Merrimack, NH. We are a bustling family neighborhood of 64 homes. The 1/4 mile stretch of the NED pipeline proposed to traverse our land and our neighbors land directly impacts 400+ human lives in a residentially zoned area.

As a neighborhood, we have attended KM “open houses”, scoping meetings, Merrimack TC Meetings, the 2 Amherst “alternate route meetings” -the list goes on and on. In addition to living our already busy lives, keeping up with what’s going on has become an unwelcomed additional full time job for many of us.

Along with thousands of other NH residents, we are opposed to the NED pipeline as a whole. As a neighborhood, we are also vehemently opposed to the placement of this pipeline as currently proposed. Once again, I repeat that this 1/4 mile stretch directly impacts 400+ human lives in a residentially zoned area. At our own expense, we have organized our opposition and retained representation as such. We have hired engineers to substantiate our opposition. These findings were included in a FERC submission dated 6/10/15 (Accession No.: 201506105257-Docket(s) No.: PF14-22-000 Filed By: Gallagher, Callahan & Gartrell, P.C. Signed By: Ari Pollack Filing Type: Supplemental/Additional Information -Filing Desc: Supplemental Information / Comment on Filing of Gallagher, Callahan & Gartrell, P.C. under PF14-22. Submission Date/Time: 6/10/2015 2:05:33 PM -Filed Date: 6/10/2015 2:05:33 PM)

We have heard multiple times and in multiple places that KM/TGP wants to work with ALL affected stakeholders during this pre-filing process including municipalities and private landowners. We’ve heard it so frequently that it has become (one of the many) KM/TGP mantras. Please, if you could then, help us understand the quandary we find ourselves in. Our attorney, has been communicating with Patty Quinn since July in an attempt to arrange a face to face meeting with one of you to discuss our concerns and provide input. We have been patient now for weeks and diligently checking in with Ms. Quinn. When a response was finally received from Ms. Quinn, the dates she offered were in mid to late September.

Could you please explain to us:

- 1- Why are we being pushed out months from our original request?
- 2- How a meeting in mid to late September could possibly provide KM/TGP time to truly evaluate less impactful route options when you plan to file with FERC in October?
- 3- How are we to possibly believe KM/TGP cares about working with affected stakeholders? Please help us to believe otherwise.

We look forward to a timely response to this communication and with confirmation of a meeting date in the very near future.

Regards,  
Kristi Bradshaw  
cc. Governor Hassan

Senator Ayotte  
Senator Shaheen  
Congresswoman Kuster  
Congressman Guinta  
The Honorable David Wheeler, New Hampshire Executive Council  
FERC ecomment PF14-22

**20150821-5221**

Ruth E Stevens, Pepperell, MA.

Up until now I've relied on better educated and smarter individuals to speak up and/or write letters to you on this proposed Gas Pipeline going through. I don't understand why, "We the Common People", whom work hard to pay their taxes, that covers your salaries, paves our roads, take care of our neighbors have to suffer to help make those wealthiest individuals more money. It's all about the money. They don't care about our property, our health or the future for our children.

Pros and Cons for this pipeline.

Pros:

1. Exportation of Natural Gas to other countries.
2. As I mentioned above, more money for the CEO of Kinder Morgan and other companies and their associates.

Cons:

1. Environment. Protected Lands, Our drinking water, Fish, Wild Life, etc.
2. Safety: Gas pipelines leak. There can be leaks every so many feet.
3. Explosions. This is common place.
4. Our property being violated. We work hard to have a place we can call ours. Now, our government says "We the People" do not own anything and you can take it from us anytime you feel the need.
5. Health, have you investigated this? Do we breathe the methane gas that leaks out of the ground.
6. Fracking causes earthquakes. Pipes will and do break during these earthquakes.
7. The chemicals that are used for fracking are a health hazard.
8. Most of this gas will not benefit us. The electric grids will only use a fraction of it.
9. Solar panels going up everywhere. 3 houses on my block added solar within the last few weeks. Our town has gone solar. Hospitals in Boston are going solar. Our schools are going solar. We don't need the Gas.
10. In the near future gas will be a thing of the past.

We should be looking at the future using wind and solar. We need to protect our next generation and stop the polluting of this planet. We live on this planet earth and we must protect it.

**20150824-0007**

PROPERTY ACCESS DENIED

Tennessee Gas Pipeline Company, LLC  
1615 Suffield Street  
Agawam, MA 01001

Date: 8-17-2015

Via Certified Mail, Return Receipt Requested

RE: Denying Property Access

As the owner of the property located at:

Street Address: 157 Rockwood Pond  
Town & Zip: Fitzwilliam, NH 03447  
Map & Lot Number(s) (if known)

I am denying permission to the Tennessee Gas Pipeline Company, LLC (a Kinder Morgan Company), its representatives, contractors, sub-contractors, or associates to enter my land or to perform surveys, or for any other purpose in furtherance of a pipeline infrastructure project. Any such physical entry onto my property from the date of this letter forward will be considered unauthorized, and treated as trespass.

Beverly L. Black

CC:

FERC

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426

**20150824-0008**

**Farmington Valley Health District**

95 River Road, Suite C ~ Canton, CT 06019 ~ Phone (860) 352-2333 ~ Fax (860) 352-2542

Date: August 14, 2015

To: United States of America  
Federal Energy Regulatory commission

From: Dianne Harding, Chief Sanitarian (jj;J5 c RE: Tennessee Gas Pipeline Company, L.L.C.

Docket No. PF 14-22-000

Please accept the attached email as Farmington Valley Health District's comments relative to the above referenced project. Any attached documents referred to in the email can be supplied upon request or obtained from our website at FVHD.org.

Please contact me at 860-352-2333 X309 if you have any questions and or/concerns.

Dianne Hardina

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From: Dianne Harding  
Sent: Wednesday, November 05, 2014 9:12 AM  
Sent To: lori.ferry@aecom.com  
Cc: Jennifer Kertanis  
Subject: Info. request  
Attachments: img-V03091710-0001.pdf

RE: Info. Request

Tennessee Gas Pipeline Company, L.L.C.  
Northeast Energy Direct Project, FERC Docket No. PF14-22'  
Hartford and Fairfield Counties, Connecticut

Dear Lori Ferry,

This is in response to your 10-21-14 request for Farmington Valley Health District (FVHD) to review its records relative to the sensitive environmental areas within .25 miles of the proposed referenced project. I am only addressing items 3 & 5 in the list of sensitive environmental areas (i.e. surface waters that provide public drinking water supplies and any known existing or proposed public or private drinking water wells, reservoirs, or springs in or within 300' of the proposed alignment). Other federal, state or town agencies

and/or water companies must investigate the other 3 sensitive environmental areas. In addition, please note that with respect to this project, FVHD has authority only in the towns of Farmington, Avon, Simsbury & East Granby. Please contact officials in other towns that have affected areas. Unfortunately, the details on the map are so small it's difficult to discern exactly where the .25 mile buffer is located. I have attached some information gleaned from our files that appears to be within the .25 mile buffer zone. These included documents show several drinking water wells in the affected area within the town of East Granby. There may be some other properties on Miller Rd. & Stark Dr.

There are many affected properties in the towns of Farmington that appear to be within that .25 mile radius. All houses on the following streets in Farmington are supplied by private well water: Jefferson Crossing, Parish, John Steele, Northeast, Old Mountain & White

Oak. Properties within 300' appear to be on the following streets: Northeast Rd. & Old Mountain Rd. Also, some properties in Avon and Simsbury may be affected as well.

I did not include the property information for the towns of Farmington, Avon, Simsbury and some East Granby addresses because it became too onerous without a more detailed street map.

To the best of my knowledge there are no surface waters within the FVHD affected areas that provide public drinking water supplies in that outlined area. Again, the Ct.State Health Dept. and the Public Water Companies need to be contacted for this data.

I would STRONGLY recommend visiting our website at [www.fvhd.org](http://www.fvhd.org) for access to all available FVHD property files.

In any case please provide FVHD with a significantly larger scale map in order for us to accurately determine which properties are actually within the affected areas. Also, clarification is needed relative to 2 conflicting distances of interest (.25 miles and 300'). Please contact me if you have any questions or concerns.

Dianne Harding, R.S. Chief Sanitarian  
Farmington Valley Health District 95 River Rd. Suite C  
Canton, CT 06019

0-860-352-2333 X3091C- 860-748-2387 IF- 860-352-2542 Email- [dharding@fvhd.org](mailto:dharding@fvhd.org)

FVHD website- [www.fvhd.org](http://www.fvhd.org)

Mission: We strive to prevent disease outbreaks and conditions that give rise to poor health, promote health programs and policies that support good health, and protect members of our community from health threats both the everyday and the exceptional.

**20150824-0012**

**STATE OF NEW HAMPSHIRE  
OFFICE OF THE GOVERNOR**

MARGARET WOOD HASSAN  
Governor

August 14, 2015

Norman C. Bay, Chairman  
Federal Energy Regulatory Commission  
888 First Street NE  
Washington, DC 20426

RE:Docket No. PF14-22-000

Dear Chairman Bay:

I write to request that the Federal Energy Regulatory Commission (FERC) require Tennessee Gas Pipeline Company (the Company) to respond to the questions and concerns of New Hampshire residents related to the proposed Northeast Energy Direct (NED) Project, as well as to ask the commission staff to closely review

these concerns and consider potential alternative routes as they begin the Draft Environmental Impact Statement (DEIS) process.

Over the past few months, I have heard from many communities and individuals along the proposed route with a number of safety, environmental, economic, and health questions and concerns. To address these issues, I request that FERC, or the Company, as part of the DEIS process, provide detailed responses to the concerns and questions of New Hampshire residents, including the following:

~ The protection of drinking water is critically important to our state and our people. Many residents and municipalities have concerns about potential impacts on the region's water supplies, water quality, and water supply infrastructure from the development of natural gas transmission infrastructure. Has Tennessee Gas Pipeline Company compiled a complete inventory of potential impacts to water supplies and water quality from the proposed NED Project? If not, we request that FERC require such an inventory. What efforts will be undertaken to avoid or mitigate any potential impacts to water supplies and water quality? What, if any, short-term and long-term water quality monitoring will the Company conduct?

~ Many residents and municipalities, particularly those in New Ipswich and the surrounding towns, have concerns with potential air quality and emissions impacts from the proposed compressor station, as well as concerns about noise and the size of the proposed compressor station. What efforts will be undertaken to avoid or mitigate air quality impacts from the compressor station? How will Tennessee Gas Pipeline Company measure and control methane and other emissions from the compressor station? How will the Company measure any downwind air quality impacts? Are there alternatives to a 40,000 horsepower compressor station? To address noise concerns, we ask that the Company provide detailed information about noise impacts and mitigation related to the proposed compressor station.

~ Some of the towns along the proposed route are rural in nature and may have only limited emergency response resources. Will Tennessee Gas Pipeline Company work with communities to enhance emergency response capabilities? How will the Company monitor for potential safety issues?

~ There are many concerns that the project is not needed in our state, and that any regional benefits will not outweigh the impact on the communities along the proposed route. Does FERC's public need review consider where any unsubscribed capacity on the proposed line will be used? Does FERC's review consider any benefits that the project would have on system reliability and energy prices for all states in the region, including New Hampshire? It would be useful for stakeholders to understand the methodology that will be used to calculate these types of cost/benefit calculations in FERC's review of the project.

~ Many concerns have been raised that this natural gas will be exported to other nations. We ask that the Company provide a detailed response to these concerns, and to commit to using these supplies in New England.

~ The current proposal traverses primarily through communities where residents and businesses do not have access to natural gas. While we recognize the potential positive impact that increased natural gas supplies could have on energy prices across the region, we urge FERC to give serious consideration to alternatives that would place the pipeline closer to communities that will be directly served. In addition, we ask the Company to develop proposals that ensure that any impacted community will see energy benefits from a pipeline.

~ State agencies are currently reviewing the Company's Resource Reports and other filings and may have additional questions. It is my hope that you will require the Company to respond individually to state agency questions and concerns, as well as to questions and concerns from municipalities.

In addition to requiring the Company to address the questions above, I ask that FERC staff look closely at the proposed route and consider all potential viable alternatives. The siting of energy transmission projects must strike a balance between potential benefits in reduced energy costs and potential negative impacts. We must work to ensure that the potential negative impacts of the proposed NED Project do not disproportionately outweigh the benefits, particularly for the residents and communities that would bear the burden of hosting the project.

Thank you for your consideration.

With every good wish,

Margaret Wood Hssan  
Governor

Cc: Eric Tomasi, Federal Energy Regulatory Commission  
Allen Fore, Vice President, Public Affairs, Kinder Morgan

**20150824-0016**

MEMORANDUM TO: Office of the Secretary

FROM: Paul Friedman, FERC staff

SUBJECT: Tennessee Gas Pipeline Company LLC, Northeast Energy Direct Project  
Docket No. PF14-22

DATE: August 21, 2015

Please place the attached document in the public files for the project proposed by Tennessee Gas Pipeline Company LLC (TGP) in Docket No. PF14-22-000:

~ Notes from a July 16, 2015 meeting between TGP, FERC staff, and representatives of various Indian tribes, held at the Foothills Performing Arts Center, Oneonta, New York.

The notes were taken by Cardno, the FERC's environmental contractor for the Northeast Energy Direct Project. The document is NOT confidential.

TENNESSEE GAS PIPELINE (TGP)

NORTHEAST ENERGY DIRECT (NED) PROJECT

FERC Docket No. PF 14-22

(Pennsylvania, New York, Connecticut, New Hampshire, Massachusetts)

MEETING WITH INDIAN TRIBES

AND THE FEDERAL ENERGY REGULATORY COMMISSION (FERC)

Thursday, July 16, 2015 (12 pm-4 pm)

Foothills Performing Arts Center

24 Market Street, Oneonta, NY 13820

Meeting Minutes

Attendees:

Eric Tomasi, FERC	Bryan Printup, Tuscarora Nation
Paul Friedman, FERC	Bonney Hartley, Stockbridge — Munsee
Oliver Pahl, Cardno	Doug Harris, Narragansett
Jennifer Ferris, Cardno	Muchquashim Heph, Narragansett
Jacquelyne Rocan, Kinder Morgan	Christine Abrams, Tonawanda Seneca Nation
Mike Letson, Kinder Morgan	David Weeden, Mashpee Wampanoag
Howdy McCracken, Kinder Morgan	Ramona Peters, Mashpee Wampanoag
Ed Gehres, Van Ness Feldman/Kinder Morgan	Jesse Bergevin, Oneida Nation
Perry Luu, Tennessee Gas	Eva Gibavic, Ceremonial Landscapes Research
Dell Gould, Louis Berger	
Rebecca Brodeur, Louis Berger	Attended by Phone:
Hope Luhman, Louis Berger	Mark Andrews, Wampanoag Tribe
Lynn Zakrzowski, Louis Berger	Elaine Thomas, Mohegan Tribe
Shaun Lynch, Louis Berger	

Meeting Summary:

12:00p.m. to 1:00p.m. - Lunch

1:00p.m. - Meeting opens

1:00to 1:20- Welcome, introductions, and safety briefing

1:20p.m. to 1:40p.m. — Mike Letson, Project Manager for Tennessee Gas Pipeline (TGP), gives Northeast Energy Direct (NED) Project Update

Discussion Points:

- ~ Second set of revised Resource Reports will be filed by TGP at the end of next week.
  - ~ The anticipated application filing date by TGP is October 2015.
  - ~ Surveys are still ongoing for wetlands, threatened and endangered species, and cultural resources.
  - ~ The pipe size for the portion of the proposed pipeline from Wright, New York to Dracut, Massachusetts (Market Path) is being reduced from 36 inch diameter to 30 inch diameter. Compressor stations that were previously proposed at 00,000 to 90,000 horsepower (hp) will be around 40,000 hp.
  - ~ Jacquelyn Rocu (Kinder Morgan) announced that there was a press release issued today regarding the change in pipe size. This change will be reflected in the forthcoming Resource Reports and the application.
- 1:40 p.m. to 1:50p.m. — FERC Project Manager Eric Tomasi gives project update and status of Pre-filing process.

Discussion Points:

- ~ The Notice of Intent (NOI) was issued by FERC on June 30, 2015.
  - ~ The scoping comment period ends on August 31, 2015.
  - ~ Compressor station location information was filed by TGP in June 2015.
  - ~ Eric requested that tribes send their concerns to him regarding the environment (e.g., cultural resources, plants, animals).
  - ~ Data requests will be submitted by FERC to the applicant for the revised Resource Reports and the application.
- 1:50p.m. to 2:30 p.m. — Dell Gould, Archaeologist from TGP contractor Louis Berger (LB), provides an update on the cultural resources studies.

Discussion Points:

- ~ The presentation slides will be sent to all meeting attendees.
- ~ Information was provided concerning cultural resource survey coverage to date, including parcel access mileage, survey corridor mileage, how many miles have been surveyed, and how many miles are left to survey.
- ~ Information regarding the status of project documentation for each state was discussed.
- ~ A list of tribal representatives who have received the required field training for the surveys was presented.
- ~ Training is open to all tribal representatives who would like to participate. Dell Gould (LB) requested that those interested should let LB know.
- ~ Doug Hams (Narragansett) requested that future presentations include information concerning findings so that more appropriate questions and feedback can be provided. He also requested information on the testing frequency.
- ~ Dell Gould (LB) stated that the number of sites found has been low and that isolated finds are the most common. The testing frequency varies from state to state and is also reflective of the probability model.
- ~ Doug Harris (Narragansett) asked what provisions were in place for tribes to look at areas and results of surveys that have already been conducted.
- ~ Hope Luhman (LB) stated that the tribal representatives will have full access to all final project documents

and that discussion can occur once the tribal representatives have reviewed them.

~ Mike Letson (TGP) stated that any immediate concerns with survey methods and site recordation should be brought up now so they can be addressed, and that areas would be revisited if needed.

~ LB will include preliminary results (Executive Summaries) in the weekly updates of survey details that are currently being provided to interested tribal representatives.

2:30 p.m. to 2:50 p.m. — Tribal representatives give update on tribal involvement

Discussion Points:

Bonney Hartley (Stockbridge- Munsee) stated that tribal participation in the field was hampered by insurance; however, now there is a waiver in place, which would facilitate tribal participation.

Mark Andrews (Wampanoag Tribe) is currently in the field conducting survey, which is progressing very well.

Bonney Hartley (Stockbridge —Munsee) and Mark Andrews (Wampanoag Tribe) are the only two tribal representatives that have been in the field; however, now that issues with insurance are resolved, access should be easier.

Stone landscapes are being recorded with a GPS unit and photographs, which will then be provided to tribes for input.

Doug Hams (Narragansett) feels that tribal concerns are not being met until there is an agreement between the tribes and FERC about tribal involvement for cultural surveys. He feels that without an agreement, the project is operating outside the Section 106 process and would like a redress of his grievance. A plan is needed that includes schedules and compensation. He states that in the AIM project, a letter was sent from FERC to the company advising them to enter into an agreement with tribes.

Ed Gehres (Van Ness Feldman/Kinder Morgan) noted that federal authorization may occur in the Section 106 process and that TGP/Kinder Morgan is struggling because they are not a consulting party.

Paul Friedman (FERC) stated that FERC is consulting under 36 CFR 800. FERC only does agreements in the event of adverse effects on a historic property, such as a Memorandum of Agreement. However, FERC could write a letter to TGP concerning tribal participation if a similar letter has been part of another docket, such as the AIM project.

Christine Abrams (Tonawanda Seneca Nation) noted she did not feel that the Tonawanda Seneca Nation needed an agreement.

Ramona Peters (Mashpee Wampanoag) does not agree with the predictive models and has been comparing them with their own models. Additional specific information would be good, particularly if there is potential to harvest plants within certain timeframes. Ramona will send the plant list to FERC.

Paul Friedman (FERC) mentioned that if a tribe becomes an intervenor on the project after the application is filed, then the tribe cannot participate in these meetings.

Jesse Bergevin (Oneida Nation) has been reviewing stone landscape pictures, which has been going well. Recommendation for a directive from the agency regarding identification standards and incorporation of the collective concerns of all the tribal nations so that all their issues can be addressed.

2:50 p.m. to 3:00p.m. -Dell Gould (LB) gives update on Near Future tribal participation.

Discussion Points:

Surveys are continuing in Pennsylvania, New York, and Connecticut. The New Hampshire SHPO has concurred with the Phase IA report. The permit for pedestrian survey has been submitted to the Massachusetts SHPO.

Weekly updates will be provided to tribes.

Information provided by Bonney Hartley (Stockbridge —Munsee) has been incorporated into the GIS layer that LB is using for predicting probability, the results of which may show that tribal input can help with

constructing predictive models.

TGP is working with adjacent right-of-way holders to find previously identified resources where the survey areas may have overlapped the NED survey corridor. Data gaps are being assessed for many resource areas (e.g., cultural, wetlands, threatened and endangered species), including where a portion of the survey area in Massachusetts overlaps with existing power lines.

3:30p.m. to 3:50 p.m. — Doug Harris (Narragansett) tribal representative, gives presentation on Ceremonial Stone Landscapes.

Discussion Points;

~ 36CFR800 provides the opportunity to identify and address impacts to ceremonial stone landscapes.

~ Approach should be to walk the site, identify those features that are ceremonial, map them, and then develop an avoidance plan. In developing plans, we should allow the landscape to speak for itself.

3:50p.m. to 4:15p.m. — Other topics or issues, closing questions or concerns, discussion of future meetings, closing prayer.

~ Mike Letson (TGP) asks tribal representatives to please provide suggestions for the weekly reports.

o Bonney Hartley (Stockbridge — Munsee) suggested the reports include a summary of any findings and a list of each state with the corresponding survey information.

~ Eric Tomasi (FERC) and Paul Friedman (FERC) clarify that other federal agencies should be working with the tribes through cooperation with FERC, who is the lead federal agency for the project.

~ Additional tribal meeting to be held at the end of August (possibly at the Mohegan Sun).

Paul Friedman (FERC) will send out an email with potential dates.

4:15p.m. - Meeting Close

## 20150824-0035

### **Adaptive Sports Foundation**

A place where all abilities shine

PO Box 266, 100 Silverman Way, Windham, NY 12496

516-734-5070 phone info@adaptivesportsfoundation.org

July 21, 2015

Kimberly D. Bose, Secretary

Federal Energy Regulatory Commission

888 First Street NE, Room 1A

Washington, DC 20426

Re: PF14-22-000

Dear Secretary Bose:

I am writing to you regarding the proposed Northeast Energy Direct proposed natural gas pipeline and compressor station to be constructed in the town of Nassau near Burden Lake, New York. We are concerned with the possible environmental effects of the proposed construction of a 90,000 horsepower compressor station less than half a mile from Burden Lake.

Since 2007, the Adaptive Sports Foundation, which teaches sports to children and adults with disabilities, has been holding a three day retreat for our country's Wounded Warriors and their families at Camp Adventure on Burden Lake. This retreat includes waterskiing, wakeboarding, kayaking, canoeing, stand-up paddling, and tubing for wounded warriors and their families. Warriors bring their spouses and children with the goal of the event to be the inclusion of the disabled troops back into family activities. Our event on Burden Lake is part of our larger Warriors in Motion programming, which provides participating Wounded Warriors with a basic knowledge, and practice of wellness and the importance of lifelong healthful living. Warriors

engage through sports, outdoor activity, and recreation, and investigate how the physical self is tied to the emotional/psychological self, and how state-of-mind can affect the physical body. Our events at Burden Lake have a profound effect on the lives of our Wounded Warriors and their families.

Daryl Eddings, (Army 1<sup>st</sup> Sergeant, ret) states, ‘The Adaptive Watersports Festival on Burden Lake for Wounded Warriors gave me back a life I thought was lost after my injury. Not only was I able to realize I can still participate in outdoor activities, the event also taught our family how we can recreate together. The Burden Lake community gave my son opportunities I could not. Thank you and God Bless to all at Burden Lake!’

We are grateful to the Burden Lake community for their hospitality and support of this event. Local lake families provide volunteers, boats, and equipment for this event. We are also grateful that Burden Lake has been preserved so our nation’s heroes and their families find a relaxing, pristine environment to recreate and rediscover their family after all they have been through. The local Burden Lake Improvement Association through donations from the middle class lake residents has been extremely proactive in their quest to keep Burden Lake clean for current and future generations. Each year, the lake is treated for algae and they just completed a large community effort to bring sewers to the lake homes to ensure the lake remains free of man made pollution. The construction of the 90,000 square foot compressor station approximately a mile away threatens this beautiful and unspoiled environment. Invisible airborne particles released into the air through the various required “maintenance” actions of the compressor station have a high potential of affecting the ecosystem of Burden Lake and greatly affecting the health of the residents that live there.

We have a long history of serving our country’s wounded veterans on Burden Lake. Our retreat not only affects the lives of our Wounded Warriors and their families but the residents who participate as volunteers. We very much want to continue to do this for many years to come, however, the proposed compressor station threatens the health and future of the Burden Lake environment and therefore the future of our ability to continue to serve our Wounded Warriors and their families in this special but much needed way. We urge you to rethink the placement and/or the need of this compressor station.

Thank you for your time and consideration. Please do not hesitate to contact me if you need further information or have questions.

Sincerely,

Todd Mann  
Executive Director

Cc: Senator Charles E. Schumer  
Senator Kirsten Gillibrand  
Congressman Chris Gibson

**20150824-0061**

Hand written FERC Comment form: Conner Kepcha, 20 Helenwood Lane, Averill Park, NH 12018, opposing.

**20150824-0062**

Hand written FERC Comment form, Gerald J. McMeniman, 43 Cranberry Rd, Dracut, MA 01826, opposing

**20150824-0066**

Hand written letter, Barb Zabriskie, to Gov Hassan, opposing.

**20150824-0067**

August 16, 2015  
Kimberly D. Bose

Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington D.C. 20426

Dear Secretary Bose:

I am writing to express my deep concern regarding the Northeast Energy Direct Project and the extension of the Kinder Morgan Tennessee Gas Pipeline. PF14-22-000. My concerns are largely regarding the environmental impact this project will have not only in Fitzwilliam but also the countryside of New York, the Hudson River, the Connecticut River as well as the many wetlands this project will traverse.

We live in a rural community rich in natural resources, wildlife and clean water. We live here not for the convenience certainly but to enjoy and appreciate the natural beauty that surrounds us. I have grave concerns about the change that will take place if this project is approved. Habitats are continually being destroyed. Fitzwilliam has actively tried to protect this with zoning laws and wetland ordinances as well as conservation land. Now we are left powerless at the mercy of a large corporation that will gain financially as we lose that which we hold dear...our properties, our surroundings and our quality of life.

I am retired, age 65. My home is the only home I own. I am home during the day. I enjoy the peace and quiet of our small town. I am worried about the noise pollution this project will cause. Our area does not have town water. We have an artesian well that relies on area aquifers. My water is drinking water quality and my hope is that it will stay that way. Blasting that will be required and disturbance of nearby wetlands are a threat to our aquifers.

Kinder Morgan may say that the land will heal and the wildlife and natural beauty will return. That may be true, however most likely not in my lifetime or that of my many elderly neighbors. Please consider the average middle class person. We will only be hurt by this project as 10% of the gas will be used in N.H. and certainly not by anyone in Fitzwilliam!

Sincerely,

Valerie Gill  
299 Upper Troy Rd.  
Fitzwilliam, NH 03447

## **20150824-0068**

Hand written FERC Comment form: Conner Kepcha, 20 Helenwood Lane, Averill Park, NH 12018, opposing.

Typed attachment:

Historically, this lake was man made in 1866 by Henry Burden. He made this lake so he could have enough water to supply his factories in Troy, NY. The lake has a historical marker that reads, "Enlarged by Wynantskill Imp. Assn. In 1866 the lake water turned the Burden Water Wheel which helped power the Industrial Revolution." This compressor station will wipe out the history of this lake. Not to mention all the other historical places such as Totem Lodge and it's now 18 hole golf course, the Boys and Girls Club known as Camp Adventure, and all the other Hotels and Casinos that once outlined Burden Lake. One historical place in particular will be greatly affected, and that is Kay's Pizza.

Kay's Pizza has been serving their famous pizza since 1958. Before Kay's, The Burden Lake House stood as a Hotel built in the mid 1800's. Today, Kay's Pizza has the number one pizza in the Capital Region and is visited by thousands of guests each summer. People come from all over the U.S. to try out Kay's famous pizza. This compressor station will deter people from eating and visiting this historical restaurant. The polluted air and water will make people shy away. Kay's business will plummet and eventually might cease to exist.

Myself and the residents of Burden Lake DO NOT want this compressor station. It has no benefit to us and will just cause pollution and noise. Not to mention cause fear in all of us if the station ever caught on fire.

The Burden Lake residents including myself have just installed sewer systems to help clean up Burden Lake. This sewer system project cost residents 3.5 million dollars. This money came from the New York Clean Water State Revolving Fund Program to help improve the water quality of Burden Lake. The names of Andrew M. Cuomo, governor, Matthew J. Ddscoll, EFC president and CEO, and Joseph J. Martens, DEC commissioner are on the sewer projects billboard located on Burden Lake Road. These people along with the fund program made it possible for us to have a cleaner lake and now this compressor station is being proposed a half mile away that is going to pollute Burden Lake even more! These sewers will now be pointless if this compressor station gets built and we will be paying \$1,200 a year for nothing. I am asking you to please stop this compressor station from being built. It is going to Bldg the natural beauty of this lake, the History, memories, and memories to be made by the current residents of Burden Lake.

**20150824-0069**

August 14, 2015

Kiimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, Room 1A  
Washington, DC 20426

Dear Ms. Secretary,

My name is Josiah Barthelmess, I am 11 years old. I live across the street from the proposed compressor station in New Ipswich, NH.

Kinder Morgan's slogan is "we are good neighbors." Webster's Dictionary defines neighbor as a person who shows kindness or helpfulness toward his or her fellow humans. FERC how can a compressor station be my good neighbor? Do you think it's kind to emit toxins into the air I breathe? For the record, a good neighbor doesn't steal your stuff.

A good neighbor is someone you trust and respect. Good neighbors don't lie. Kinder Morgan says this is the only answer for New England. Yet we've heard right here, there are clearly better alternatives than this pipeline. FERC my question to you is can we start speaking TRUTH here? You have seen these last couple of days, that the residents of New Hampshire are not backing down. They are well versed, educated and far beyond thinking they will benefit from Kinder Morgan's lies. Hearing about taking the land of the people... all in the name of this "NEW ENGLAND ENERGY CRISIS". How can you even think of moving forward with this project?

This doesn't give my generation much hope in our government and the laws we the common people must abide by. How is it those with deep pockets can re-write the law? I asked my dad and mom to explain this to me and I didn't like their answer, that unfortunately this is the way the world works. Well that isn't good enough. What answer do you have for me? Aren't you a Federal organization, that will make sure Kinder Morgan follows the rules? Will you enforce them? What boggles my mind is why their rules are different than the rules we have to follow?

If this is what my federal government is like and what you stand for. I am moving to New Zealand. Please give me and my generation HOPE, that you are truly looking out for our best interest. And not that of a corporate giant, or the next corporate giant after that. You've already had a good look at me... RIGHT NOW... my generation is gathering in protest. The next generation IS being informed...;and I WILL make sure all will remember the decision that you will make in regards to this project. How do you want to be remembered?

I want to remember YOU.....as a good neighbor,,, someone I can trust and respect when this is all done. FERC at the end of the day, I want YOU to be able to hold your head high. I will.... because I fought for what was right. Don't let me down.

I promise... you will hear from me again... and the voices of the Kids of the Pipeline Resistance will continue to be heard.

Thank you for your time.

Josiah Barthelmess

**20150824-0073**

Margaret Viglione  
14 Hubbard Hill Road  
Greenville, NH 03048

August 15, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426

Re: Tennessee Gas Pipeline Company, LLC. (“TGP”)

Docket No. PF14-22400: Proposed Northeast Energy Direct (“NED”)

I am writing to request that you take any and all measures available to stringently review and honestly evaluate the proposed Tennessee Gas/NED pipeline project. As a resident of Greenville, NH, a town affected by the proposed pipeline, I have grave concerns about this project, including:

~ The Public Utilities Commission’s paid consultant, Melissa Whitten, strongly stated that Kinder Morgan could not demonstrate the required need for this project. The only substantial contract in NH is with Liberty Utilities, a conveniently fabricated “customer” and a Kinder Morgan subsidiary. NH is currently a net exporter of electricity so the claimed need for extra natural gas to increase electricity production is spurious. No NEED.

~ New Hampshire would not be the recipient of any significant portion of the gas, and in fact, only about 4% of New Hampshire residents use natural gas. No BENEFIT.

~ Most of the gas is intended for export overseas or to Canada where gas prices are higher, providing huge financial benefit to Kinder Morgan. To accomplish this they will illegally use eminent domain to usurp NH homes and land. Then those affected will be asked to pay for this pipeline through higher utility rates.

~ Negative impacts would be severe on the safety, health and welfare of NH citizens, the ecosystem as well as the economy of the region. NH communities have a historic commitment to the environment and have actively worked to place significant portions of pristine wilderness into conservation trust. This pipeline would jeopardize many of these fragile watersheds and ecosystems as well as the water supplies of NH towns. Kinder Morgan sees “empty space” ripe for their picking and destruction. We see the natural beauty, wildlife and clean air and water that make NH unique and precious. Pipelines and compressor stations are exempt from Clean Air and Clean Water laws, allowing them to spew hazardous fumes into the air without regard for health consequences to people, farms, gardens, livestock and wildlife. This is unacceptable.

~ Existing pipelines owned by Portland Gas or Spectra could easily handle any projected needs for natural gas in the state without additional damage to property and ecosystems.

~ Kinder Morgan cannot guarantee the safety of their pipelines or compression stations and has a long history of safety “incidents,” poor honesty and transparency, failure to perform required maintenance procedures and slow response to emergencies. Their remote monitoring facility is capable of detecting pipeline leaks only after a leak of greater than 150,000 gallons. This in no way provides adequate monitoring for public safety. Local emergency services are not prepared for or able to handle a pipeline or compressor station emergency and the requirement to do so would place a severe financial burden on affected towns already struggling to balance budgets.

~ Current projections indicate that the Marcellus shale may only produce significant output for somewhere between 10 and 20 years, with some estimates as low as 8 years. Affected communities will then be left with an abandoned, toxic, obsolete pipeline still requiring tariff payments.

~ Investment of taxpayer dollars in non-renewable energy strategies and infrastructure which will be outdated within 20-25 years shows poor vision for future energy solutions for New Hampshire as well as globally. I respectfully ask that you rise to the charge of seeing that 'the common good' means we use restraint against an industry that wants to burn as much fossil fuel as it can, as fast as it can for their own private profit at the total expense of NH citizens. Neither NH nor the US will have time to create sustainable technologies if we continue to permit redundant pipelines like NED. The NED plan goes against the public interest. We ask you to refocus your mission and act as a good steward for the energy environment we face today and into the future by working to stop this pipeline project.

Thank you very much,  
Margaret Viglione

**20150824-0077**

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Room 1A  
Washington, DC 20426

Project Docket No. PF14-22

Date: 8-18-2015

Via Certified Mail, Return Receipt Requested

Re: Rescinding Property Access

As the owner of the property located at:

37 Comstock Drive, Milford, NH 03055

I am rescinding permission previously granted to the Tennessee Gas Pipeline Company, LLC (a Kinder Morgan Company), its representatives, contractors, subcontractors, or associates to enter my land to perform surveys, or for any other purpose. Any physical entry onto my property from the date of this letter forward will be considered unauthorized, and treated as trespass.

John F. Orthmann

**20150824-0078**

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Room 1A  
Washington, DC 20426

Project Docket Number: PF14-22

Date: 8/15/15

Via Certified Mail, Return Receipt Requested

Re: Denying property access

As the owner of the property located at:

7 Tina Ave, Pelham, NH 03076

I am denying permission to the Tennessee Gas Pipeline Company, LLC (a Kinder Morgan Company), its representatives, contractors, sub-contractors, or associates to enter my land or to perform surveys, or for any other purpose. Any physical entry onto my property will be considered unauthorized, and treated as trespass.

Theresa Grant

**20150824-0079**

Hand written FERC Comment form, Gerald J. McMeniman, 43 Cranberry Rd, Dracut, MA 01826, opposing

**20150824-0080**

David Bulan  
1889 S. Old Post Rd.  
Castleton, NY 12033

August 17, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room IA  
Washington, DC 20426

Dear Commission Members:

As the owner of property located at 1781 S. Old Post Rd, NY 12033 (Map/Block/Lot: 199.-4 -I), we are writing this letter in reference to Project docket number PF14-22-000 (Northeast Energy Direct Pipeline Project).

We are opposed to the pipeline project being proposed on the land of the Bulan Family Trust. In a rural area, such as ours, we know that pipeline safety standards are less stringent than in more densely populated areas. The fracked gas in this pipeline will need to travel at high pressure and this pressure will increase the likelihood of leaks, ruptures and/or explosions.

Pipeline leaks also pose a serious problem to the trust's land and environment. The proposed high pressure pipe line will be located over the Schodack Aquifer on the trust's property. We know that leaks can occur underground and be undetected. We also know that fracked natural gas uses chemicals that are harmful to humans.

Finally, the gas used in this pipeline is intended to be exported to the Canadian Maritimes. Putting the pipeline on the trust's property will not economically benefit us or members in our community. It will, however, lower the property value and bring considerable risk to people who live near the pipeline.

For all of these reasons, we oppose approval of the Northeast Energy Direct Pipeline.

David Bulan, Trustee                      Ida Bulan  
Benjamin D Bulan & Ida B Bulan Family Trust  
cc: Mr. Paul D Tonko, Member of Congress

**20150824-0081**

R. Brian and Peggy L. Morin  
4 Gauthier Road  
Merrimack, NH 03054

August 18, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426

RE: Docket No P14-22-000

Comments

Dear Ms Bose:

The following are our comments for submission to the Commission:

- New Hampshire is aptly known as the Granite State, which makes us justly concerned about the inevitable blasting required to bury the proposed Northeast Energy Direct. Our water well, along with hundreds of others, could be compromised when underground aquifers are disturbed.
- Another concern is devaluation of our property. Although we do not (at this time) about the proposed route, we are close enough to feel very vulnerable to decreased resale value on the property we have owned, maintained and paid taxes on for 49 years. We feel a much devalued sale price would be the only incentive for any possible property buyer to choose to be near a 30” natural gas pipeline.
- We feel there should be a restart of the scoping process. This would allow time to assess Kinder Morgan’s new and revised 6571 page Resource Report filed just days before and after the scoping meetings that were held locally.

Sincerely,

R. Brian and Peggy L. Morin

**20150824-0082**

Rev. Allen M. Humes  
 Post Office Box 23  
 Winchester, New Hampshire 03470

Kimberly D. Bose  
 Federal Energy Regulating Commission  
 888 First Street, NE  
 Washington, D.C.

Dear Members of FERC;

Though this letter comes from only one citizen, I am confident that it represents the thoughts of hundreds, if not thousands, of other citizens. I write in strong opposition to the proposed Northeast Energy Direct natural gas pipeline that Kinder Morgan/Tennessee Gas Pipeline proposes to build in New England, New York and Pennsylvania. This concerns Docket P F 14-22. My opposition is based upon several factors:

#1 The proposed pipeline will be an environmental disaster. As proposed, it will ravish many pristine rivers, streams, and forests. When will we stop destroying our precious natural resources at the expense of greed and profit? The pipeline cannot be built without enormous environmental costs to this generation and the beyond.

In our local area of Winchester, New Hampshire, the proposed route will devastate the natural beauty of Pulpit Falls, a pristine piece of land recently acquired by the Conservation Commission of the Town of Winchester. This is an ecological gem in the state of New Hampshire, if not the entire nation.

#2 The proposed natural gas pipeline moves in direct opposition to the Obama administration’s intent to rely less and less upon fossil fuels. We can be proud of the fact that our nation is relying more upon renewable sources of energy. There is no present or recognized need for additional fossil fuel energy in the northeast. The pipeline is a step in the wrong direction.

#3 The proposed pipeline opens the dangers of serious accidents. Is it worth the risk of the loss of life should an accident occur?

#4 These final reasons of opposition are personal since I am an abutter to the proposed route of the pipeline. It will pass about 15 feet of our home.

- a. I am concerned with how the pipeline will effect the value of my property. My home is a major part of the investment I have made for my future. As a retired person, I am relying upon the value of this home and its surrounding acreage for my future. Undoubtedly, the value of the home and land will be negatively impacted by the pipeline.

b. I am concerned with what the digging, and perhaps fracking, will do to my well. For years we have enjoyed fresh water from our well and it will be threatened by this disturbance to the land.

c. I do not want the land next door to be raped! The beautiful woodland supports the growth of trees, the abundance of wildlife, and the birds of the air. Do not take away their habitat. It was recently recognized as one of the most pristine animal corridors in the state.

Thank you for considering these sound reasons to deny Kinder Morgan permission to confiscate this land by eminent domain. I urge you to do all that is in your power to oppose the pipeline!

Sincerely,

Rev. Allen M. Humes

**20150824-0086**

August 11, 2015

Attention: Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission

Docket No. PF 14-22-000

I am Michelle Curtis-McMahon, and I live at 166 Clarks Chapel Road. I have lived at that home since July of 2000. It is the same home that my grandparents raised their three children in, a home that was passed down to my father. It is the family homestead. My grandfather was a master gardener; photos of his gardens were featured in Better Homes and Gardens on many occasions during his life. I am glad he is not here to see this nightmare that my family and the families of my neighbors are opposing.

On June 2, 2015 Kinder Morgan announced that the property directly abutting my home was a proposed site for a 90,000 horsepower natural gas compressor station; here we are starting the scoping process and now Kinder Morgan announces that they will be decreasing the size of this project. At this time all we know is that the pipeline itself will no longer be 36", it will be reduced to 30". The total capacity of this line will decrease from 2.2 billion cubic feet of natural gas per day to 1.3 billion cubic feet per day. What will the size of the compressor station be for this new project model... as of July 24, 2015 it was announced that the new compressor station would be 41,000 horsepower and still run on gas fueled turbines.

More importantly, if Kinder Morgan now proposes such a drastic drop in capacity for this line, is there a true need for nine new compressor stations and re-routing of the current pipeline? It would seem logical that updating the current infrastructure to make it more energy efficient and replacing lines that are 50 or more years old would be a more prudent track to take. Even with routine testing it is becoming more likely each day that seals and welds along this pipeline will fail. Kinder Morgan reported that the scaled back model is based on current firm subscription for service. It appears that Kinder Morgan's initial projections for contract expansion were unsuccessful during their open season recruitment. Upgrades and replaced lines would likely provided the same volume of product to be transported while decreasing pollution from existing lines.

Even at a reduced size and capacity this massive industrial complex will forever change the landscape of our peaceful rural residential neighborhood. The location of the proposed site is zoned rural residential and it is against town law to build and run this kind of infrastructure. Are we as residents to understand that town laws meant to protect our homes and property are useless in protecting our investments in the face of corporate expansion?

Despite claims from gas companies numerous studies have shown that this type of operation will cause pollution of our air, our water, our soil and even subject residents in the community to constant 24/7 noise. Dark country night would be disturbed by the glow of lights that will illuminate the complex. Methane, benzene, toluene, formaldehyde will be emitted from the site at levels that are high enough to cause damage to ground water and air. We all have wells that supply our drinking water to our homes. Our animals... dogs, cats, sheep, chickens, horses and cows will also be drinking this water. We worry what these pollutants will do to us, and the risk of this is simply unacceptable. NYS DEC banned the fracking of natural gas within

this state because continued exposure to these chemicals has been shown to cause cancer and many other health problems. Pipelines are largely unmitigated and loopholes exist that benefit the gas companies but not those who reside along the pipelines. Lengthy legal battles and improper use of eminent domain make it extremely difficult for residents to protect their investment in time, money and property.

There is an un-named stream that runs through my property and continues through the site where Tennessee Gas has expressed interest in building this compressor site. This stream is a tributary to a portion of the Valatie Kill in Rensselaer County, which has already been identified as a waterway of concern in regards to this project. The Valatie Kill is regularly tested by the EPA for pollutants due to its proximity the Dewey Loeffel Superfund site. The 16-acre unlined dump contains about 46,000 pounds of PCBs, solvents and other toxic chemicals that were illegally dumped from GE, the former Schenectady International and Bendix from 1952 to 1970, when the dump was closed by court order. It is located on Mead Road less than a mile from the proposed compressor station. The battle to clean this site has spanned decades and is still regularly tested to ensure that additional toxins do not continue to enter the ground water and the wells that supply drinking water to the homes of residents who live in this area. This stream will pass along the western edge of the new compressor site, and any pollutants that do settle in the land and water near it will be swept downstream.

Additionally, the town roads in the path of this pipeline are not rated for the industrial traffic necessary to build it. As stated in the Town of Nassau, REPORT ON THE POTENTIAL IMPACTS TO THE NATURAL RESOURCES FROM A PROPOSED NATURAL GAS Pipeline, May 12, 2015- "Compressor station components, including the compressor turbines and associated equipment, are over-sized facilities that will require large truck-trailers for component deliveries. Clarks Chapel Road is posted with 10 ton weight limits, due to significant limitations of bridges near Central Nassau Road and Slivko Road. Slivko Road is a single lane, dead-end dirt road with limiting grade and curving alignment. County Route 15 has extremely steep slopes to both the east and west that will limit accessibility to locations along the transmission line corridor from the roadway. These three roads represent the primary access routes to the proposed pipeline corridor location along the electric transmission line route in Nassau. Boyce Road in the Town of Schodack is the access point to the corridor to the western side of Nassau, and there is a pond completely crossing the electric transmission corridor that precludes access from the west. These limitations on accessibility should be identified as limiting the feasibility of developing a mainline compressor station within the identified compressor station study corridor in the Town of Nassau."

Residents walk these road ways with their families and pets. Clarks Chapel Road is part of a county wide bicycle touring route. Horseback riding is a familiar sight on this road. The introduction of up to a 10 acre industrial complex will detract from the peaceful, tranquil country setting that residents and visitors alike come to the town of Nassau for. The property itself is less than a mile away from picturesque Burden Lake that is known to be nesting site for federally protected Bald Eagles and is a popular summer haven for the communities of Averill Park, Nassau, Schodack and Stephentown. This particular portion of Nassau also known to be home for various other types of wild life including bears, owls, foxes, various types of woodpeckers, coyotes, moose and so much more. Bald Eagles have even been photographed on the proposed compressor station site.

My two year old son loves to play outdoors. He enjoys smelling the flowers, and feeding the horses grass. He spends as much time as he can playing in his pool and chasing the dogs around the yard. If you issue this certificate and this compressor station is built that will no longer be possible. Large Titan turbines will be running 24/7 to power this gas powered station, and the noise level will be comparable to a bulldozer idling in our back yard all day, all night. What will that kind of noise do to his developing ears? I worry about that, almost constantly these days.

What happens when a routine or an emergency blow down occur, and the noise level has jumps from a bulldozer to a jet engine... how am I to protect my son, myself or my animals? Fireworks over the Fourth of July week frightened my animals so much that I had to put them in the barn... there is little doubt in my mind that a blow down would cause them to harm themselves, perhaps even break free of their fenced in pasture to

try and escape the deafening noise coming from the station. Are there plans for blow down silencers like the ones that are used in residential areas for this compressor station... without them those residents that have farms would live in constant fear of a blow down and the resulting reactions of our cows and horses. Make no mistake- we are a rural residential neighborhood. There are over three hundred homes within two miles of this site... and six working farms (this does not count the smaller “hobby” type farms that are within this zone). These homes belong to families that never signed up for this kind of infrastructure to be in their own back yards. Imagine if you will a child taking riding lessons when a blow down occurs. Even the most well trained animal will panic, and the child (or even an adult) would be thrown from that horse, severely injured or killed because the animal has reverted to its basic instinct to flee when frightened. Emergencies occur and blow downs will not always be scheduled... is human life worth so little that this concern is of no consequence to the forward motion of this project and the gas that is supposed to move through our community to serve others? I fear you will find few who would agree that this is an acceptable reality.

I am curious as to why pipeline companies are allowed to choose between gas powered and electric powered compression? Emissions and noise are the main complaints from residents who currently live near compressor sites. As a nation, we are striving to reduce our carbon footprint by 2030. Though I understand that the gas is simply there and the initial cost is lower to install the gas run option, I can't help but wonder why the significantly quieter electric compressor station is not considered the preferred option. Electric compressor emissions are near zero in regards to hydrocarbons leaking into the atmosphere. Stations run by electricity can be outfitted with vapor recovery units and flare systems on the tanks are some of the main reason for the decrease in emissions. The units themselves remain pressurized during shut downs which would reduce start up time. This option may even result of in a smaller site footprint. The overall maintenance cost of one of these stations would be lower despite the initial upfront cost. The amount of product that will be saved will pay this back, so again, why place the environment and residents at risk?

What will be done to protect our homes and our lives? Communities in the path of this pipeline are full of people, families that worked their whole lives for the land and houses that they call home. These same people use their hard earned money at local businesses and are the heart of this American dream that our ancestors fought so hard for. We are being asked to accept all the risk- the half mile buffer zones where we may see all that hard work burned to ash should the unthinkable occur, the basic natural fear that may grip our pets and livestock during a blow down, the exposure to cancer causing pollutants in the air we breathe and the water we drink. The pipeline through Rensselaer County will run parallel to high tension power line which have been shown to increase to corrosion rate in pipelines, and at this time we understand that the lowest grade materials allowable by federal regulation will be used in the construction of this pipeline due to the “lower volume of affected population within proximity to the project.” Don't tell us that these risks are not real, we know they are.

It will be very difficult for our volunteer fire departments and ambulances to help us if the pipeline or compressor station fail. In the event of an emergency the following safety procedures would likely be in effect based on industry policies and procedures: ~ Contact the pipeline company ~ Secure the area ~ Evacuate as necessary ~ Stay upwind ~ Do not attempt to put out fire or operate valves ~ Attempt medical assistance if it is safe to do so ~ Establish command center for when pipeline company team arrives (as cited in: Northern Natural Gas Safety 4 Public Awareness General Guidance for Emergency Responders k Jim Hartman, TGP Right of Way Agent, select board meeting, Warwick, MA, May 13, 2014)

They are not equipped to handle the types of emergencies that are a risk of having facilities like this in our town. Manned by volunteers, it is not guaranteed that there will be crews available to respond especially during daytime hours, or that sufficient personnel will be available to effectively evacuate residents should that become necessary. Rensselaer County relies on mutual aid to ensure service to its residents, though in a emergency primarily volunteer area resources will be quickly overwhelmed.

Gas and oil companies across the country have shown little concern with these realities. Communities are not thriving where these pipelines and compressor stations are built. Homes have been devalued, homeowners insurance has been cancelled or rates are now too high for families to afford, life savings have been

washed away in the fight to protect home and hearth, all because they became the unknowing, unwilling neighbors of a natural gas compressor station. As these properties lose value a necessary shift in the tax base will have to occur, and residents that thought they had avoided the direct impact of this project will find it appearing in their yearly tax bill. The needs of people hundreds and even thousands of miles away are cited as the reason for the destruction of home and property. Yet Kinder Morgan and Tennessee Gas ask you to issue a Certificate of Public Convenience and Necessity in a massive, multiple state expansion of current pipeline infrastructure. Pollution in the form of noise and emissions and a massive industrial complex is not convenient to the public that calls this town home. Kinder Morgan has already had to scale down their project once because they were unable to secure new contracts for the natural gas they want to transport through our yards.

The nation is starting to move towards renewable energy sources. Geothermal, solar and wind energy is harnessed throughout this area, all you have to do is drive through our town to see it. We love our farms, our access to lakes and rivers and streams. We did not sign up for this; I did not sign up for this fifteen years ago when I chose to settle in the home that once belonged to my grandparents. These risks will be ours if this compressor station is built, risks that we are asking you now to save us from.

What will your agency tell us when this review is completely over? Will the land that we as the residents affected by this project still be ours? We have worked hard to make our homes strong, peaceful and free. The truth is that we hope you as an agency will see the value of the land where our homes are as more than a conduit for a corporation that has only its own needs in mind. Kinder Morgan continues to release proposals and updates that are incomplete. We are being asked to comment and offer suggestions to proposals that are full of TBD materials. This portion of the process is unfair to the residents in the path of this pipeline. The reality is that we as residents are set at a disadvantage from the start. Yet we are here, we are trying despite insurmountable odds.

We ask FERC to hear us and give us the same level of consideration that the gas companies are given. We hope the agency can see what will be lost in terms of open land, tourism, and communities who band together to protect what we have worked so very hard to have. The fate of our homes should not be in your hands, and yet here we are. What will your choice be, we have made ours. I, Michelle Curtis-McMahon oppose this pipeline and compressor station for myself, my family and all my neighbors. I sincerely hope that is enough to save my home that has been in my family for 68 years.

Sincerely,

Michelle Curtis-McMahon

## **20150824-0088**

Docket No. PF14-22-000

Date 8-16-2015

Kinder Morgan Pipe Line

Dear Kimberly D. Bose, Secret Federal Energy Regulatory Commission;

The Kinder Morgan Pipe proposal through NH is not good for NH residents and its' habitat. It comes across like the story of David and Goliath. How many no's does it take to stop a multi- billion dollar industry from putting a huge scar across the state of NH?

From what I can understand is that NH has the second highest electric rate in the country. But why is that. We have a nuclear power plant that should have provided a lower cost of electricity. We the people can do better than this. There are some of us out there who still believe in United We Stand. Solar Power and Wind Mills is increasingly on the rise. I like what New Zealand did with their ocean tides even though their tides are higher than ours. They generate electric power from it. Ocean tides are like freight trains. It just keeps on plowing through.

If anybody has just a little understanding of the beauty of what NH habitat has to offer, they would realize

that Kinder Morgan super power heads will break our state in the most destructive event ever recorded. The habitat will never recover even after seventy five years and our children's children will never experience the habitat like we have had experienced in our life time.

Therefore I ask that FERC deny the construction of this pipe line which will not be of any benefit to the people of NH.

Effected property owner

John F. Orthmann  
37 Comstock Drive  
Milford NH 03055

**20150824-0089**

Hand written letter, P. Rivers, Madden Rd, POB 248, Stephentown, NY 12168, opposing.

**20150824-0091**

DALTON	(413) 684-6118 Treasurer	
FIRE	(413) 684-6124 Water	
DISTRICT	(413) 684-0500 Fire	20 FLANSBURG AVENUE
	(413) 684-6126 Fax	DALTON, MA 01226

July 28, 2015

Kimberly D. Bose, Secretary

Federal Energy Regulatory Commission 888 First Street NE, Room 1A Washington, DC 20426

Subject: Northeast Energy Direct FERC Docket #: PF14-22.{}00

Proponent: Tennessee Gas Pipeline Company, L.L.C.

Tennessee Gas Line Pipeline Concerns

The Dalton Fire District (DFD) owns land in Dalton, Windsor, Hinsdale and Peru that is being affected by the Tennessee Gas Pipeline (TGP). To this date, the DFD is not aware of any surveys for environmental, biological, sensitive habitat or cultural resources completed or even begun. We would request that the Federal Energy Regulatory Commission (FERC) require a full "Environmental Impact Study" be performed for:

What will this do to our land quality?

Wildlife and vegetation?

Water quality?

We are the only Zone A watershed Impacted.

Flow of water to rivers and reservoirs in the entire Dalton water shed?

Timber sales and future timber sales?

The pipeline runs through our watershed and next to a public water supply well. There are three watersheds: the Egypt and Anthony in Dalton and the Windsor/Cleveland which starts in Hinsdale, running through Peru and Windsor. The Cleveland, Windsor, and Egypt reservoirs along with the Anthony Brook and Cady Brook Headwalls are the primary and emergency backup drinking water supplies, respectively, for Dalton. The Cleveland Reservoir and Cady Brook Headwall also serve the City of Pittsfield and the towns of Lanesboro, Lenox and Richmond. This affects tens of thousands of people and industries in our area. All of the reservoirs and filter plant are fed by streams and underground springs. Some of these streams cross the corridor in which the pipeline will be installed and the construction of the pipeline will directly impact these water sources.

We ask that you clearly identify the probable impact radius for potential explosions for the entire pipeline infrastructure, based on the proposed size and pressure of the pipeline. Document the High Consequence Areas (HCA) and the method used to determine them, including quantification used as the basis for each HCA. Identify all structures, public facilities, and areas commonly used by the public (trails, playfields, camping

and picnic areas, etc.) within the potential impact radius. Clearly identify the proposed distance between and which valves will be manually, remotely, or automatically operated in the case of a pipeline system failure.

We have compiled a list of questions and stated our concerns in this letter regarding the potential for unreasonable risk posed to human and environmental health. We respectfully ask FERC to have the TGP provide us with answers to our questions and our concerns. We need to feel comfortable with the unknown to protect the water supply for our town, the towns of Lanesboro, Lenox, Richmond and the City of Pittsfield, and our water shed wildlife and vegetation.

**In General:**

1. After the original pipeline is installed, can TGP tap into it at any point?
2. If there is a slow gas leak, how many cubic feet of gas will escape before a leak is detected?
3. What are the long term effects to the soil in the event of a spill or major break?
4. Would the precipitate from a break contain chemicals that could migrate into the reservoirs polluting the water?
5. How much fuel would be released given the type of valve and resulting time required to shut the valve off and the distance between valves in the case of a failure?
6. How will the pipeline on DFD land affect the property values?
7. If there is added value, how will the DFD be reimbursed for this?
8. How will the pipeline be marked so that snowmobilers and 4 wheelers will be made aware?
9. What is the maximum weight and speed that is safe to drive over the TGP pipeline?
10. What are the means to maintain access and function during severe winters, heavy winter snows, deep frost and spring mud seasons on our land?
11. The cost of any emergency response related to the construction, maintenance, or failure of the pipeline cannot be borne by the DFD. How will TGP ensure these costs are paid for?
12. We ask that FERC direct TGP to mitigate the adverse impacts on public health and safety by:
  - a. Require TGP to apply for and receive local permits for construction on local roads.
  - b. Minimize the use of open cut construction across public roadways.
  - c. Clearly identify any proposed locations where construction activities will potentially negatively impact emergency responses. Develop and implement a plan agreeable with the DFD.
  - d. Meet with the DFD fire and water personnel at least 2 weeks prior to commencement of any construction activity on our land to review plans and the construction schedule in order to coordinate responses and continue to meet every 2 weeks during the construction period.
13. Require TGP to enter into binding hold harmless agreements with the DFD which protects the DFD from damages resulting from pipeline construction activities.

**Compressor Station:**

Our reading materials provided suggest that water is removed at the compressor stations.

1. What are the disposal methods with the liquid waste extricated from the pipe?
2. What are the procedures used for the extrication?
3. How often does this procedure take place?
4. Do you notify the town, district or land owner when you perform the pigging operations?

**Water bodies construction crossings. drinking water impacts:**

The DFD needs reassurance that our drinking water will be protected. We specifically need diligent envi-

ronmental protection at the following locations in Dalton, Hinsdale, Peru and Windsor.

<u>Mile post #</u>	<u>Area Affected</u>
9.7-11.3	Anthony and Egypt Watershed, Surface Water Protection Areas, Zone C
9.8-10.4	Anthony Brook headwaters, Water Supply for Dalton
10.9-11.1	Egypt Brook Headwaters, Water Supply for Dalton
11.0-11.3	Close proximity to Egypt Reservoir
12.3	Wahconah Falls Well Head
13.0	Close proximity to Windsor Reservoir Watershed
13.5-13.6	Aqueduct that feeds water to Cleveland Reservoir from Cady Brook & the East Branch of the Housatonic River
13.5-14.2	Cleveland Reservoir Watershed within ~ mile of the Buffer Zone
15.0-15.1	Cady Brook Zone A Protection Area, Water Supply for Dalton & Pittsfield
14.3-16.7	Windsor Reservoir Watershed Protection Area, Zone C

1. What are the specific procedures you will use on DFD land, watershed, and water crossings? (i.e. reservoirs, streams)
2. How would you prevent contamination to our watershed and streams from trench dewatering?
3. How would you handle an oil or fuel spill from a construction vehicle?
4. What herbicides, if any, will be used and how will that directly affect the drinking water supplies?

Before the gas pipeline is placed into service, it is pressure tested with water. The migration of water along the pipeline in this testing phase may contain invasive or foreign water borne flora and fauna.

1. What prevention measures will be put into place to prevent drinking watersheds contamination from this?
2. Where does the water come from to perform the testing?
3. What chemical contaminants will be in the water to be discharged?
4. How is that water discharged?
5. Where is that water discharged?
6. How would you prevent contamination from ROW runoff before vegetation is established?
5. How would you remediate in the event of water supply contamination?
6. What are your restoration measures?
7. What is your post construction monitoring of re-vegetated areas?

The DFD would request that a truck washing station be implemented to prevent the introduction or spreading of invasive species and vegetation between work sites. We request that no blow off, compressor, meter or pig stations be allowed on District lands. Provide the DFD with funding to hire onsite Environmental Engineer and Construction Inspector, with DFDs approval of choice, to be on all work sites on DFD lands to ensure proper procedures are followed. The DFD would ask that testing is completed to establish baselines for water quality and existing flow rate in the Windsor, Egypt and

Cleveland Reservoirs, the headwalls on Anthony Brook and Cady Brook and the Wahconah Falls Well. The DFD would require that continued water quality monitoring be established to assess contaminants associated with the pipeline construction and operation every 6 months. Clearly layout the ongoing inspection protocols for the pipeline once in operation. Define the frequency of internal inspection for corrosion or the damage to the pipeline.

### **Blasting:**

Before blasting begins a permit must be issued by our fire chief to ensure Massachusetts General Laws are being followed. We prohibit the use of explosives containing per chlorate. The DFD will also prohibit storage of explosives on DFD lands. We also require that we be notified of the blasting days and times. Dur-

ing construction, analyze the impact of blasting necessary to remove rock. Determine the area of potential concern regarding rock throw and seismic impacts due to blasting activities. Determine the impact of construction activities, particularly on reservoir dams and the condition of the infrastructure given the age and condition of the water mains and aqueduct.

1. What are the specific blasting techniques used on district land?
2. What chemicals will TGP be using in the blasting on our land?
3. What land and water contamination prevention measures will be put into place?
4. How will TGP guarantee that blasting won't impact wells, the dam, streams and springs that feed the reservoirs - structurally or via underground movement? It is important to be aware that we have substantial frost here which moves the ground/ damage may not be immediately evident.
5. What are the safety and security measures for transporting and storage of construction explosives in Dalton?
6. Will security be provided during construction for the explosives and construction?

### **Fire Department:**

Initially, there are concerns for safety during the construction phase. The DFD needs access for all emergency vehicles on the construction sites. We would ask the TGP conduct a full assessment of the training, equipment and supplies needed for emergency response to incidents involving the Northeast Energy Direct (NED) Project, during construction or continued operations, as part of the NEPA process and that all impacted emergency responders have the capacity to respond appropriately to pipeline related incidents. The DFD is a volunteer fire department with both fire fighters and EMS personnel. Our average response times are 3 - 8 minutes depending on the location to the call from the fire station and the location of our volunteers when the call comes in. Our equipment inventory includes: 3 pumpers, 1 ambulance, and 2 old military vehicles converted for use on brush fires. The DFD respectfully requests no blow off, meter, compressor or pig stations are allowed on DFD lands.

1. The DFD does not have a safety vehicle to handle emergencies in this kind of project. We will need to acquire a safety vehicle to perform medical and fire rescues. Are there funds available from TGP for this?
2. All construction roads need to be properly maintained at all times. Is there security for this?
3. Where will the pipeline shutoff valves in and nearest to Dalton be located?
4. How will the shut off valves be marked?
5. Who can shut off the gas once a leak is found?
6. How long will it take for TGP operators to access and shut off these valves in our area?
7. What is the "Standard Operating Procedure" to shut off the gas in an emergency?
8. What response measures are to be taken?
9. What are the wildfire impacts from the clearing associated with the construction?
10. Provide the fire department with a list of hazardous materials which will be present during construction. Provide training to them on appropriate responses to incidents involving those hazardous materials; provide additional material or equipment necessary for the fire department to safely respond.

### **DFD Timber stands:**

The DFD would like one rotation of timber for regeneration and growth. We need access to our forest lands. We want an access road running parallel with the pipeline with marked crossing points every ~ mile. At the crossing points, the pipeline needs to be buried deeper or protected for heavy equipment.

1. How would the pipeline address access for forest cutting equipment on DFD lands?
2. How will the access points be marked?

3. Can the DFD limit the amount of land to be cleared?
4. How would the loss of future income be addressed?
5. What is the weight that the crossing will handle without damage to the pipe?

Due to the substantial concerns we have for the safety of our drinking water and surrounding watersheds, as well as for issues related to the pipeline crossing in the vicinity of Route 9 and populated areas of town, we have recommended an alternate route through Dalton, which will negate a majority of the concerns we have with the current pipeline route, and connect back to the route proposed for Windsor. It is as follows:

At coordinates 42 degrees 30' 45.94"N, 73 degrees 09' 14.61"W the pipeline will turn Northeast for 3.1 miles to coordinates 42 degrees 32' 19.48"N, n degrees 06' 17.93"W. At this point the pipeline will turn East for 3.1 miles to coordinates 42 degrees 32' 16.00"N, 73 degrees 02' 36.36"W and turn again heading Southeast for 3.32 miles to coordinates 42 degrees 29' 52.17"N, 73 degrees 00' 24.04"W. This will bring the alternate route back to the proposed pipeline in Windsor without the need to cross the watershed or Route 9, Wahconah Falls Brook and the headwaters of the Westfield River.

Again, this alternate route avoids our watershed, populated areas of town, 2 major road crossings, an Interim Wellhead Protection Area, Massachusetts Biomap 2 Critical Natural Landscape, Natural Heritage & Endangered Species Program Priority and Estimated Habitats, the Wahconah Falls Brook, farm land and privately owned timber lots. Furthermore, out of the 7.2 miles of proposed for Dalton's pipeline layout, at least 4.2 miles will have a direct impact on our watershed - all of which will be avoided with the alternate route, which is also entirely within State (and possible Federal) owned property with some privately owned land.

Respectfully,

James O. Driscoll, Chairman  
Board of Water Commissioners

Camillus B. Cachat, Jr.

Michael J. Kublick

-----  
**ATTACHMENT 1**

**Water Department / Town Roadways, Watersheds Streams Rivers & Water Mains  
Starting at Appalachian Trail Crossing heading toward Windsor on the Power Lines**

1. Appalachian Trail Mile Markers 9.6.
2. Anthony Brook Crossing Mile Markers 9.8 - 10.4. Part of the Anthony Brook Water Shed.
3. Egypt Brook Crossing Mile Marker 10.8 -11.1. Part of the Egypt Reservoir Water Shed.
4. Anthony Road / Reservoir Road to Power Lines. 8- 0.1. Water Main to North Mt Road. Vintage 1980's. 10" C.I. Transmission Water Main to Town of Dalton. Vintage 1930's. 12" C.I. Transmission Water Main to Town of Dalton. Vintage 1930's, Egypt Brook Culvert on Reservoir Road, Sewer Mains / Culverts, Size and Numbers Unknown. Town Roadways to Power lines
5. Old abandoned 4" C.I. water main from Duncan Brook Headwall, Into Dicken Crane's field, Mile Marker 12.1. This line may still be holding water. Vintage 1890's.
6. Chalet Rd / Duncan Brook Road, 1 W plastic water main, Vintage 1988. Mile Maker 12.14.
7. Route 9 crossing Mile Maker 12.22. Two water mains 1) 4" D.I. water main, part of Wahconah Falls Distribution System, Vintage 1988. 2) 10" C.I. water main, part of the Windsor Dam Reservoir Raw Water Transmission Main to Filter Plant, Vintage 1890's to 1900's.
8. Wahconah Falls Brook crossing. Mile Maker 12.4.
9. Adams Road crossing. No Water Mains. Mile Maker 13.01.
10. Old Windsor Rd crossing. No Water Mains. There is a sewer Line, Size Unknown. Mile Marker 13.5.
11. East Branch Housatonic / Cady Brook 6' ft Cement Aqueduct Transmission Main to the

Cleveland Reservoir. Mile Marker 13.66.

12. Hinsdale Road Into Eversource Electric Sub Station. Mile Maker 14.7.

13. Dirt Road off August Smith Road to Nobody's Road Into Power Lines. Mile Maker 15.6.

14. Peru Road into Power Lines. Unknown Utilities. This entrance leads to the top side of the Windsor Reservoir Water Shed. Mile Make 17.2.

15. Side Note there are two side roadways Into the Power Lines coming from Old Windsor Road. Roadways are Hinsdaie Road. Mile Maker 14.8. The other is Crane Road. Mile Maker 15.6. Both these roadways transverse thru the Windsor Reservoir Water Shed.

16. Side Note: There may be numerous Culverts that are Unknown on the entire Pipeline Route from Mile Maker 9.5 - 17.

Proposed Kinder-Morgan Pipeline Environmental Impacts Dalton Watershed

*{2 pages of maps not included here}*

## **20150824-0092**

Dear FERC,

I oppose the Tennesse Gas Pipeline Company's Northeast Energy Direct Project Docket NO.PF14-22-000 (Kinder Morgan Company)

I moved to New Hampshire 30 years ago from Massachusetts because I wanted to live in a country setting. I have it, my yard is all trees and grass and beyond the edge of my property in the rear is Beaver Brook a wetland.

I live right next to National Grid power lines. I have let my trees grow for 30 years to block the view of the power lines. This Gas Pipeline would chop down all my trees and maybe take my house by eminent domain. I am really scared to lose my home. I am 62 years old and was planning on dying in this house.

I know many other people in New Hampshire from meetings and get together that oppose this pipeline as much as I do.

I think you (ferc) should study this route thru New Hampshire and find an alternate route that does not go thru so much wetlands destroying the enviroment. Enclosed is a picture just beyond my back yard of Beaver Brook a nature wetland. I attended a Ferc meeting at the Radison Hotel in Nashua New Hampshire and heard of hundreds of wetlands that would be affected.

New Hampshire is famous for country settings. Lakes, ponds, rivers, streams, forests etc. This project would destroy thousands of trees and go under hundreds of wetlands.

I have constantly been told this pipeline would not help the New Hampshire and Massachusetts gas Quantity or lower prices. so why is this pipeline being built.

At the meetings I have attended I was told Ferc already approved some fatter pipelines. In fact Ferc approved the SPECTRA AIM Project in March which if built later this year and next would take care of all the recent demand. The need of the Kinder Morgan Tennessee Gas pipeline appears not to be a need for cheap gas for New Hampshire and Massachusetts but for Kinder Morgan to add more profitr for this billion dollar company by destroying the lives and land of thousands of dtizens of New Hampshire and Massachusetts like me.

Also I was told there are other pipelines in place which are not fully utilized. There are new pipelines under construction that will provide customers 3 billion cubic feet per day of Pennsylvania Gas. The REX pipeline and the Niagara Expansion.

Also National Grid is adding a major new construction In the spring of 2016 of new electric 315 hundred thousand volt electric power lines in the middle of the 2 existing power lines that are next to my yard and house. I have received notification offidally in writing of this project from National Grid Eversource.

Thus in summary please study this project Docket No. PF14-22-QOO and study if this pipeline is really needed. This project will destroy so much of what makes New Hampshire, New Hampshire.

Richard and Kathleen Kres  
9 Tina Ave  
Pelham, New Hampshire 03076

*{photo omitted}*

## **20150824-0093**

August 15, 2015

Ms. Kimberly D. Bose, Secretary  
The Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

RE: Docket Number PF14-22-000

Dear Ms. Bose:

As an abutter, I've been advised by some very learned people who apparently know a lot about this process that in order to give these comments the best chance of being taken seriously, I need to stick to facts and nothing but facts, while at the same time offering suggestions for ways to address these adverse environmental impacts. Why it's my responsibility to solve problems I didn't have a hand in creating and that I'm not being paid to solve is an absolute mystery to me, but since I happen to have a few recommended solutions anyway, I've included them.

Most of the environmental impacts detailed below are based upon my own site measurements, all made consistent with the Interstate Natural Gas Association of America guidelines specified in the attached drawing entitled "MAINLINE CONSTRUCTION PARALLEL TO POWER LINES RIGHT-OF-WAY". The drawing is numbered STD-INGAA-5 and is taken from a much larger document with which I'm sure you are familiar: "Building Interstate Natural Gas Transmission Pipelines: A Primer", available on the INGAA web site and carrying a publication date of January, 2013, with Kinder Morgan (KM) listed as a Key Contributor. While admittedly not a professional surveyor, I have taken and re-taken these measurements a total of four times now. They are accurate to +/- 3' and significantly more accurate than the CAD drawing of our home published without our prior knowledge by KM in its most recent Draft EIS.

### Issues

- If INGAA guidelines are adhered to, the currently proposed pipeline routing would place its centerline within twenty (20) feet of our home, not the forty-one feet indicated by KM in the most recently published Draft Environmental Impact Statement, Drawing MK-SEG\_I-RES-001.
- Adhering to the INGAA guidelines means that there simply isn't enough room between the electric transmission lines and our home to allow for placing the pipeline between our home and the current Eversource right-of-way without the permanent pipeline right-of-way encroaching on a portion of our house.
- Given the planned permanent right-of-way width of fifty feet as previously stated by Kinder Morgan representatives, adherence to the INGAA guidelines will mean not only a permanent right-of-way on our property, but a permanent right-of-way through a portion of our home.
- The loss in value to our property and home will most certainly approach 100% under this scenario as it will be impossible to sell the home and equally impossible for a prospective buyer foolish enough to try and purchase it to obtain insurance or financing with an easement running THROUGH the house. Who in their right mind would agree to be obligated under an easement to seek Kinder Morgan's approval to re-paint their kitchen or install a new garage door? It's beyond absurd.
- If INGAA guidelines are adhered to, excavation and blasting will occur within twenty feet of our home, subjecting the structure to potential damage caused by flying debris, concussive blast waves, heavy con-

struction equipment and construction personnel, and subjecting the occupants of the structure (our family) to physical and psychological stress and physical injury caused by such activity.

- If, on the other hand, INGAA guidelines are ignored, excavation and blasting will occur within forty-one feet of our home, subjecting the structure to potential damage caused by flying debris, concussive blast waves, heavy construction equipment and construction personnel, and subjecting the occupants of the structure (our family) to physical and psychological stress and physical injury caused by such activity. KM doesn't genuinely expect us to believe that an additional twenty-one feet would make any difference at all when they're detonating explosives or digging a 15' wide trench and laying pipe using equipment nearly as large as our house, do they? Do you?

#### Recommended Solutions

- Deny the project application with no chance of appeal. -or-
- Require the applicant to reroute the pipeline. -or-
- Mandate that the applicant purchase our home and property and the homes and properties of any similarly situated abutters willing to sell to them.

#### Issues

- The currently proposed pipeline routing would result in the only source of potable water on our property (a private well) lying within sixty (60) feet of the pipeline centerline.
- The currently proposed pipeline routing would result in excavation and blasting occurring within sixty (60) feet of the only source of potable water on our property.
- The currently proposed pipeline routing would also result in that private well lying within forty (40) feet of the permanent right-of-way.
- The currently proposed pipeline routing would also result in that private well lying 100% within the temporary construction right-of-way and work zone.
- These facts make it a virtual certainty that the only source of potable water available to supply our residence will be adversely and irreparably impacted by the currently proposed location of the pipeline including, but not limited to, line and casing integrity, turbidity, capacity, flow rate, and recovery rate.
- Due to setback requirements for the current septic tank, leach field, property lines, road way, and permanent right-of-way, securing approval for and successfully drilling a new well location would be virtually impossible. Further, a change to the entry point of the main water supply line into the house would be extremely difficult, and may in fact be impossible.
- A permanent lack of a potable water supply to our home due to pipeline approval and construction as currently proposed will render it uninhabitable, unsaleable, and largely worthless.

#### Recommended Solutions

- Deny the project application with no chance of appeal. -or-
- Require the applicant to reroute the pipeline. -or-
- Mandate that the applicant purchase our home and property and the homes and properties of any similarly situated abutters willing to sell to them.

#### Issues

- The currently proposed pipeline routing will result in the construction right-of-way encompassing 100% of the overhead lines providing electricity and other utilities to our home, making service interruptions during construction highly likely.
- A careful reading of the previously mentioned INGAA guidelines makes clear that utility service interruptions are a fairly standard occurrence in pipeline construction near residences, with contractors advised to attempt to give residents advance notice of construction related utility outages.
- Due to our rural location, during periods of utility outages we will be without heat, without potable

water and functional plumbing, without access to refrigerated foods, and without a way to prepare food.

#### Recommended Solutions

- Deny the project application with no chance of appeal. -or-
- Require the applicant to reroute the pipeline. -or-
- Mandate that the applicant purchase our home and property and the homes and properties of any similarly situated abutters willing to sell to them.

#### Issues

- The currently proposed pipeline routing will result in the temporary construction right-of-way encompassing a significant portion of the only ingress / egress route on the property (private driveway) with our access to our own home likely to be significantly and repeatedly compromised during construction and with substantial or total destruction of our paved driveway a virtual certainty.

#### Recommended Solutions

- Deny the project application with no chance of appeal. -or-
- Require the applicant to reroute the pipeline. -or-
- Mandate that the applicant purchase our home and property and the homes and properties of any similarly situated abutters willing to sell to them.

#### Issues

- The currently proposed pipeline routing will result in the removal of roughly 2/3 of all trees on our heavily wooded, 4-acre lot. That's literally hundreds of trees. As the trees are primarily evergreens, there is no actively growing ground cover under the tree canopy.
- Due to the significant slope of our property, this lack of vegetation makes certain the significant erosion of soil and flooding of our home as rainwater follows the course of this slope unimpeded by trees or ground cover.
- The currently proposed pipeline routing in such extremely close proximity to the house will necessitate the removal of 15-20 trees exceeding 50' in height and growing very, very close to the house. To date, KM has done absolutely nothing that causes me to believe they will exercise the level of care necessary to ensure no incidental damage to our home during the removal of these trees.

#### Recommended Solutions

- Deny the project application with no chance of appeal. -or-
- Require the applicant to reroute the pipeline. -or-
- Mandate that the applicant purchase our home and property and the homes and properties of any similarly situated abutters willing to sell to them.

In closing, I readily acknowledge the lack of creativity in my recommended solutions. However, as the issues related to the pipeline's proposed proximity to our home and to our sole source of potable water appear to be addressable only through denial of the application, the rerouting of the pipeline, or the outright purchase of our home, I didn't spend any time trying to figure out additional possible solutions for all of the other issues. Frankly, if the pipeline being located within twenty feet, or even forty-one feet, of our home, and within sixty feet of our well, isn't significant enough for KM and FERC to take steps to try and mitigate the health, welfare, and financial impacts on my family, I doubt any alternatives I could suggest would receive anything approaching serious consideration.

Curtis L. Douglas Richmond, New Hampshire

{ *drawing "Mainline Construction Parallel to Power Line Right-of-Way", INCAA Foundation omitted*}

34 Severance Drive  
Londonderry, NH 03053-3118  
August 16, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

Subject:: Docket # PF 14r22-GOO Northeast Energy Direct Project

Dear Ms. Bose:

New Hampshire's state motto is "Live Free or Die". My husband and I want to live FREE from fear--the fear that Kinder Morgan's proposed natural gas pipeline (NED) would be approved. We are vehemently OPPOSED to this plan for so many reasons.

This is a project which is neither necessary nor beneficial to the residents of New Hampshire. Nor is the proposed route for the pipeline logical. Kinder Morgan wants to get gas from the middle of Pennsylvania through New York and finally into Massachusetts. If you follow a straight line on a map from Pennsylvania to Dracut Massachusetts, it doesn't go through New Hampshire! And a straight line is more logical and less expensive to construct.

It was stated in one of Kinder Morgan's open houses that there would be no takeoffs for distribution of gas to homes or businesses along the pipeline's run through New Hampshire. So why does Kinder Morgan insist that the project is needed here? The answer is simple there is no good reason for the pipeline to be built in New Hampshire.

Kinder Morgan argues that utility rates in New England are the highest in the nation and that the pipeline project would lower those costs. However, in KM's own March 2015 newsletter, they state there isn't enough natural gas pipeline currently to get the cheap gas from Pennsylvania to the market centers in the east. "That's causing consumers in places like Boston and New York to pay much higher natural gas prices than other locations in the country that have greater access to gas at the standard Henry Hub rate". If people want cheaper utility rates in Boston and New York, then put the pipeline in those states not New Hampshire! Eversource is the major supplier of energy in New Hampshire. Our rates in Londonderry are actually cheaper than this time last year. As a matter of fact, in Eversource's Aug. 2015 Customer Update, it stated that effective 07/01/15 customers who purchase their energy from Eversource have seen an average rate reduction of 7.5% on their bills monthly. This is due, in part, to lower than anticipated wholesale energy market prices over the winter months. So, obviously, New Hampshire doesn't need the natural gas pipeline to lower our utility rates.

Another reason for our opposition to the construction of the pipeline is the potential for damage to our environment. My husband and I have lived at 34 Severance Dr. in Londonderry for over 29 years, and we love the rural atmosphere of our part of town. There are small ponds nearby on Dan Hill and Elwood Roads, as well as wetlands further down on Severance. We have enjoyed the variety of wildlife we've seen over the years, and don't want any gas pipeline pollution destroying the local plants and animals. We've seen a young moose in our yard, watched wild turkeys walk single file across Severance Dr. onto our yard, and listened to the birds singing their songs. Geese have been known to nest near those small ponds, and turtles and frogs call those ponds home. In the spring, those ponds are the nurseries for the hatching frogs. One of the true signs that spring has arrived in New Hampshire is the sound of those "peepers" at night. Blue Herons and hawks fly overhead; deer and their fawns are also a common sight in the early morning. Weasels and owls are also residents of our neighborhood.

Everyone in our part of town has wells. We rely on well water for our everyday lives. We drink it, we use it for cooking our food, we bathe in it, and we wash our clothes in that well water. Despite what Kinder Mor-

gan says, there is danger to our environment should the pipeline project be approved. Over time, pipelines corrode, and the natural gas would seep into our ground water, our wells and the nearby ponds. Then what would we do, and what would happen to the wildlife? Are we expendable; would we be considered “collateral damage”?

I have read that the NED pipeline will age quickly due to its proposed co-location with Eversource’s high power transmission lines. This is caused by the electrical interference from the transmission lines which leads to increased corrosion. In a 2011 study conducted by the Maine Government Office of Energy Independence and Security titled “Issues Affecting Colocation of Energy Infrastructure” states that “the issue of electromagnetic field interference on buried pipelines has been known for 30 years”.

Another major fear is living in the “incineration zone”, which is more commonly known as the 800-1100 foot blast radius, should the pipeline explode. And, our home would be in the “incineration zone”. From the various reports we’ve read, Kinder Morgan doesn’t have the best record of maintenance or safety for their natural gas pipelines. The National Transportation Safety Board focused on just three accidents in the last five years which resulted in eight deaths, more than fifty injuries, and 41 homes destroyed. The Safety Board concluded that those incidents were due to inadequate inspections and oversight of those pipelines. There are many more incidents listed on Wikipedia’s Kinder Morgan page listing the damage CAused by explosions.

New Hampshire is known as the Granite State, and it’s been nicknamed that for a very good reason. Our ground is filled with rocks of all sizes--from small to boulders. Our winters are frigid and our summers hot. It’s been said that “frost heaves”. The wide range in temperatures brings those rocks to the surface of the land every year. That natural movement of the rocks could very well damage the pipeline by CAusing a rupture.

New Hampshire has also been experiencing an increase in earthquake tremors lately. There were two within a week of each other last month. They were centered somewhere south of Concord and measured somewhere in the 2.3 point range on the Richter Scale. We actually felt the aftermath of an earthquake last year while we were in our home.

My point is that phenomena such as natural rock movement and earthquakes can also cause damage to underground natural gas pipelines which would result in contamination of our water, air pollution, or much worse!

In addition to the pipeline, there are two compressor stations to be built in New Hampshire. There is major concern in those towns regarding the noise generated as well as air pollution and the potential for groundwater contamination, I read a newspaper article which stated that the emissions from those compressor stations don’t have to be disclosed, monitored, or managed. In addition, recent studies of populations near those compressor stations have shown an increase of health issues such as cancers, stillbirths, and recurring bloody noses.

To sum up our feelings, we don’t want our way of life disrupted; we don’t need the proposed natural gas pipeline in New Hampshire, nor do we want it here! There is absolutely NO BENEFIT whatsoever to the residents of New Hampshire. As a matter of fact, our town council in Londonderry voted unanimously to approve a resolution OPPOSING the construction of the pipeline in Londonderry. The resolution stated “The pipeline will create NO DIRECT BENEFIT to the residents of Londonderry, and the disruption to the residents of Londonderry caused by the construction of the new pipeline may outweigh the benefits to the Town and its residents”. The Northeast’ Energy Direct Project is NEITI-IER in the public convenience or necessity!

Respectfully Submitted By,

Colleen D. Pokallus  
Ken C. Pokallus

**Town of Richmond  
Board of Selectmen**  
105 Old Homestead Highway  
Richmond, NH 03470  
www.richmnd.nh.gov  
(603) 239-4232

August 17, 2015

Federal Energy Regulatory Commission  
Ms. Kimberly D. Bose, Secretary  
888 First Street NE, Room 1A  
Washington, DC 20426

Re: Town of Richmond NH Opposes Proposed Reroute of the NED Pipeline through  
Richmond residential area, in place of original plan to go through vacant logging land  
Docket PF 14 - 22, Comment of Richmond NH Board of Selectmen

Dear Ms. Bose,

At a recent meeting of our Board of Selectmen of Richmond, NH, several residents of Richmond living on Scott Mountain Rd came to tell us that they had been visited by agents of Kinder Morgan and given a map with a proposed change to their original pipeline route. We attach a copy of this map showing the proposed reroute.

Kinder Morgan's original route through this section of Richmond went through unoccupied forestland. Kinder Morgan's proposed reroute now goes through and close to homes of Richmond residents. Two of the homes impacted by the reroute are very historic, one a well-documented pre-revolutionary house that has been authentically restored to its 18th century period by the owner who lives there, and the other the former home and studio of an early Richmond artist, the house dating to 1782. A third is the residence of a family with several young children. In addition, the proposed reroute follows Turnpike Road, itself quite historic as it was the first east-west road through Richmond (actually a turnpike whose toll gate site is located within the "incineration zone" of the proposed pipeline reroute) laid out in the 1730's.

In addition, this reroute moves the pipeline to within 400-800 feet of State Highway 119 for over one-half of a mile. Route 119 is the only main artery that connects Richmond with towns to the west (Winchester, Hinsdale and Brattleboro). In addition, Route 119 is a major route from Richmond to the nearest hospital in Keene. In the event of an accident along this proposed reroute, westerly traffic from the town of Richmond would be completely cut-off. [Note: the originally proposed pipeline route simply crossed Route 119 in one place before heading north into unoccupied forestland before joining the power lines. By following Turnpike and Scott Mountain Roads, the reroute now impacts the homes of the Richmond residents discussed earlier.)

One resident landowner on the newly proposed route asked the Kinder Morgan representative the reason for the proposed change, since it now would impact residences whereas before it did not. The Kinder Morgan representative said the new proposal avoids impacting "the walking trails on Scott Mtn: This makes no sense at all as the land is currently posted "no trespassing" and, in any event, is no more "public walking trails" than are the many old abandoned former logging roads that crisscross privately held forestland. Such trails are not maintained or publicized, nor do they have any signage.

Later, in a telephone conversation with the Chair of our Board, another Kinder Morgan representative gave another reason, stating that the new proposal was negotiated between Kinder Morgan and the landowner of the uninhabited land through which the pipeline originally had been proposed to traverse. This is extremely disturbing to hear - that a private land owner can negotiate with Kinder Morgan to reroute a pipeline through residences and emergency exit routes instead of unoccupied logging land.

All of the affected residents stated emphatically at our Board meeting that they do not want the pipeline to

be on or near their property

Can you please follow up with Kinder Morgan about this? Impacting homes and a major artery instead of unoccupied forestland makes no sense. This proposed reroute is clearly against the public interest.

In addition, we must add that despite Kinder Morgan's statements that they would be in steady advance communications with our town Board of Selectmen over their plans, they continue to fail to do so. After being informed directly by Kinder Morgan representatives, our residents came to their Board of Selectmen for verification. However the Select Board had been told absolutely nothing by Kinder Morgan.

The town of Richmond, at its March 2015 town meeting, voted overwhelmingly to oppose the NED pipeline, and that opposition continues with strength and vehemence. But proposals such as this new reroute throw gasoline on the flames.

Thank you for your attention,

Cc: Allen Fore, Kinder Morgan

*{map not included here}*

**20150824-0097**

*{duplicate of 20150824-0092 above}*

**20150824-4000**

From the Desk of Shannon M. Barnes Vice Chair, School Board

SAU 26

Merrimack, NH Shannon.barnes@merrimack.k12.nh.us

July 29, 2015

To tonight's FERC Delegation,

Attached please find the letter to FERC dated July 14, 2015 declaring the Merrimack School Board's position on this pipeline. The Merrimack School Board is unanimously opposed to any route that will place a pipeline within 1000 feet of any school facility.

Our school district's concerns lie greatly in the fact there are regular additional proposed routes. The Merrimack School District has facilities throughout town that could see an impact from both current and yet to be proposed redesigns offered up from other impacted communities in addition to Northeast Energy Direct.

The Merrimack School Board is committed to following this project and taking further positions on this pipeline as information becomes public. Consistent with our charge to our elected positions, we ask that you not consider any pipeline that could impact the safety of Merrimack's school children.

Sincerely,

Shannon M. Barnes

Vice Chair, Merrimack School Board, SAU 26

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July 14, 2015

Kimberly D, Bose, Secretary

Federal Energy Regulatory Commission 888 First Street, NE, Room 1A Washington, DC 20426

Re: Tennessee Gas Pipeline Company, LLC ["TGP"]

Docket No. PF14-22-000: Proposed Northeast Energy Direct ("NED")

Dear Ms. Bose:

The Merrimack School District (SAU #26) opposes, by unanimous vote of the School Board, any route that comes within 1,000 feet of a district school building. We hope that proposed route referenced below, and

future proposed routes, be removed from consideration to avoid impacts to a facility where our children and employees congregate,

On Tuesday, June 30, 2015, the Town of Amherst [NH] Pipeline Taskforce held a meeting with representatives of the Tennessee Gas Pipeline Company/Kinder Morgan. The purpose of the meeting was to discuss alternative options for the pipeline route through Amherst currently under analysis by Kinder Morgan. Please refer to the July 10, 2015 letter to you from Amherst Town Administrator, James O'Mara, Jr.

I call to your attention something that was not discussed at that meeting nor in its summarization; the Option 1 route proposed and discussed at that meeting, running along Continental Blvd in Merrimack, comes within 500 feet of Thorntons Ferry School, located at 134 Camp Sargent Rd, Merrimack, NH. Thorntons Ferry School is a K- 4 school in our district with a daily population of over 500 students and 85 staff members.

I respectfully ask that this letter and the accompanying documents be included as part of the public record.

Thank you for your consideration of this information.

Sincerely,

Christopher S. Ortega

Chairman, Merrimack School Board, SAU 26

cc:

Gov. Maggie Hassan

Sen. Jeanne Shaheen

Sen. Kelly Ayotte

Rep, Frank Guinta

State Sen. Gary Daniels State Rep. John Balcom State Rep. Richard Barry State Rep. Chris Christensen

State Rep. Richard Hinch State Rep, Josh Moore

State Rep, Jeanine Notter State Rep. Anthony Pelligrino State Rep. Phillip Straight

Kinder Morgan Public Affairs, Allen Fore

Town Manager, Eileen Cabanel for Merrimack Town Council Amherst Town Administrator, James O'Mara,

## **20150824-4001**

My name is Josiah Barthelmess, I am 11 years old. I live directly across the street from the proposed Compressor Station, in New Ipswich.

You have heard this is not good for New Hampshire. The dangers of explosions and questions regarding Kinder Morgans Safety record. What we haven't heard from you .... is how much this will hurt our environment and those that live in New Hampshire.

Kinder Morgan is concerned about the health of 10 endangered ponies who will live a mile away from the station. What about the hundreds of kids who live within the 1/2 mile mark, don't our lives count to? Or the Temple Elementary School, only a few steps away. What about OUR health?

This nation .... fights to provide clean water to third world countries, how do you intend to protect my water? The same water I use to grow a vegetable garden in my

backyard. ... Or even bigger, the Greenville reservoir, seconds away?

MY generation, will be the generation who will pay greatly in this whole project. You think only on the now, and have forgotten the consequences this has in the future. Let me paint a picture for you.

I am but an 11 year old boy now, ... but one day I will be a man. A man belonging to the generation who will have to clean up the destruction and devastation this pipeline will leave in its wake.

We know what toxins comes out of your compressor station and what leaks from your pipes into the ground. We know you don't test emissions daily.

Our protected lands, our wetlands, and our health ... WILL BE effected .... much beyond repair.

Those younger than me, have no idea what you have already decided for them. I am old enough to under-

stand, what this pipeline brings with it.

I will not be naive ... I AM educated ...

and I am standing up NOW to protect my future.

Take a good look at me, I am just one face of the next generation ... I represent The Kidz of the Pipeline Resistance.

I promise ... you will see me again ... and OUR voices will be heard.

## 20150824-4002

Alice Bury  
7 Patricia Lane  
Amherst, NH 03031  
603-672-0687

As you are aware we are here tonight because Massachusetts, which originally signed on to having the pipeline, decided last minute to change their mind. Massachusetts cited environmental concerns, hired lawyers, and KM moved it into Southern NH. If this practice is allowed, you are starting a dangerous president.

NH also has Environmental concerns. I would like to bring up one that is both environmental and safety related.

NH has had a history of earthquakes, in fact 260 that we know of. They have ranged from a 4.6 to a 6.0 magnitude. The NH Environmental Services states that earthquakes will continue to occur in NH with AT LEAST the same frequency and magnitude. It also could be a higher magnitude. It is documented that a 6.5 magnitude would produce an emergency that would most likely cause storage tanks, and gas lines to rupture. KM is planning on using a thinner pipe, except for a few exceptions, where they are willing to upgrade. In addition KM does not have a good safety record, and has been cited for it.

This proposed route through NH is not just under power lines, in fact it goes through housing sub divisions. In my case the pipeline cuts off the only exit on our dead end street, and goes through the parking lot of a school. On June 30 we made this information available to KM, however, there has been no response from them.

In addition the pipeline goes over one of the largest drinking water aquifers in NH. The pipeline will go on top of this aquifer in Amherst, NH

Massachusetts had years to look at this pipeline, they suddenly dumped it on NH by having the money to hire expensive lawyers, and sited environmental concerns. Our environmental concerns are as serious as Massachusetts.

In closing I hope you understand the "Pandora's Box" you are opening if you let a state after agreeing to a pipeline, change its mind and send it off to its neighbor.

In closing I am hoping FERC will do its job, stop the dumping of pipelines to other states because a state has second thoughts to an agreement it already made.

## 20150824-4003

Kenneth J Bury  
7 Patricia Lane  
Amherst, NH 03031  
Email: kenjburv@comcast.net  
Phone: 603-672-0687 (Home), 603-930-7163 (Cell)

I live on Patricia Lane in Amherst, NH and am an affected landowner. The pipeline is planned to be routed through the back of my property.

The detailed analysis done by the Amherst Town Pipeline Taskforce determined that New Hampshire does

not need additional natural gas especially for power generation. Massachusetts and other New England states need additional natural gas and as such should be the host for this planned monster. New Hampshire should not be taken advantage of, and used as a conduit for this pipeline, suffering all of the risks and problems with no gain.

That said the current planned route for the pipeline will cause negative environmental impact on many New Hampshire residents including me! One of the main reasons for purchasing our property was because there is a line of fully developed trees of from 30 to 40 foot blocking our view of the power line towers and lines. We now will lose this natural barrier and will continually be reminded of the fact that we not only border power lines but a 30" diameter natural gas pipeline.

We regularly use our yard for cook-outs and have fires in a backyard fireplace, Will we have to stop doing this for fear that there maybe a leak of odorless colorless gas being blown into the area ready to be ignited?

While we have experienced over the years, the electrical power lines may hum and generate static electricity we are safe from significant harm. There is no doubt that we will not be able to live in our current house, with as they say the low probability, but high impact, that a leak and fire can generate enough radiant heat to destroy any of the remaining trees as well as ours and neighbors houses. It could even kill or badly burn us, our kids and grandkids should they be visiting, and our also neighbors! The stress caused by this situation has ruined, and will continue to ruin the rest of my remaining retirement years. While I am not officially considered an endangered species I feel like one. Little consideration is being given to the safety and security (physical or emotionally) of us!

I do not want to move and most likely if I try to sell I will not be able to for another 5 to 8 years. Even then, I will most likely have to sell at a lower price than if there was no pipeline! As with many seniors my house is not only my shelter, but my financial security. I will now lose this financial security, and at my age have no chance to recover.

Faced with this dilemma we, including the town, have asked for Kinder Morgan to develop alternative routes that will minimize the impact on us and our neighborhood and others but have yet to get back acceptable alternatives. Kinder Morgan says some of the alternative routes it identified will be difficult to implement and maintain. To me that means, even though feasible, it will cost the company extra money to implement and maintain these alternatives. That means to me that the company is putting money before our safety and comfort!

As our representatives we ask you, FERC members, to stop or redirect this project in a way to minimize the impact on us residents not just the bats, turtles, aquifers', and wetlands! Thank you for your time.

7/29/2015

#### **20150824-4004**

FERC MEETING NASHUA NH 7/29/15 Docket No. PF14-22-000

Submitted by Dorothy Crawford

PO Box 127

Fitzwilliam NH 03447

We realize that FERC has never disapproved of a pipeline so we hope all of our efforts in opposing this ill-conceived project are not a total waste of our time and energy. We realize that Kinder-Morgan has a lot to gain but the residents along the proposed route have only to lose. Why FERC would approve such a project that is conceived to be primarily for export is deeply troubling to the residents and towns affected. Do we matter? Let's hope so!

We live on Rockwood Pond Rd just south of the proposed pipeline. However we have many objections and concerns about this project that go way beyond the fact that it will impact us so directly. They include:

1. There are 21,000 "TBOs" in the preliminary report. Clearly there should be many more studies con-

ducted to fill in that information. These studies need to be conducted by non..stake holders. Research that is funded by Kinder-Morgan and its entities is not believable or acceptable.

2. The impact to local habitats is of grave concern - we are talking animal and human. Habitat fragmentation, agricultural lands and soils, conservation lands and nature preserves, endangered and sensitive species, ground and surface water including aquifers, wells, reservoirs, rivers, lakes etc will all be impacted. The proposed route takes the pipeline through our neighbor Rhododendron State Park as well as just north of Rockwood Pond, our home, where it crosses Rockwood Brook and related aquifers. It is not only the construction of the pipeline that affects all of these habitats but the ongoing need to use pesticides and herbicides to keep the pathway clear.

3. The proposed route also takes the pipeline just north of the Troy MHIs Superfund site which the federal government spent countless millions to clean up and which the EPA continues to monitor. How will the blasting from the pipeline construction affect that containment zone? What would an explosion unleash?

4. The impact to our local economy is of utmost concern. We are a fairly rural area with a lot of history embedded in our small towns. In Fitzwilliam we celebrated our 250th birthday in 2012. There is a lot of pride in where we come from and preservinH the character of the area while not ignoring the fact that we live in the 21' century. The pipeline route and its proposed spurs would cut a gash across the region, a scar that would never heal. Our local economies are dependent on our natural setting and the visitors we attract, our organic farmers cannot be certified if toxins are being applied next door. Our neighbors stand to lose part or all of their homesteads - some of these properties have been in the same family for generations.

We can't help but ask the larger question: is natural gas from fracking a viable fuel taking us forward into the future? We think not.

The methane leaks from the fracking process that get into the atmosphere are 84 to 86 times more powerful than carbon dioxide over a 20-year span. As a bridge fuel it is not much better than coal.

The earthquakes Oklahoma has endured are just one of the hazards these pipelines pose. The proposed route of the NED project puts us in the "burn zone". I believe this means that in the event of an explosion, we will have time to vacate our home although our neighbors in the "incineration zone" will not.

Our town fire chief has already been to a training session. She told us that nre. departments are being asked to not begin putting out the fire until the authorities determine the source of the explosion. A sobering thought. Our son was living in Berkeley CA during the 2010 San Bruno explosion - 8 people killed, 38 homes destroyed. 200 firefighters fought that. In our rural counties, coming up with anywhere near that number of first responders is obviously impossible.

NH would be much better off reducing its energy costs by investing in efficiencies, much as the US Dept of Energy has done over the last decade resulting in a 30% savings. Greater subsidies for solar power and other renewables would contribute to reducing the need for fossil fuels in the long term.

Ratepayers are much more vulnerable to rate hikes and liability from a gas pipeline and have absolutely nothing to gain. Gas and oil prices are at an all time low. We realize that they won't stay there forever but this pipeline is not a viable answer for New England's energy future. Because this pipeline is designed to be primarily for export, what do we have to gain? Clearly nothing. We have only to lose and some would lose everything.

I dearly hope someone at FERC is listening or at least reading these comments. Yes, the Supreme Court ruled that corporations are people too. But does that mean that Kinder-Morgan's interests outweigh the interests of the countless thousands who stand to lose their homes, their land, their livelihoods in some cases, and the character of their regions just to improve Kinder-Morgan's bottom line? We hope and pray not.

**20150824-4005**

Hon. Jennifer Daler, member **Temple Ad-Hoc Pipeline Advisory Committee**  
177 Colburn Rd, Temple NH  
FERC Docket # PF 14-22

To FERC:

The following are questions that I want answered before any permits are granted for Kinder Morgan's proposed NED-pipeline and compressor stations:

How will fugitive emissions be mitigated and how will they be reported when they occur?

How often will there be blowdowns? When and how will the public be informed of the date and time of blow downs?

What percentage of the matter emitted by the blowdowns will be radioactive?

According to the Southwest PA Environmental Project, studies show that the current protocols for assessing compliance with ambient air standards do not adequately determine the intensity, frequency or duration of actual human exposure to toxins. How will Kinder-Morgan address this.

Also, reference standards are based on discrete emissions, not on the cumulative impact- of many toxins together. Kinder Morgan needs to provide unbiased studies proving that there are no adverse health effects from this type of exposure.

Will Kinder-Morgan and FERC accept liability for adverse health effects on pregnant women and their fetuses/children due to the exposure to toxins?

Will Kinder-Morgan and FERC accept liability for the increased cost to the community in terms of special education and health needs caused by exposure to the toxic chemicals released by the compressor station?

I request that Kinder-Morgan provide the town of Temple with a longitudinal study on the health effects to children ages 5-12 exposed to compressor station of at least 40,000 horse power located within a two mile radius of a school.

Thank you.

**20150824-4006**

Charlie and Margaret Dellacona  
22 Abbey Road,  
Merrimack, NH 03054  
(megc@msn.com)

Re: Docket Number PF14-22-000

Dear FERC,

We would like to state our objections to the NED Pipeline coming through NH.

1) The gas isn't for us to use. There are less expensive ways for us to close any gaps in the power we can create now and what we need in the future. This gas is mostly for export. Let other countries ruin their environment instead of ruining ours so they can get gas delivered via cargo ship from Nova Scotia. If the Kinder-Morgan subsidiaries in Connecticut want some of the gas let them build the pipeline through Connecticut. Their partner in NH, Uberty, does not have approval to buy from NED, and it will not justify a 30 inch pipe even if they get it.

2) Kinder-Morgan is not being straight forward about the routes through our town. In the latest document dump in the e-library, made less than a week before this meeting, there are thousands of new pages to read. I do see the map through Merrimack, NH hasn't changed the route, despite the fact the next town upstream (Amherst, NH) worked a deal with Kinder-Morgan to change where the endpoint in their town is. Pipelines don't work with 2 mile gaps in them. Because of this, not everyone affected in Merri-

mack has been officially informed that they are in an ignition zone, their home insurance rates are going up and their property values are going down. I am sure they would have opinions the scoping meeting should include. One of these properties is the town elementary school. Just because there is more money in Amherst it is OK to put Merrimack's smallest children at risk? We would appreciate it that when the maps get updated someone addresses this safety and fairness issue at least, even if seeping for Merrimack is complete before the change.

3) We don't know where all the compressor stations will be located. We know the first couple but we also know more are added later and the initial ones always seem to expand. My brother lives near one in Windsor, NY that has caught fire twice and it sounds like he's being bombed when they vent the thing. It's never quiet. People move to the woods in NH for peace and quiet. Kinder-Morgan is just screwing with us because they don't want to deal with the rich green folks they would have had to disturb to go across the original route in northern Massachusetts. Just because there is less money living on this route, it doesn't mean we don't have the same values as Harvard or Carlisle, Massachusetts.

4) Kinder- Morgan is financially leveraged to the hilt. We can't trust them to do the proper maintenance or follow all safety procedures when money gets scarce. They are not motivated by safety in NH but by shareholders in the oil patch. Their Enron style management and documented safety issues do not promote confidence in their commitment to quality or the environment.

Regards,

#### 20150824-4007

My name is Susan Emerson, and I am the **New Hampshire State Representative for Cheshire District 11**, representing two of the communities on the path of this proposed pipeline.

Over the past several months I have followed this issue very closely, and I am here to give voice to the groundswell of opposition that has risen up in Fitzwilliam and Rindge, and in the other sixteen communities directly affected by Northeast Energy Direct. I am outraged that these FERC scoping sessions are being held only days after Kinder Morgan/Tennessee Gas Pipeline submitted their 6,571 page Draft Environmental Report, making it impossible to address, in any meaningful way, the depth, ~~breadth, or veracity~~ of the information contained in the report. It's also very important to note that the Draft Environmental Report, in its current form, still contains over 10,000 omissions, conveniently labeled as "To Be Determined".

While the Federal Energy Regulatory Commission's entire budget is underwritten by the Energy Industry it is tasked with regulating, that in no way means that the FERC's stated mission is to rubber-stamp every poorly conceived large-scale commercial energy project that comes before it. That brings us to Northeast Energy Direct.

My understanding is that the new preferred route through New Hampshire, which neatly avoids several wealthy communities in Massachusetts, is preferable because it is, for the most part, colocated along an existing energy corridor. Apparently-the FERC likes colocation. Well if this is colocation, then the FERC, and Kinder Morgan, have redefined the word. I will speak honestly about the social and economic impact of this kind of colocation along the path of overhead electrical transmission lines. Every single land owner along this route has already had to deal with the impacts of the current powerline corridor, including lowered property values, deforestation, the visual blight of powerline infrastructure, and the inability to use, in any meaningful way, significant portions of the land they own and pay taxes on. If the NED pipeline proposal becomes reality, everyone of these landowners are going to bear the burden again. The pipeline, which ~~in virtually all instances~~ will be located adjacent to, but not in the existing powerline right-of-way, will further reduce each land owner's property value. It will result in the deforestation of more of their land. It will make even more of the land that they own and pay taxes on unusable to them in any meaningful way. Kinder Morgan is asking that the specific group of people who have already been negatively impacted, to be the same group of people that will need to bear the brunt of the impact of a second intrusion on their property and their lives.

This is not the easy decision to lay a new pipeline adjacent to an existing pipeline. This is not colocation in any traditional meaning of the word. Kinder Morgan's plan to come back to the trough and take another bite out of a group of landowners that have already been bitten is simply unethical.

Separate from the issue of landowner impact is the overbuilt nature of this pipeline. For New England, Natural Gas is a bridge fuel, a short-term solution to a ~~vastly exaggerated~~ problem. For this much infrastructure to be put in place to address a dubious, short-term lack of supply, when weighed against the short-term and long-term environmental impacts that arrive part and parcel with the NED pipeline is folly, plain and simple.

I understand that the FERC is not concerned with market forces like demand.

I understand that Kinder-Morgan, conveniently positioned as a midstream supplier, is not concerned with the source nor the destination of the product passing through their infrastructure

I understand that the owners of the Natural Gas being transmitted are unconcerned with anything outside of the wall of the pipeline itself, other than the cost

being charged to them for the pipeline capacity that they use.

So the "scope" of these concerns, never ultimately look at the overall impact of the project. The scope, by design, is short-sighted, and near-sighted. And the route of the project itself is extremely poorly sited.

New Hampshire is, as others have said, New England's OPEC of electrical energy production and delivery. How strange that New Hampshire's reward for producing and exporting to Massachusetts much of the electricity they consume, is to be handed a pipeline that has to go out of its way to climb north into western New Hampshire, only to cross back over New Hampshire's southern border some 71 miles to the east in order to terminate in Dracut. Ultimately, the decision to build in New England an increasing number of Natural Gas power plants in the face of the known limits of New England's existing pipeline infrastructure is not New Hampshire's problem.

Which brings us to Anthony Buxton. Mr. Buxton, an industry lobbyist, came up with this idea of financing the pipeline by charging New England electrical ratepayers. Tom Welch, a Maine member of NESCOE got on board, and ultimately we have this scheme in place where the NED pipeline, a natural gas pipeline, is to be financed by electrical ratepayers, with apparently no assurance that the pipeline will ever carry any significant amount of Natural Gas for the production of electricity to be provided to New Hampshire's electrical users. And even if it were, well as I mentioned before, as an exporter of electricity, New Hampshire doesn't need Natural Gas delivered through new pipeline infrastructure. New Hampshire doesn't lie between in the Massachusetts corridor between Greenfield and Dracut. New Hampshire is not a county in Massachusetts.

I request scoping to be expanded to include an independent analysis, financed by Kinder Morgan, of the amount of electrical energy shortfall, by month, over the next decade, to include a cost benefit analysis of the pipeline vs. LNG importation, LNG storage facilities, renewable energy, conservation programs, and any other viable way to address any periodic shortfall. The cost-benefit analysis should include the short-term and long-term environmental impacts of each option, as well as the socio-economic impact on any affected landowners. as well as the socio-economic impacts of requiring ratepayers to finance the NED pipeline.

Thank you.

Susan Emerson  
P.O. Box 646  
Rindge, NH 03461  
603-899-6529  
semerson435@aol.com

Majority Whip Richard "Dick" Hinch is in the audience and he supports what I'm saying

**20150824-4008**

April 7, 2015

To Whom It May Concern,

My name is James Ferreira and I live in the town of Merrimack New Hampshire. I am sending you this to request a scoping meeting be held in the town of Merrimack. Merrimack is the largest town that will be affected and impacted by the NED Project if approved in New Hampshire.

I am also asking you in this document to not approve the project. The proposed pipeline route is unacceptable for various reasons. Some of the following reasons should be considered before a determination is made on approval of the pipeline:

Horse Hill Nature Preserve (563 acre property with approximately 60 acres of wetlands) Merrimack River (is a protected river in New Hampshire) pipe line will cross at least in one location. Souhegan River (is a protected river in New Hampshire) pipe line will cross at least 2 possible 4 locations.

Merrimack Village Water District Water Works: the pipeline is set to go between the 2 main wells that serve as the main water source for the town and the majority of its residents.

Horse Hill Nature Preserve:

In April of 2002, the Town of Merrimack voted to purchase the property now known as the Horse Hill Nature Preserve. Due to its size, quantity of wetlands and impact on wildlife and water resources, this property was listed as the top priority for conservation in the 2002 Town of Merrimack Master Plan.

The 563+ acre property consists of gently rolling to fairly steep terrain and tow hills approximately 400' in elevation. The land consists primarily of mixed hardwood forest with trees between 20 and 60 years of age. The property includes a series of streams, ponds, swamps and numerous wetlands approximately 60 acres in total. The varied terrain, habitat and large areas of undisturbed open space have encouraged a wide variety of wildlife to thrive on the property.

The current proposed pipeline would run through almost the entire nature preserve disturbing its inhabitants, some of the animals include: Northern leopard Frog (*Rana pipiens*) use status is classified as Rare and uncommon, Blanding's Turtle (*Emydoidea blandingii*) also rare and uncommon, Spotted Turtle (*Clemmys guttata*) rare and uncommon, Wood Turtle (*Clemmys insculpta*) rare and uncommon, Eastern Box Turtle (*Terrapene c. Carolina*) rare and uncommon, Northern Black Racer (*Coluber c. constrictor*) rare, protected and uncommon, Great Blue Heron (*Ardea herodias*) rare, uncommon breeder, Cooper's Hawk (*Accipiter cooperii*) threatened, imperiled breeder, Red-Shouldered Hawk (*Buteo lineatus*) rare, uncommon and has special concern, the Bald Eagle (*Haliaeetus leucocephalus*) rare, and threatened.

I lived in Merrimack for a little over 2 years and own 7 acres of land which will be affected and impacted by the proposed pipeline. Over the two years we have seen flocks of turkey that come through my property on a daily basis, along with deer upwards of 20+ at a time, moose, black bear with 3 cubs, owls, hawks and rare woodpecker species to name a few. If the pipeline were to be approved I am sure this will disturb not only the species that frequent my property but the surrounding area along with Horse Hill Nature Preserve.

I have also done a lot of research on Kinder Morgan and I have to same I am truly stunned and alarmed about what I found out about them. Below are just a few bullet points to name a few of their incidents.

History of Significant Incidents-

In Texas alone from 2003 - 2014 Kinder Morgan had 36 "Significant Incidents" resulting in fatalities, hospitalizations, fires, explosions and spills.

Kinder Morgan has been further cited by the U.S Government in 24 incidents which led to five federal enforcement actions from 2006-2014.

Throughout the U.S. since 2003, Kinder Morgan and its subsidiaries' pipelines have been responsible for at least 180 spills, evacuations, explosions, fires, and fatalities in 24 states.

The company had 44 spills in 31 months, indicating "widespread failure to adequately detect and address the effects of outside force damage and corrosion," according to an order issued in August 2005 by the U.S. Department of Transportation's Pipeline and Hazardous Materials Safety Administration (PHMSA).

I have also found on several occasions that accidents and incidents occurred to them failing to properly mark pipelines.

The list goes on and on and the more research you do the more you uncover. It is really unsettling to think a company with this many violations could claim my land through eminent domain and place a gas pipeline in my backyard.

I greatly appreciate the time you spent reviewing my concerns and comments detailed in this document.

Sincerely;

James R Ferreira

7 Maryann Lane

Merrimack, NH 03054

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### Kinder Morgan's History of Accidents

In Texas from 2003 to 2014, Kinder Morgan experienced 36 "significant incidents", resulting in fatalities or hospitalization, fires, explosions, or spills.U2J

Throughout the U.S. since 2003, Kinder Morgan and its subsidiaries' pipelines have been responsible for at least 180 spills, evacuations, explosions, fires, and fatalities in 24 states. Some notable examples (including spills in Canada):

- 2003

In August 2003, in Caddo County, Oklahoma, a Kinder Morgan Natural Gas Pipeline of America failed in a rural farming area about just east of the town of Stecker. A 26" diameter pipe exploded, throwing a 54-foot long section of pipe 30 feet from the ditch. The cause was environmental cracking along the length of the failed section parallel to the longitudinal weld searnY.IJ

- 2004

On April 27, 2004, an underground Kinder Morgan 14" pipeline ruptured at Suisun Marsh in Solano County, California, spilling over 120,000 gallons of diesel fuel directly into the marsh. The cause was pipe corrosion. The company failed to notify authorities about the spill for 18 hours, another safety violation for which it was later cited. Kinder Morgan was fined \$5.3 million for the spill, and agreed to enhance spill prevention, response and reporting practices. The company had 44 spills in 31 months, indicating "widespread failure to adequately detect and address the effects of outside force damage and corrosion," according to an order issued in August 2005 by the U.S. Department of Transportation's Pipeline and Hazardous Materials Safety Administration (PHMSA).UWJJ

On November 9,2004, a Kinder Morgan pipeline in Walnut Creek, California was struck by a backhoe, causing a gasoline spill that ignited in an explosive fireball that incinerated five workers and severely injured four others. CalOSHA (California Occupational Safety and Health Administration) cited Kinder Morgan for failure to accurately mark or map the pipeline location.l=' In 2005, the California Fire Marshal fined Kinder Morgan \$500,000 for its role in the "completely preventable" tragedy. Kinder Morgan agreed to upgrade pipeline inspection methods and improve corrosion controllI'"

- 2005

A Kinder Morgan Energy Partners petroleum products pipeline was found to be leaking gasoline into Summit Creek, near Truckee, California, on April I.About 300 gallons were spilled.l.WU!J

In May 2005, a Kinder Morgan Natural Gas Pipeline of America 30" diameter pipe exploded near Marshall, Texas, sending a giant fireball into the sky and hurling a 160-foot section of pipe onto the grounds of an electric power generating plant. Two people were hurt, 40 evacuated. The cause was stress corrosion cracking.P"

- 2006

On July 22, 2006, near Campbellsville, Kentucky, a Kinder Morgan Tennessee Gas Pipeline exploded. A 25-foot chunk of pipe blew out of the ground and landed 200 feet away, the pipe twisted and mangled, its external coating burned off. The 24” pipeline ruptured due to external corrosion more than two feet long at the bottom of a valley in an area of wet shale, known to cause corrosion on buried pipelines in this part of Kentucky.”

On November 11, 2006, a subcontractor on Kinder Morgan’s Rockies Express (REX) pipeline outside Cheyenne, Wyoming struck an existing pipeline, causing a rupture and explosion. Two months after this explosion, the Federal Energy Regulatory Commission threatened to shut the project down if REX didn’t improve its “poor compliance record” involving construction activity outside the approved work area. [i];J

On November 27, 2006, the Kinder Morgan Plantation Pipeline at Charlotte, North Carolina released about 4,000 gallons of gasoline from a Plantation Pipe Line Company block valve on a delivery line into a terminal owned by a third party company.

- 2007

On July 24, 2007, the Trans Mountain Pipeline, operated by Kinder Morgan Canada, released over 250,000 litres of crude oil (70,000 of which flowed into Burrard Inlet, requiring a C\$15- million cleanup) after a backhoe broke the improperly-marked line in Burnaby. lillill

- 2008

On September 23, 2008, a Kinder Morgan pipeline exploded and burned for more than ten hours at Pasadena, Texas. One person died; another was injured. l. l~l The cause of this “significant event” was corrosion. The Pasadena pipeline experienced at least 18 “significant incidents” 2004 to 2013.~

- 2009

In May 2009, near Palm City, Florida, a Kinder Morgan Florida Gas Transmission Company 18” diameter natural gas pipeline ruptured in a sparsely populated rural area of Martin Co. and “displaced” about 106 feet of buried pipe onto the right-of-way between Interstate 95 and the Florida Turnpike (SR-91). About 106 feet of pipe weighing about 5,000 pounds was blown out of the ground. The rupture was near a high school that was within the 366-foot potential impact radius (PIR). Injuries included two people in a car that ran off the road and a Sheriff’s deputy treated for inhaling gas.

On July 15, 2009, a pipeline accident at Sylva, Tennessee involved Boardwalk Pipeline Partners, Southern Natural Gas and Kinder Morgan in an explosion that killed one person and injured three ... ,

- 2010

On November 30, 2010, a 30” diameter Kinder Morgan I Tennessee Gas Pipeline failed in a semi-rural area between Highway 1 and State Road 3191, two miles NW of Natchitoches, Louisiana, 1/4 mile NE of a country club, and 200’ south of a residential subdivision. Louisiana state police evacuated 100 homes. Pipe cracked: 52.5 inches long & about 0.5 inches in maximum width. The failure site is near where TGP had a previous failure in 1965, with multiple fatalities. That failure was attributed to stress corrosion cracking.

- 2011

The Carteret, New Jersey, KML T had a leak and fire during maintenance work on March 14, 2011. On April 4, 2013, the PHMSA Office of Pipeline Safety issued a Notice of Probable Violation, Proposed Civil Penalty and Proposed Compliance Order (NOPV) after an inspection. In 2013, KMLT paid a penalty of \$63,100 and was required to complete pipeline integrity testing and other corrective measures by May 2015. [.4.’!]

On August 17, 2011, Kinder Morgan’s Natural Gas Pipeline Company of America had a flash fire and explosion south of Herscher, Illinois. Five employees went to the hospital. Kinder Morgan was cited for pipeline and workplace safety violations. P”

On November 16, 2011, near Glouster, Ohio, a weld failed on a Kinder Morgan Tennessee Gas Pipeline 36” diameter pipe; the leak exploded, leaving a blast crater 30 feet across and 15 feet deep. Three homes were destroyed by the fire. lIU The leak was caused by “displacement produced by a landslide and an inadequate

understanding by (TGP) of the influence of the geotechnical threats on the pipeline in this location. “i.IIJ A girth weld failed due to earth movement, inadequate design, materials or workmanship, exceeding operational limits & gaps in integrity management.v”

• 2012

In May 2012, at Arvin, California, a Kinder Morgan EI Paso Natural Gas pipeline’s relief valves and pipe supports failed, causing an explosion that damaged the Mojave facility and a surrounding cherry orchard, causing “the complete structural failure of the overpressure protection support system. “mJ

In June 2012, in Gray County, Texas, a Kinder Morgan Natural Gas Pipeline of America 26” diameter pipe failed at Compressor Station 154, Mile Post 52, 4 mi. east of Laketon. The gas ignited, blowing a crater 30 feet in diameter and burning 2 acres of agricultural land as well as two 500-gallon plastic tanks used to store liquid fertilizer plus two telephone poles and transformers. State Highway 152 was closed for several hours. The cause was a 50-foot-long longitudinal rupture in the pipe.m.J

On December 26, 2012, in West Melbourne, Florida, a Kinder Morgan Florida Gas Transmission Company pipeline exploded in a pastureP” The blast ejected a 20-foot section of20” diameter pipe which landed about 15 feet from the rupture.v”

• 2013

On May 8, 2013, a Kinder Morgan Tejas pipeline compressor station near Crockett, Texas, had a fire that caused \$7,502,188 in property damage. 1m

On June 18,2013, in Louisiana, a Kinder Morgan Florida Gas Transmission Company 30” diameter pipeline ruptured and exploded before dawn, jolting residents out of their beds in a rural, wooded area of Washington Parish. No one was seriously hurt but 55 homes were evacuated. The blast knocked down trees in an area about 200 yards across and the fire burned those within another 300 yards. “The ground around the crater is completely bare. The dirt around it is just like it had been cooked in a kiln,” and an 80-foot-section of pipe was destroyed.v”

• 2014

On June 26, 2014 near East Bernard, Texas, a gas pipeline next to the Kinder Morgan compressor plant blew out, destroying the road and setting a truck on fire at FM 1164 just south of Highway 59. Flames shot as high as 150 feet.W!!I

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## 20150824-4009

Hand written FERC Comment form, Liz Fletcher, 288 Marcel Rd, Mason, NH 03048, outdated maps, corner cutting, financial stability, 5-year performance bonds for mitigation, insurance, decommissioning fund.

## 20150824-4010

Kimberly D. Bose, Secretary  
 Federal Energy Regulatory Commission  
 888 First St. NE, Room 1 A  
 Washington, D.C. 20426

Re: Docket Number (PF 14-22-000) Comment and Scoping Session FERC (July 29, 30, 2015)

I represent Richard I. and Leah R. Fressilli, owners of real estate in the Town of Temple, New Hampshire 03084. Our street address is at 404 Fish Road. Our mail is received at Post Office Box 10, Temple N.H. 03084. We have received letters from FERC and Kinder Morgan alleging our property or a portion thereof is in the project impact zone.

I wish to thank you for the opportunity to present concerns with the Kinder Morgan proposal, which I provide in the spirit of good faith. My approach is to remain objective through situations of this nature. I'm certain the Federal Energy Regulatory Commission adopts a similar approach in discharge of its duties.

We believe problems associated with Pipeline Proposal (PF 14-22-000), in general and the proposed location of the compressor station (41,000 to 80,000 horsepower), in particular are significant. I will recite them as briefly as possible for your convenience.

**1. Constitution of the United States of America, Article 1, section 1 states that, *All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives.***

A. This doctrine of American administrative law evolves from the idea that Congress is able to delegate its

enumerated legislative powers to agencies, only when a set of clearly defined policy standards have been prescribed to guide agency policy decisions. Concerns arise in many interesting contexts imposing conflicts in the separation of power of Congressional and Executive branches of Government.

This implicates the substance of Article I, Section 1 (Congress Legislative Power), Article II, section I, (president Executive Power), Article II, section 2, clause 2, The President Appointments Clause), Fifth Amendment Procedural and Substantive Due Process, arguments of the United States Constitution. 1 The non delegable nature of this power is reaffirmed in a 2015 Supreme Court decision

Congress created Amtrak in 1970. Later Congress granted Amtrak and the Federal Railroad Administration (FRA) joint authority to issue (metrics and standards) that address the performance and scheduling of passenger railroad services.!

The Association of American Railroads filed suit to challenge their validity, alleging the metrics and standards have substantial, adverse effects upon its members' freight services..'

The grounds for the suit rest upon rights conferred by the Fifth Amendment Due Process Clause and the aforementioned Constitutional provisions regarding separation of powers.

The District Court rejected both The Department of Transportation and FRA claims, finding the standards and metrics invalid. It was unconstitutional for Congress to allow the private entity Amtrak, to exercise joint authority in the issuance of the standards and metrics. The District Court decided the case on Fifth Amendment Due Process Grounds and Separation of powers concerns .4 The Court of Appeals for the District of Columbia Circuit reversed as to the separation of powers claims in finding that, for purposes of this dispute, because Amtrak is a private corporation and cannot constitutionally be granted power under section 207 (a), 122 statute 4907.'

Having granted certiorari, 573 U. S. (2014), the Supreme Court held that, for purposes of determining the validity of the metrics and standards Amtrak is a governmental agency," Though Amtrak's actions were governmental, substantial questions respecting the lawfulness of the metrics and standards including questions implicating the Constitution's structural separation of powers and the Appointments Clause, U.S. Const. , Art. II, Section 2, Cl. 2 which may still remain in the case.( pp.11-12). Because these matters have not been passed on by the Court of Appeals this case is remanded. (721 F. 3d 666, vacated and remanded).

The above case and illustrates a most recent example which finds our constitutional legal framework turning toward the early doctrinal non-delegation safeguards which were instrumental in curbing initial Congressional attempts to delegate legislative power to accomplish rule making and policy making objectives long before the use of administrative agencies was expanded graphically.

In EPA vs EME Homer City Generation<sup>7</sup>, the Supreme Court upheld the Environmental Protection Agency's (EPA) recent interpretation of the Good Neighbor Provision of the Clean Air Act. The decision calls on states to reduce emitted pollutants preventing other down wind states from achieving minimum national air quality standards. In an opinion by Justice Ginsburg, writing for the majority, the Court held EPA had reasonably interpreted an ambiguous provision of the Clean Air Act. The EPA rule was a reasonable way to close the gap left open by Congress.

The Court found it highly unlikely that Congress might have "buried the power to allow cost considerations to weaken national ambient air quality standards in the language (requisite to protect the public health) and (adequate margin of safety), reasoning the cost factor was (both indirectly related to public health) and (so full of potential for canceling the conclusions drawn from direct health effects.) Cost, she concluded (would have been expressly mentioned had Congress meant it to be considered.)

The above cases appear to trace the outlines of a trend which appear to initiate an escalation in awareness of a need to develop some protections for health and safety of citizens at large from an arbitrary and unbridled assault upon highly sensitive, natural environmental resource areas. When the larger portion of the Massachusetts pipeline project was pulled from the construction list, I thought that this location was far more environmentally sensitive than any of those communities. I've been to most of them but one has to say,

“more power to them!” I wouldn’t wish what my family and I have gone through for the past few month on anyone. This has placed a severe strain on everyone in our family and everyone throughout the area that I’ve spoken with.

These decisions in addition to the recent Senate vote failing to muster the ability to further expedite the processes associated with siting interstate gas pipeline projects, failing short of the requisite number to over ride the Presidential veto and the February 15,2013 U.S. Government Accountability Office, Report to Congressional Committees, PIPELINE PERMITTING, Interstate and Intrastate Natural Gas Permitting Processes Include Multiple Steps, and Time Frames Vary.

Interesting to note is the variance processed between the report’s project time frames of different types for different states and the fact that FERC doesn’t track time frames, citing limited usefulness of such data. (Introduction, What GAO found). Several challenges referenced as management practices could generate an “efficient permitting process and obtaining public input”, were listed as 1. ensure a lead agency is coordinating Federallstatelocal intrastate pipeline projects, 2. ensure effective collaboration of numerous stakeholders involved in permitting processes, 3. provide planning tools to assist company routing to avoid sensitive areas, 4.offer industry the option to fund contractors or agency staff to expedite the permitting process, and 5. increase opportunities for public comments. (GAO Pipeline Permitting, introduction. What GAO found).

We were quite surprised to receive a letter from FERC and Kinder Morgan that we were in an impact range of the 80,000 horsepower compressor generator which is planned for construction in the Town of New Ipswich, which borders our town and a small portion of our property. Part of our surprise stemmed initially from the realization that we are situated in a Drinking Water Protection Area which would seem to preclude the siting of an instrumentality of such size and potential danger anywhere within this region. This part of the Monadnock Region is an environmental wonder and it is somewhat difficult to comprehend the logic of such an initiative in contrast to the existence we have come to know here.

The 2015 Amtrak case which highlighted the unconstitutional delegation of some form of government power to a market participant in the railroad industry may offer some assistance when coupled with the EPA vs EME Homer City Generation, 2014 Supreme Court Case, which spoke to the issue of ambiguity in one of the provisions of the clean air act. The FERC private pipeline contractors are virtually unsupervised agents of the government, employed through loosely capitalized limited liability corporations while engaged in activities capable of imposing huge amounts of risk upon sensitive natural resources and infrastructure. Cloaking these agents with eminent domain power artificially escalates their governmental posture, yet it is illusory.

Homer City Generation works to escalate the health and safety concerns which may potentially arise from activities which impose a significant threat to environmental quality. The importance of environmental quality as a means of safeguarding public health and safety is of primary concern when activity is conducted which imposes the risk of endangering the environment.

This is graphically contrasted with the mechanism which enables FERC to place the public at large in harm’s way, through the construction of pipeline activities performed by private, corporate agents, with the power of eminent domain. For example, analyze the rationale for placing pipeline of thinner, inferior quality in highly sensitive environmental zones based solely on the population. Logic dictates the sensitivity of the environment should dictate the tools and construction techniques employed, when in actuality the opposite is the case.

Rather than focusing upon the sensitivity of the environmental concerns for water, air and protection of these and other resources, FERC imposes a relaxed pipeline material standard for the construction which is based solely on population. I don’t recall an assessment formula associating appropriate costs as a means to control expenditures on these projects. This seems ambiguous.

A pipeline is not an acceptable use in Temple and New Ipswich. I have provided some documents from attending hearings of the Planning and Zoning Office, Zoning Board of Appeals and in New Ipswich. The scope of the hearings should offer insight into how well our two towns police steep slopes and setbacks to

wetlands in this rural zone in the State of New Hampshire.

This tradition isn't going to disappear, not without an administrative process or two.

These will undoubtedly take place above and beyond the traditional boundaries of FERC's pre-emptive barriers.

The pages that follow contain the sections of the United States Constitution and the New Hampshire Constitution which have been implicated by the pre-emptive status FERC has been delegated to attribute to itself by Congress. You will note the frequency and repetition accorded through the New Hampshire Articles associated with protections similar to those extended to residents of this state by the guarantees within the federal Bill of Rights.

U.S. Constitution Article IV Section 1, Each State shall give full faith and credit to the public acts and records of the other States.

*Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.*

The Kinder Morgan, Northeast Energy Direct, Tennessee Gas Pipeline proposal denies the purpose and effect of Article IV, Section 1 through the total disregard of the state's inherent land use authority as exercised through the zoning initiative of its local government subdivisions. The Towns of Temple and New Ipswich have each adopted extensive Zoning Ordinances, Subdivision Ordinances and Comprehensive Master Plans. These powers have been exercised to enable these two similar geographic communities, with modest distinctions in character to coexist with reasonable short and long term expectations for the future, while safeguarding natural resources and quality of life.

The turmoil of 14-22-000 has been imposed upon property owners haphazardly in what appears to have been an arbitrary and capricious fashion. More to the point the actions to date represent a severe intrusion into the area of New Hampshire's most fundamental constitutional safeguards and intrinsic regions of State Sovereignty. This has been accomplished through an apparent reckless disregard of the following constitutional provisions.

## 2. United States Constitution, Fourth Amendment

*The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized*

While the process continues our homes have no resale potential and therefore have been partially seized. The security of the house itself has been violated. The substance of the Fourth Amendment has been viewed in various ways, often fashioned to judicial specification to accomplish effective exercise of the police power. The results were traditionally directed toward avoiding the tiresome task of obtaining a search warrant while loosely alleging to conform (more or less), to the law governing search and seizure.

Through this proposal the applicant and F.E.R.C., a federal government agency have imposed a process wherein concerned citizens scramble about to meetings, hearings and a full gamut of political social interaction. As a result many residents have been compelled to spend inordinate time and anxiety to save something bought, maintained, sweated and earnestly paid and sacrificed for.

The home was once stood for what American life was all about. This was a custom or tradition many of us had learned and understood from watching our parents.

Home ownership served as the cornerstone of our hopes and aspirations. It was, indeed the essence of the American Dream. The practice of siting gas and oil pipelines in environmentally sensitive rural areas and drinking water supply areas may be considered "just" and "fair" to some people but I don't consider it to be appropriate. I certainly don't intend to sit around and watch it happen.

This discussion ironically implicates the appropriate language held through:

3. Article IV, Section 3, Regulations concerning property subsection 2.

*The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting Territory or other Property belonging to the United States, and nothing in this Constitution shall be so construed as the Prejudice any Claims of the United States, or of any particular State.*

Under the above Congress is supposed to make “needful rules” respecting the Territory or other Property belonging to the United States. This should never be construed so as to prejudice “Claims to the property of any other particular State, “ for example any of New Hampshire’s authority such as it may exercise through eminent domain, zoning or its subdivision powers.

4. U.S. Constitution’s Article III., Section 2 Jurisdiction of Federal Courts

*The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority, -to all Cases affecting Ambassadors, other public Ministers and Consuls. =to all Cases of admiralty and maritime Jurisdiction-« to Controversies to which the United States shall be a Party, -to Controversies between two or more States; -between a State and Citizens of another State, -between Citizens of different States, -between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or subjects.*

*In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction.*

In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

Since what point in time has one become unable to seek redress concerning a Federal Question through the original jurisdiction of the District Court? I have been deprived of one of the most cherished assets known to the civilized world, deprived to a significant extent. The marketability of the title to my home has been impaired.

I’ve read, FERC has approved 95% of these oil pipeline proposals. Challenges to these approvals are reportedly difficult to sustain once a decision has been made. Those of us who have been injured by the loss of property don’t really care which one of the parties, FERC or FRAC, was responsible for confiscating our property without substantive or procedural due process of law. The scoping sessions as proposed do not present a forum through which the requirements of procedural due process can be satisfied. This is obvious from the number of aggrieved communities with significant interests involved simultaneously in attendance at each hearing. There is simply no time to discuss the individual concerns of each locality through this venue.

5. U.S. Constitution, 5th Amendment, Trials for crimes; just compensation for private property taken for public use

*No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law .. nor shall private property be taken for public use, without just compensation.*

The fourteenth Amendment was necessary to apply the fifth Amendment to the states. 6. U.S. Constitution 14th Amendment; Privileges of Citizens

This amendment was proposed on June 13, 1866, and ratified on July 9, 1868:

*Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law*

*which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law “ nor deny to any person within its jurisdiction the equal protection of the laws.*

## B. Issues under the New Hampshire State Constitution

### 1. Article 1. Equality of men; Origin and object of government.

*All men are born equally free and independent; therefore, all government of right originates from the people, is founded in consent, and instituted for the general good*

The idea that any government of right which has originated from the people's consent, has been instituted for the general good promotes an image drastically different from the one proposed through PERC's review process by Northeast Energy Direct. I attest to that as a landowner within proximity to the proposed project. I'm reasonably certain anyone immediately affected by the effort is similarly unenthused with the approach. The drilling, storage, subsequent transport, and compression of this fossil fuel and its volatile chemical contaminants through New Hampshire flies in the face of State efforts to decrease the scope of the carbon footprint and statewide efforts to help preserve the viability of the planet.

The fact that the project is proposed to be advanced through commandeering control over state authorized local land use policies and public safety concerns while inducing landowners to concede fundamental rights is outrageous. The proposed project trespasses upon state and federal notions of constitutional justice and displaces much of the bedrock upon which our system of cooperative federalism has been based.

2. Article 2. Natural Rights. *All men have certain natural, essential, and inherent rights among which are, the enjoying and defending life and liberty; acquiring, possessing, and protecting, property, and, in a word, of seeking and obtaining happiness. Equality of rights under the law shall not be denied or abridged by this state on account of race, creed, color, sex or national origin.*

3. Article 3. Society, its Organization and Purposes. *When men enter into a state of society, they surrender up some of their natural rights to that society, in order to ensure the protection of others; and, without such an equivalent, the surrender is void*

Reference is made to essential rights discussed as inherent in regard to enjoying and defending life and liberty. The methodology is through “acquiring, possessing, protecting and defending property.” In the face of this experience with (Docket #14-22-000) I can begin to understand the rationale for the emphasis upon defense characterized as necessary to safeguard the interests of freedom. This situation with the pipeline has yanked the liberty I had hoped for from my grasp.

My time is now spent trying to retain something I believed belonged to me and now it has been jeopardized through no fault of my own. My error stems from following the prescription for happiness advanced by the state.

4. Article 7. State Sovereignty. *The people of this state have the sole and exclusive right of governing themselves as a free, sovereign, and independent state; and do, and forever hereafter shall, exercise and enjoy every power, jurisdiction, and right, pertaining thereto, which is not, or may not hereafter be, by them expressly delegated to the United States of America in congress assembled*

5. Article 7. State Sovereignty. *Articulates the right of independence and self government forever after to people of this state, “to exercise and enjoy, which is not or may not hereafter be expressly delegated to the United States in congress assembled” A strangely phrased expression indeed which seems to offer no guaranty of some continued alliance within this union.*

6. Article 8. Accountability of Magistrates and Officers; *Public's Right to Know. All power residing originally in, and being derived from, the people, all the magistrates and officers of government are their substitutes and agents, and at all times accountable to them. Government, therefore, should be open, accessible, accountable and responsive. To that end, the public's right of access to government proceedings and records shall not be unreasonably restricted*

7. Article 10. Right of Revolution. *Government being instituted for the common benefit, protection, and secu-*

*... rity. of the whole community, and not for the private interest or emolument of anyone man, family or class of men; therefore, whenever the ends of government are perverted, and public liberty manifestly endangered. and all other means of redress are ineffectual. the people may, and of right out to reform the old, or establish a new government. The doctrine of nonresistance against arbitrary power, and oppression, is absurd, slavish. and destructive of the good and happiness of mankind*

The final clause of Article 10. ***“The doctrine of nonresistance against arbitrary power, and oppression, is absurd, slavish, and destructive of the good and happiness of mankind”***

8. Article 12. *Protection and taxation reciprocal. Every member of the community has the right to be protected by it, in the enjoyment of his life, liberty or property; he is therefore bound 1b his share in the expense of such protection. and to yield his personal service when necessary. But no part of a man’s property shall be taken from him. without his own consent. or that of the representative body of the people. Nor are the inhabitants of this state controllable by any other laws. to which they or their representative body. has given their consent.*

9. Article 14. *Legal Remedies to be free, complete and prompt. Every subject of this state is entitled to a certain remedy, by having recourse to the laws. for all injuries he may receive in his person, property or character; to obtain right and justice freely; without being obliged to purchase it.’ completely. and without any denial; promptly and without delay. conformably to the laws,*

Respectfully submitted,

Richard J. Fressilli

Leah R. Fressilli

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1 Department of Transportation v. Association of American Railroads, 575 U.S. March 9, (2015)

2 Id. , at page one

3 Id

4 Id at Page one and two

5 id at two

6 Id at two

7 EPA vs EME Homer City Generation, 134 S.Ct. 1584 (2014)

## **20150824-4011**

My particular request to FERC is regarding maps, that FERC require Kinder Morgan to promptly provide digital vector map layers of the proposed pipeline route and any other unique information at their disposal, so that citizens opposed to the pipeline can create their own layered maps with which to make timely counterarguments to Kinder Morgan’s proposals. Operating with the maps in Kinder Morgan’s reports, which are essentially just pictures of maps, we cannot quickly determine the exact latitude and longitude of inflection points on the pipeline, precise locations of compressor stations and other ancillary equipment, river crossings, etc. Vector maps are mathematical constructs that can be used to do thought experiments and calculate statistics that could help us do this work. Combining these vector layers with other, publicly available, vector and raster layers, we can do our own analysis. The layers could be in the form of shapefiles or spreadsheets of latitudes and longitudes.

Like virtually all of my neighbors in Greenville, New Ipswich and Mason, I oppose the construction of the NED pipeline because it is unnecessary and because constructing and operating it destroys the values of the place we have chosen to live. The land, water and air that would be forever degraded by this project contains unique treasures that we want to pass on to our descendants.

Along with many of my neighbors, I also oppose it because it is a means of prolonging the burning of fossil fuels instead of switching to renewables. Others have shown that there is no likely increased demand by consumers in our towns and in most of our state for natural gas for home heating. Others have also dem-

onstrated that, to the extent that natural gas is a convenient stopgap for electric generation during the short peak periods, the increased demand during those periods cannot justify the capital expense of building this pipeline and upgrading the existing pipeline routes into New England in comparison to the cost of injecting LNG into the system at appropriate times. Others have shown that the most likely purpose for this pipeline is to export gas as LNG to Europe and Asia via Canada. The purpose is to find a market for the Marcellus shale gas produced via destructive fracking processes, in the parts of the world where the offered price for gas is highest, and this export has no direct benefits to the people of New Hampshire and New England.

Jim Giddings  
105 Old Mason Ctr Rd  
Greenville, NH 03048  
jgiddings@iyc.org

## 20150824-4012

Good Evening I am Maryann Harper. I am speaking tonight on behalf of the Town of Rindge.

Rindge New Hampshire which is approaching its 250th Anniversary is home to the Cathedral of the Pines, an inspirational -all faiths - outdoor place of worship as well as Franklin Pierce University which bears the name of our only NH President. It is home to over 6,000 residents and over 1000 University students.

Rindge is also the location of the highest number of wetlands and water bodies in all of Cheshire County, several large wildlife corridors, and two large parcels permanently protected by the Monadnock Conservancy. All of these are in the path of the proposed NED pipeline.

New England lags the rest of the country in economic recovery. Rindge, like many of the rural towns along the proposed route, would not be characterized as wealthy. This could be the final blow to many fragile existences. I am asking FERC to hire an independent third party consultant to study this entire project in a socio-economic context. The creation of a new industrial corridor will remove the buffer of trees between homes and the current utility corridor. What this project is collocating with - is many, many neighborhoods. This will have an immediate effect on the marketability of properties and in fact already has. This represents a financial catastrophe to aging homeowners trying to downsize, retire or move to health care facilities. I am asking FERC to study and report on the cumulative effect this project has on those who would like to sell their properties in the next 5 years. In addition to the effect on property value, please include the health impacts, both physical and psychological, that accompany the stress of having your well planned future derailed.

Additionally I am requesting that FERC include this information as part of a report on the "fino pipeline" alternative as required under NEPA.

The greatest predictor of future actions is past performance. To date Kinder Morgan operating as Tennessee Gas has shown us great disrespect. They pushed for Open Houses during the worst part of our winter, they have sent surveyors in to our towns where nearly everyone has denied access yet we come home from work, to our properties that are legally posted No Trespassing, to find survey markers and ribbons on our land. Kinder Morgan has identified 73 properties in Rindge as affected, yet we count nearly double that number. I do not believe this is unique to Rindge. I am requesting that FERC look into this matter along the entire proposed route.

The Constitution of the United States begins with three powerful words "We the People" - a principle our country was founded upon. Yet "We the People" have no true voice in this decision. All that has been offered so far is lip service from a Company that is using the Natural Gas Act as a license to steal our land and has an insider relationship with the only NH Utility signed up for a contract on NED. "We the People" say NO. "We the People" say We've had ENOUGH "We the People" say DO NOT take New Hampshire's citizens for granted.

Thank You!

**TOWN OF MERRIMACK, NH**

6 BABOOSIC LAKE ROAD· MERRIMACK, NH 03054 • WWW.MERRIMACKNH.GOV

Town Council  
Town Of Merrimack  
6 Baboosic Lake Rd. Merrimack, NH 03054  
July 29, 2015

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

Written Testimony for FERC Scoping Meeting

Good Evening. I am Nancy Harrington, the Chair of the Merrimack Town Council and speak on behalf of the entire Council for these proceedings. Merrimack is unique among NH municipalities impacted by the NED Project in that the Town has a vibrant business community with a deep interest in reducing energy costs in addition to being a community with a profound interest in protecting natural resources and the environment as is evidenced by the large acreage of conservation areas in Merrimack and the number of entities stepping forward with concerns regarding the impacts of the NED Project. Merrimack has engaged in this process early on in order to ensure protection of its resources and community.

Merrimack would also like to take this opportunity to express its disappointment that the Commission did not heed the suggestion we and many other interested parties made regarding delaying these scoping meetings until a period after the Applicant's submission of the next round of resource reports. This next round of resource reports was filed on July 24, 2015 and included thousands of pages of new information regarding the Proposed and alternative routes and associated impacts. It is appalling to the Town that we have not been afforded sufficient time to review these filings in order to comment on them at these scoping meetings. Holding these scoping meetings less than a week after such a significant filing is a gross denial of due process. We request that the Commission hold an additional round of scoping meetings once interested parties, like the Town, have had ninety days to review this latest round of resource reports.

Despite this objection to the process, Merrimack is extremely concerned that (as Merrimack indicated to FERC numerous times in Docket PF14-22) there are numerous extremely sensitive receptors impacted by the Proposed Route through our Town. Written testimony will be provided with more specific information and Tim Tenhave, Chair of the Merrimack Conservation Commission will follow me with additional environmental data.

In brief, the Proposed Route through the Town of Merrimack, NH has significant and unacceptable impacts to:

1. Two Town owned conservation parcels- Gilmore Hill Memorial Forest and Horse Hill Nature Preserve
  - a The Horse Hill Nature Preserve contains ponds and streams providing important habitat for several endangered/threatened species
2. At least multiple wetland areas including Naticook Brook and the Merrimack River- the lower portion of which is a NH Designated Protected River
3. Merrimack's highest yield aquifer (which is also a Wellhead Protection Area and Aquifer Conservation District) is located near the Proposed Route along with two water supply wells which together provide more than half of the water service to the Town.
4. The Proposed Route crosses Town water supply lines in at least 10 locations
5. The Proposed Route crosses municipal and private sewer lines in at least 4 locations
6. The Proposed Route impacts numerous private residences some of which rely upon private wells and

septic systems

Merrimack also understands from the July 24 resource reports that Amherst and the Applicant have discussed and are proposing several alternative routes through Town. Of these routes, one was discussed in a July 10, 2015 letter from the Town of Amherst, NH filed in this FERC docket (“Amherst Alternative”). Merrimack has also learned from its independent public water supply company (MVD) that between July 1 and July 21 the MVD and the Applicant actively discussed significant modifications to the Amherst Alternative. It is unclear based on our current level of review of the resource reports whether the MVD discussions impacted the Amherst Alternative or are incorporated in another of the proposed alternative routes through Amherst. The lack of transparency in these discussions and the timing of the filing of the new resource reports are inherently detrimental to Merrimack’s ability to participate in this FERC process in a meaningful way. Additional relevant and important concerns regarding these alternative routes will be provided in writing.

The following are only some of the unacceptable impacts as a result of the “Amherst Alternative”:

1. It is immediately adjacent to an active rail line for approximately two miles of its route through Town;
2. It passes through the Town’s most sensitive wellhead area where one wellhead has some existing contamination and three more are under construction and where the Town is actively planning a new water treatment plant
3. It travels directly up Continental Boulevard (an extremely heavily travelled roadway)
4. It passes immediately adjacent to an elementary school and
5. It goes through the Pennichuck Water Works properties which provide and protect water for Merrimack and other NH municipalities including Nashua

As required by the Commission’s jurisdictional authority we ask that the Commission look carefully at the many existing non-NED Project alternatives such as the Northern Pass Project, Portland Natural Gas and Spectra. There is much evidence supporting the conclusion that these projects are sufficient to meet New England’s energy needs on their own and that they are far ahead of the NED Project in construction time line. These other energy projects will avoid the devastating environmental effects of the NED pipeline as they truly co-locate with other existing pipelines.

We are not aware that any of these issues have been addressed to date in any reports filed by the Applicant. Of course, given that less than a week has passed since the filing of the major modifications to the resource reports, it may be that some of these issues are addressed giving rise to the second tier of issues which Merrimack has not yet focused upon. The Proposed Route and the Amherst Alternative have significant impacts to the Merrimack resources and we look forward to a process in which those issues may be addressed in a more complete and transparent manner.

Sincerely,

The Merrimack Town Council

Nancy M. Harrington, Chairperson

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Verbal Testimony at FERC Scoping Meeting - July 29, 2015 - Nashua, New Hampshire

**Nancy M. Harrington, Merrimack Town Council Chair**

Good Evening .. my name is Nancy Harrington and the Chair of the Merrimack Town Council and am here on behalf of the entire Council for these proceedings. The Town of Merrimack has engaged in this examination process early on in order to ensure protection for our resources and community. As a result we have provided multiple documents to Docket PFti2 for consideration. Although I will provide written testimony, I would like to highlight three issues of concern during this verbal testimony.

**1. FERC’s rushing to the scoping meetings when the KM resource reports were about to be filed has made the process less transparent and disadvantaged interested parties like Merrimack.**

This next round of resource reports was filed on July 24, 2015 and included thousands of pages of new information regarding the Proposed and alternative routes and associated impacts. It is appalling to the Town that we have not been afforded sufficient time to review these filings in order to comment on them at these scoping meetings. Holding these scoping meetings less than a week after such a significant filing is a gross denial of due process. We request that the Commission hold an additional round of scoping meetings once interested parties, like Merrimack have had ninety days to review this latest round of resource reports.

**2. There is no information in the record documenting why this project is necessary as compared to approved projects that address the energy issue**

As required by the Commission's jurisdictional authority we ask that the Commission look carefully at the many existing non-NED Project alternatives such as the Northern Pass Project, Portland Natural Gas and Spectra. There is much evidence supporting the conclusion that these projects are sufficient to meet New England's energy needs on their own and that they are far ahead of the NED Project in construction timeline. These other energy projects will avoid the devastating environmental effects of the NED pipeline as they truly co-locate with other existing pipelines.

**3. The limited information we had in the old resource reports made clear that the Proposed Route has dramatic impacts in Merrimack**

We are not aware that any of these issues have been addressed to date in any reports filed by the Applicant. Of course, given that less than a week has passed since the filing of the major modifications to the resource reports, it may be that some of these issues are addressed giving rise to the second tier of issues which Merrimack has not yet focused upon. The Proposed Route and the Amherst Alternative have significant impacts to the Merrimack resources and we look forward to a process in which those issues may be addressed in a more complete and transparent manner.

**20150824-4014**

Diane Hewitt, Resident of Groton, MA

Comments for FERC Scoping Meeting, July, 2015

Good evening. My name is Diane Hewitt and I am a resident of Groton, MA whose property is included in the Northeast Energy Direct's original pipeline route. My son and his wife recently moved to a home in New Ipswich, NH, less than 2 miles from the largest compressor stations proposed on the new, preferred route.

let me begin by saying how disappointed our family is that these seeping meetings are even proceeding. FERC has steadfastly refused to heed the urgent requests of our legislators, congressional delegation, state wide environmental groups, municipalities and thousands of citizens to postpone these comment sessions for at least 60 days after the release of the amended Resource Reports. You have provided us with less than a week to digest and understand documents that span over 6,000 pages and are still riddled with over 10,000 pieces of incomplete information. This is a travesty.

In my comments this evening, I would like to ask how FERC intends to conduct an analysis of the air quality impacts and greenhouse gas emissions related to both the construction and operation of the pipeline. We know that KM proposal is expected to have significant impact on air quality and a complete and comprehensive assessment of the cumulative impacts on air quality, including all the related facilities, such as Compressor Stations, Metering and Venting Stations will be required.

Specifically, I am requesting that you study and document the following information:

1. Research the local, state, and federal air quality standards that must be compiled with and the monitoring requirements and ongoing testing protocols to determine compliance during both the construction and operation of the pipeline
2. Provide a detailed description of the air quality modeling that will be conducted and provide maps of the areas that will be impacted from the emissions from the pipeline, compressor stations, metering and venting stations. This should include pre and post pipeline studies which are conducted under different

meteorological conditions. Please review and incorporate into your work the study by the Southwest PA Environmental Health Project on the health impacts of compressor stations (2/24/2015).

3. Identify all of the hazardous pollutants that will be emitted and the air quality monitoring and testing that is proposed to be completed on daily, weekly, or a more frequent basis at the compressor, venting, and metering stations during the operation of the facility to protect our health and safety. Study and devise a reporting structure and rapid response system on these emissions so that local, state, and federal officials are aware and can respond appropriately to changing/unhealthy conditions.

4. Conduct an analysis of the greenhouse gas emissions expected to be generated by the construction and operation of the KM pipeline. Quantify the impacts of the project on the state's Climate Change initiatives and Greenhouse Gas reduction goals.

Thank you for your time and consideration.

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*{Enclosure:}*

**SOUTHWEST PENNSYLVANIA ENVIRONMENTAL HEALTH PROJECT**

**www.environmentalhealthproject.org**

**Summary on Compressor Stations and Health Impacts**

**February 24, 2015**

*{for copy of report see 20150803-0013*

*jump to report in 20150803-0013}*

**20150824-4015**

Hand written letter, 5 pages, Donald & Sandy Johnson, 5 Autumn St, Windham, NH 03087, opposing.

**20150824-4016**

Wendy Juchnevics-Freeman  
45 Rumrill Road  
New Ipswich, NH 03071  
29 July 2015

Re: Docket No. PF-1 ... 22, Tennessee Gas Pipeline Co., Northeast Energy Direct Proposal

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

Re: Docket No. PF-1 ... 22, Tennessee Gas Pipeline Co., Northeast Energy Direct Proposal

Dear Ms Bose:

I currently serve as the **Chairman of the New Ipswich Zoning Board of Adjustment (ZBA)**, an elected member of the New Ipswich Budget Committee and serve as Chairman of the New Ipswich Pipeline Task Force. However, today I am writing as a private citizens, concemed about the Impact the proposed NED pipeline will have on my drinking water.

But let me start by saying, that given the incomplete nature of Kinder Morgan's Resource Reports and recent changes to the scope of the project. I believe these scoping meetings are being conducted prematurely and. therefore, failing to provide information that would benefit the NEPA process.

New Ipswich has no public drinking water. We are all on private wells. My well draws water from a Stratified Drift Aquifer, one of three the pipeline will segment in New Ipswich.

According to NH DES, our groundwater resides within bedrock fractures and between particles of soil, sediment. and loose rock that lie on top of bedrock. The upper boundary of an underground area that is com-

pletely filled with water. the “water table.” is typically 10 to 20 feet below the land surface.

Our groundwater quality is influenced by the bedrock and overburden material it moves through and can be greatly influenced by land use. Our stratified drift aquifers are typically high-yielding. The nature of New Hampshire aquifers differs significantly from many other parts of the country where aquifers are more uniform and much deeper. Unlike these places, the amount of water that can be stored in New Hampshire as groundwater is limited naturally by the state’s climate and geology.

Radon and arsenic, in particular, are naturally occurring and concentrations can increase due to the disturbance caused by the pipeline’s construction.

Because of these facts, the quality of pipe used in this project should be evaluated due to potential leaks contaminating our aquifers as these impacts to our aquifers are permanent if contaminated.

Please identify all wells that draw water from these three stratified drift aquifers in New Ipswich.

Please test these wells prior to construction and then quarterly after construction for flow impacts and also for contaminants, both naturally occurring and those leaking from the pipeline.

Asking us to identify what needs to be avoided, mitigated, minimized or compensated without the adequate resources or time to do so can only assure that the Town of New Ipswich will suffer irreparable harm from this project.

Sincerely,

Wendy Juchnevics-Freeman

## **20150824-4017**

July 29, 2015

Concerns regarding the proposed NED Pipeline

I have numerous concerns regarding this proposed pipeline which include; given the other proposed increases in sources of natural gas in the northeast (such as the Spectra/Northeast Utilities Pipeline proposal, is there even enough demand to justify such a huge disruption to our land. I also have many concerns about the safety record of such pipelines and the ability of our relatively small emergency response teams to protect property and lives if an incident were to happen.

I have not been able to ascertain if this meeting is solely to address environmental issues regarding the project or a broader field of concerns. Given that, I will concentrate my remarks on the environmental issues but want to make very clear that there are a number of other issues of concern before reaching a decision on whether to proceed with this project or not.

I have lived in Merrimack for several decades. I chose to live here for the quality of life this area supports. This project would seriously degrade that quality of life. The rural character would be irreversibly altered. Property values would decline. Our environment would be negatively impacted. If this pipeline were critically necessary, maybe I could accept such changes, but NH exports approximately half its’ natural gas to other states. Looking at a more regional view, occasional short term supply shortages can be mediated by the much smaller other proposed increases in gas supply as well as storage of LNG as a buffer.

The proposal puts at risk our wellhead protection area, two conservation areas which we have spent time and money to preserve (Horsehill Nature Preserve and Gillmore Hill Memorial Forest). There is a reasonable chance that the pipeline may disrupt both ground and surface water flow. Areas currently used for recreation will be jeopardized. The pipeline will pass under both Naticook Brook and the Merrimack River. Hazardous materials are by definition needed in the construction process and may impact the surrounding land. Blasting certainly could impact the nearby homes as well as the integrity of the underground ledge.

The idea of adding a tariff to our electric bills to help pay for this project simply adds insult to injury. We already pay some of the highest electric rates in the country and to increase those rates to pay for a pipeline we don’t really need is absurd.

Recently, I have heard that there is a new proposal to alter the route in response to concerns voiced by other towns. This new route would place the pipeline in close proximity to Thornton's Ferry Elementary School. That is a risk that is totally unacceptable.

No one can guarantee that there will never be an incident jeopardizing the health and safety of our residents. It is also almost guaranteed that there will be some level of leakage over time from the pipeline. Putting our lives at risk and permanently altering our environment is simply not worth it for a project of questionable value.

Thank you for your time and I sincerely hope you will heed the pleas of our community and not approve this pipeline for this location.

Carol J. Lang  
7 Wilson Hill Rd.  
Merrimack NH 03054

## **20150824-4018**

Tennessee Gas Pipeline, I. L. C. Docket No. PF14-22-000 Northeast Energy Direct Project Fitchburg Lateral Line

**Louise M. Lavoie, Selectman, Town of Mason** NH 35 Brookline Road  
Mason, NH 03048  
603-878-2960  
Imlavoie@myfairpoint.net

First I would like it entered into the record that the NH Towns and effected landowners were not afforded sufficient time to review and fully understand the Kinder Morgan Resource reports posted on the FERC webpage on Thursday 7-24-2015. Please note, these documents contain several thousand pages, FERCs website traffic has been overloaded resulting in limited access to the documents and most importantly 3 business days is inadequate to comprehensively review the documents, underscore changes, locate and digest the many many unknown and TBD details that still exist with this project. I strongly urge FERC to slow down this process and allow due process to all those impacted by this project.

I am requesting Public Safety be studied with the intent of providing the towns a clear line of sight on emergency planning, preparedness and costs.

To put things in context.

- Mason is a small town with a limited tax base with total operating expenses of \$1.6M.
- The annual budget for our volunteer fire department is \$65,000.
- Town of Mason and surrounding towns with volunteer departments rely on availability of volunteers and mutual aid of nearby towns. The majority of our small towns run on volunteer efforts and have limited budgets.
- In Mason for example, there is limited access to water, there are no pressurized hydrants, tanker shuttles are required to provide water supply to active scenes.
- There is limited accessibility to the proposed pipeline routes, especially back country land locked areas.

The Town of Mason is requesting a public safety plan for all NH towns along the proposed route. - The public safety plan must address but not be limited to key points of concern.

- What is the emergency notification process for municipalities and the public?
- What is KM and its affiliates plan to respond to emergency situations (minutes, hours, days)?
- What are the evacuation plans for elderly, disabled, children as well as homeowners potentially blocked in on dead end roads, cut-de-sacs, etc in the event of a pipeline emergency
- Who is responsible for providing resources, training and equipment to deal with pipeline emergencies?

- In event of a pipeline emergency where does KM and its affiliate's responsibility begin and end?

Where does the Town of Mason pick up?

- In the event of a pipeline emergency who shoulders the cost of services incurred by the Town of Mason? Are Kinder Morgan and its affiliates responsible?

- Who is responsible to fund training and equipment necessary to respond to a pipeline emergency? .

What is the plan to access back wood land locked areas during a pipeline emergency?

How do we ensure the confidence of the public that there has been adequate planning and consideration given to public safety?

The issues I raise deserve thorough, thoughtful study and consideration. Small towns simply can not afford to take on the burden and responsibility for this project.

## 20150824-4019

1. There is nothing in the Draft Environmental Report - Resource Report 10- Alternatives from Tennessee Gas Pipeline that allows the conclusion that the environment of Northern Massachusetts is more sensitive than the environment of Southern New Hampshire. Further - the prime table absolutely needs to be quantified.

2. The great New England energy crisis goes to the generation and use of electricity. Natural gas is a wonderful way to generate electricity.

3. Massachusetts has been shutting down coal and oil fired electricity generating plants without replacement for many years now. At the beginning of the shutdown cycle in about the year 2000, Massachusetts generated close to enough electricity to meet its needs. Today that number is closer to 50%, and Massachusetts imports electricity from anywhere that it can find it including New Hampshire, Connecticut, and Canada. If it weren't for these three entities, Massachusetts would go dark.

4. New Hampshire generates more than twice the electricity it uses. That extra electricity all goes to Massachusetts.

5. Massachusetts uses about ten times the amount of natural gas that New Hampshire uses. 10 Times!!]

So, the environmental differences between Northern Massachusetts and Southern New Hampshire are pretty equal, New Hampshire uses 10 times less gas than Massachusetts, and as a good neighbor, New Hampshire exports fully half of the electricity it produces to Massachusetts. For these reasons it is unconscionable to even consider putting the pipeline in New Hampshire when it really and truly belongs in Massachusetts - where it is needed - put it there.

6. For process - on the "do nothing" part of the environmental report electricity projects absolutely must be included - as natural gas equivalents. I will provide this information to the FERC in support their Environmental Impact Statement preparation.

Speaking of Northern Pass - all of that electricity will flow to Boston Massachusetts. ISO New England has issued the permits to make it so. Build out of some of the support structure has already begun in the Merrimack Valley. Deerfield, Scobie Pond, Twerksbury MA, Wakefield MA and then to Boston MA. Northern Pass has nothing to do with bringing hydro-power to New Hampshire - only thru New Hampshire.

7. On FERC Process. For the FERC - New Hampshire should be provided more time!

8. Many of our politicians are supporters of Northern Pass, this pipeline project and even industrial scale wind turbine complexes. None of these projects bring any value to the state of New Hampshire and in fact they are all short-or long term disruptive and/or bad for our largest industry ... Tourism including seasonal homes. What are the Politicians thinking? I don't know but it is not New Hampshire first - it's more like New Hampshire second, third, or "who cares".

9. To stop the outlandish bills that are coming our way in 2017 and beyond do not allow the Coal Fired Brayton Point Plant in Massachusetts to close, install a second Distrigas LNG terminal in Everett Mass that

is just for the Mystic Power Station. Leave the one that is there just for other local consumption. This should help a great deal- these generators are HUGE!

10. AND - Don't even think about brownouts and blackouts in New Hampshire because there isn't enough electricity - New Hampshire has plenty of electricity ....

11. OBFUSCATION-

Hiding // Not in one sentence Regionl NH OR New England NH // If your reading 27 words and it only take 3, buyer beware!

SINCERELY - Thank you all for your time ..... PatL

## **20150824-4020**

LeBel MARKETING  
26 General Miller Highway  
Temple, NH 03084  
p) 603.731.4016  
LeBelMarketing.com

Tuesday, July 28, 2015

Most Honorable Members of FERC

Dear Members of FERC,

I am writing to let you know that I strongly oppose the proposed Kinder Morgan pipeline in southern New Hampshire.

This pipeline will destroy property, displace families, impact people's health in serious ways due to high levels of air and noise pollution, and put many people including children at significant risk. Kinder Morgan has a poor safety record, and there is an explosion at one of their facilities across the US nearly every day. Allowing the pipeline, and specifically the compression station in Temple, would be reckless.

The proposed pipeline will also dramatically decrease the property values in Temple and surrounding areas while increasing our taxes. People will chose to leave the area, and other trained people who could enhance our area will chose not to move here. Soon the entire Monadnock region, long known as a tourist destination as well as an area for the arts, will dry up.

One of the wonderful aspects of New Hampshire is its natural beauty, which is why our level of tourism is so high. Allowing the Kinder Morgan pipeline to destroy a large of the southern region, while the compression station ruins our air, would be disastrous to our economy and well as to the citizens of the state.

Many people have been 'tricked' into believing that the pipeline will decrease our energy costs. The proposed pipeline will do nothing to decrease our costs since none of the energy will be available to those in the area, with most of the gas exported. The fact that management at many businesses in the state think this pipeline will decrease their operational costs is irrational.

The entire premise for the pipeline is to make those in Kinder Morgan's management, and its investors, richer. They have no regard for the thousands of people who will be affected. A pipeline here would be devastating.

I have attached a short article about the recent Temple Historical Society's Barn Tour.

It reflects what is so special about the Monadnock region, Temple in particular in this instance, and how the inhabitants here are dedicated to maintaining a quality of life that is hard to find in other parts of the state and country. Our love of nature and life in a rural area, and our 'love' of celebrating ways of the past are evident in everything we do here every week of the year.

To allow a pipeline to change our landscape and our lives forever would be immoral.

I appreciate your time and consideration in reading this letter, and I truly hope that you will represent the

people of the state of New Hampshire in your decision.

Respectfully yours,

Lilliane LeBel

Attachment: Farms and Barns article from New Hampshire Traveler Magazine:

*Temple, New Hampshire's Farms and Barns Tour*  
*By Magazine Staff New Hampshire Traveler Magazine*  
*{article omitted}*

## **20150824-4021**

Melanie Levesque

2 McDaniels Dr. Brookline, NH 03033

My name is Melanie Levesque. I live at 2 McDaniel's Dr. in Brookline, NH. We are concerned about the impact of the pipeline on property values for those co located with the planned pipeline. You may refer to them as pipeline abutters.

We request that Kinder Morgan be required to provide tangible, substantiated data regarding the impact of similarly sized gas pipelines on local property values. An assessment of the potential impact on property values in each town along the pipeline should be clearly detailed.

My second comment involves electricity rates. One of the alleged benefits of NED is reduced electricity rates. We have trouble understanding how a pipeline that does not serve existing power generation plants will aid in reducing electricity rates. In other words. the gas from the pipelines will be used for heating not electricity.

To assist in quantifying the benefits of NED, we request that Kinder Morgan and its partners be required to:

- a. #1 -Provide the results of a study that evaluates the cost/benefit analysis of this specifically proposed pipeline for electricity prices in NH (similar to a recently completed study in Maine). This study should also consider the potential cost impact of the project on ratepayers.
- b. #2 - Provide quantifiable figures on the predicted reduction in electricity prices as a result of the pipeline and over what period of time

Such an analysis can then be weighed against the significant personal and environmental impact of this project.

In addition as a former state legislator I am deeply concerned about the role of the Federal Energy Regulation Commission. It seems that an Agency titled as such should not only be to approve pipelines but to heavily consider the impact on our environment, our communities, our conservation lands, our energy needs, and promoting a responsible 21st century energy strategy\_ One that promotes renewable, sustainable, efficient and necessary energy projects. This is not such a project.

## **20150824-4022**

### **“Need” for Natural Gas in New England**

Until the winter of 2013/2014 there had never been any shortage of natural gas or electricity in New England in the winter. New Englanders know winter is coming. and prepare for it in a number of different ways. Some winters are worse than others, but we're ready for the worst, and flexible about how we deal with it.

So why did things come so close to disaster in 2013/2014? The single biggest difference was that “Independent System Operator-New England” (ISO-NE) the “not for profit corporation” tasked with managing the New England electrical power grid) decided we needed a “Winter Reliability Program”. After the winter, ISO-NE patted themselves on the back for keeping the polar vortex from freezing New England. They implemented a centrally controlled solution to a nonexistent problem. In doing so, they broke the market mechanisms that had been working for many decades, and created the kind of shortages and problems they

were claiming to solve.

The “Winter Reliability Program” involved ISO-NE contracting for demand electricity from no more than 200 oil fired and dual (gas/oil) fuel generators. {1 & 3} They refused to contract for winter electricity with gas only generators using LNG. That meant that natural gas only generators were very likely to be idle some part of the coming winter. ISO-NE spent \$66 million of ratepayer’s money to pay for the oil for the oil/dual fired generators. Why would electrical generators turn down “free oil” when the alternative would be buying natural gas with their own money, especially when ISO-NE would refuse to buy electricity generated using natural gas from LNG?

Both before and after, but not during, the winter of 2013/2014 Liquid Natural Gas (LNG) imports were a significant part of the fuel used for electricity and heating in New England. In 2009/2010 LNG imports were around 51 billion cubic feet, 2010/2011 around 54 Bcf, 2011/2012 around 48 Bcf, 2012/2013 (mild winter) around 21 Bcf, 2013/2014 {severe winter with “Winter Reliability Program”} 18 Bcf, 2014/2015 around 24 Bcf to Everett LNG terminal and additional LNG through other terminals. Looking at the facts, it would appear that the “Winter Reliability Program” was really a “Winter Unreliability Program”.

In September 2013 FERC approved the 2013/2014 “Winter Reliability Program” without LNG, accepting ISO-NE’s false assertion that there wasn’t time to include LNG in the program. ISO-NE says in their filing agreed to by FERC on September 16, 2013: “Under the Winter Reliability Program, ISO-NE will solicit bids only from oil-fired generators, dual-fuel generators, and demand response resources. ISO-NE contends that it could not create a fuel-neutral program for this winter due to the short time frame and the requirement to minimize market distortions, but states that it intends for future winter programs to be fuel neutral.” (2) You’ll note the “minimize market distortions”. As we all know in 2013/2014 energy markets from wood pellets to oil to natural gas were all distorted far beyond what has ever occurred before or since. One can certainly speculate that removing a large part of the natural gas supply which before and since has come to New England in the form of LNG would likely result in energy market distortions.

The assertion that there wasn’t time is belied by comments from LNG suppliers and Conservation Law Foundation proposing a workable inclusion of LNG in the mix for 2013/2014. That proposal was ‘pooh poohed’ by FERC in Part C of the same ISO-NE filing (3). Neither FERC nor ISO-NE addressed the substance of the LNG proposal.

In the (2013/2014) “Winter Reliability Program” “ISO-NE will solicit bids only from oil-fired generators, dual-fuel generators, and demand response resources.” (4) What they’re saying is that ISO-NE would NOT solicit or accept bids from natural gas fueled generators. The result was that natural gas fueled generation was ‘frozen out’ of the market in 2013/2014. Those generators sat idle while ISO-NE’s preferred generators ran using oil bought by ISO-NE using rate-payers’ \$66 million. (Your “System Benefits” charge at work.) ISO-NE’s conclusion from this was that there wasn’t enough pipeline gas capacity in New England.

In the same filing, ISO-NE says: “ISO-NE asserts that a fuel-neutral program design, or one that includes liquefied natural gas (LNG), is preferable to a more limited program design but would conflict with ISO-NE’s goal to minimize market distortions. ISO-NE states that compensating natural gas resources for incremental natural gas could reduce opportunity costs, and thus wholesale electric prices, at times of high natural gas demand, thereby sending the wrong signal during times of natural gas scarcity. ISO-NE also states that, due to the complexity of the natural gas supply chain, a natural gas solution would pose a risk of unintended consequences. For example, ISO-NE contends that providing incentives for additional LNG supply would reduce natural gas released from other sources or displace use of pipeline natural gas when it is economic.” (5) ISO-NE says their goal was to “minimize market distortions”. That’s a real whopper. How could anyone expect the market NOT to be distorted by ISO-NE’s market manipulation?

In the last sentence, they say: “ISO-NE contends that providing incentives for additional LNG supply would reduce natural gas released from other sources or displace use of pipeline natural gas when it is economic.” In other words readily available LNG would be used instead of pipeline gas when LNG is cheaper. That would be good for consumers, but would require pipeline companies to compete on price with LNG.

In the next to last sentence, ISO-NE says: “ ... due to the complexity of the natural gas supply chain, a natural gas solution would pose a risk of unintended consequences.” This implies that there were intended consequences. Given everything else in the filing, and the fact that ISO-NE came up with the “need” for a “Winter Reliability Program” seemingly out of thin air, the only conclusion I can make is that the ‘intended consequences’ were to have us here tonight listening to more lies from Kinder Morgan.

Under 717 C of the Natural Gas Act (6), manipulation of natural gas markets is illegal. In this case, rather than preventing or prosecuting market manipulation by ISO-NE FERC was complicit in that manipulation by approving a plan that manipulated all energy markets in New England from natural gas to electricity to wood pellets.

It’s likely ISO-NE will say they weren’t a natural gas market manipulator because they didn’t actually trade in natural gas. However, as an “entity” manipulating the natural gas market (by their own statements) they are a “person” (7) as defined by the Natural Gas act.

The facts make it very clear that there is no need for additional pipeline capacity to New England. The artificially created shortage of natural gas, electricity, and other forms of energy in 2013/2014 was a result of market manipulation by ISO-NE with the complicity and approval of FERC. In winters before and since, there was no shortage of fuel or generating capacity because the market was allowed to operate without manipulation, and energy needs were satisfied. I will encourage Department of Energy’s Inspector General to look for coordination and communication between ISO-NE and pipeline companies. It is difficult to believe that this fiasco was solely the result of ISO-NE’s incompetence.

I don’t ask anyone to take my word for anything. Everything here is verifiable fact. Most of it is from FERC’s and ISO-NE’s websites and other publicly available sources. Whether it may disappear from those sources is anyone’s guess. I’ve sent copies of this to our federal legislators, the IRS, the Inspector General of DOE and the press.

John Lewicke  
Mason, NH

- (1) <http://www.ferc.gov/CalendarFiles/20130916184714-ER13-1851-000.pdf> Page3 #6
- (2) <http://www.ferc.gov/CalendarFiles/20130916184714-ER13-1851-000.pdf> Page 13 #44
- (3) <http://www.ferc.gov/CalendarFiles/20130916184714-ER13-1851-000.pdf> Page15 c. #50
- (4) <http://www.ferc.gov/CalendarFiles/20130916184714-ER13-1851-000.pdf> Page 13 #44
- (5) <http://www.ferc.gov/CalendarFiles/20130916184714-ER13-1851-000.pdf> Page 14 #45
- (6) 15 U.S. Code Chapter 15B § 717c-1 - Prohibition on market manipulation
- (7) 15 U.S. Code Chapter 158 § 717a (1) and (2)- Definitions

Note: I am indebted to Vince Premus and his article in Commonwealth which brought much of this to my attention.

### **20150824-4023**

Hand written FERC Comment form: Marjorie M?golis, 448 Jarmany Hill, Sharon, NH 03458, opposing.

### **20150824-4024**

Subject: Docket iPF14-22: Scoping Meeting Comment - Resource Report 10

Dear Ms. Bose,

I am writing to draw your attention to the incomplete nature of the Kinder Morgan Resource Report 10. In particular, section 10.1.1 which deals with evaluating the potential of energy efficiency as an alternative, in whole or in part, to meet demand for natural gas does not include any rationale, analysis or references to expert studies.

This is especially concerning when we look at the timing and cause of pipeline constraints.

Since the Issue of natural gas shortage occurs during the winter months and are related to IIS consumption for heating homes and businesses, why would Uberty Utilities be decreasing Investment In energy efficiency projects for 2015 and 2016 at this critical juncture? The following graph from ISQ-NE 2015 Regional Electricity Outlook shows natural gas consumption for heating versus electricity generation for the months November to March:

*{graph omitted}*

The people of New England deserve a detailed analysis of an energy efficiency initiative aimed at reducing the residential heating load before considering doubling the amount of natural gas flowing into New England to address a problem that occurs 4 months out of the year.

Such a program would deliver immediate benefit to current residential gas consumers and would protect electric and gas ratepayers from the risks of stranded costs related to an overbuild of fossil fuel Infrastructure.

The response to the entire Alternatives subsection of Resource Report 10, but especially 10.1.1, by Kinder Morgan should include a study similar to the Synapse Study conducted for Massachusetts and published in January 2015, but should be expanded to include the entire ISO-NE region.

While there were many problems with the Synapse study, it provides a nice framework for presenting scenarios comparing the cost/benefit of energy efficiency investments versus increased pipeline capacity.

Although FERC does not establish specific goals for energy efficiency, applicants presenting proposals are required to consider relevant Federal, State and Regional policy goals and design to those standards. My comments concern New Hampshire, but each of the participating ISO-NE states has similar rules.

According to testimony given by the Northeast Energy Efficiency Partnership (NEEP) in IR 15-072, Energy Efficiency is the most cost effective energy investment as shown in the chart on the following page.

In New Hampshire, RSA 378:7 grants the Commission authority to fix just and reasonable rates. In determining whether rates are just and reasonable, the Commission must balance the customer's interest in paying no higher rates than are required against the investors' interest in receiving a reasonable return on their investment." Within this balancing test, a justification for the pursuit of all cost effective energy efficiency resources is evident. Maximizing value for both ratepayers and investors requires the utility commission to plan for acquisition of the least cost resources, and as demonstrated below, energy efficiency is the resource that provides the most value for ratepayers and utility investors.

*{graph omitted}*

In analyzing the effectiveness of the current energy efficiency statistics for natural gas customers in New Hampshire, please ask Kinder Morgan to take into consideration how much of the historical energy efficiency investments were expended on converting oil, electric or other fossil fuel heating systems to natural gas versus assisting current customers to reduce consumption. Please also ask the efficiency programs to specify what percentage of energy efficiency dollars were invested in weatherizing buildings versus rebates on equipment.

Unlike the Synapse study, please ask Kinder Morgan to only present scenarios which achieve climate goals as specified in the State Energy Strategy. If those goals cannot be met with pipeline Infrastructure, please ask Kinder Morgan to specify mitigation through carbon capture/sequestration projects which should be included in the financing of the project.

Thank you very much for the opportunity to comment on a matter of great concern to the people of New England.

Sincerely,

Patricia A. Martin  
17 Farrar Road  
Rindge, NH 03461

**20150824-4025**

To: FERC Scoping Hearing Committee From: Julia Steed Mawson

Re: Public Testimony - NED project, Nashua Radisson Date: July 29, 2015

My name is Julia Steed Mawson, I am a biologist and extension educator emeritus with the University of New Hampshire. I live at 17 South Shore Dr. Pelham NH and I oppose this pipeline.

Research produced through the Community Profiles Program produced by UNH Cooperative Extension for Pelham and nearly every other NH town involved in them, carry the statement in some form regarding “maintaining the rural character of NH”. This is echoed in Pelham’s Master Plan and in the recent report developed by the Nashua Regional Planning Commission. The question becomes, how do we maintain our natural resources and the vital, and critical rural character and the rural treasures to the west of us and not become another industrialized region like middle New Jersey in the future?

In 1973 as a student working on an NSF grant to study the Lowell Canals as a community resource, I had to be fully immunized to work on the Merrimack River. Millions of dollars and hours of people’s time later, the water is now suitable for recreation. When the mills and cities were built over a hundred years ago, no one considered these unintended consequences. Understandable in some ways, since our science was not developed. In the 2015 report Beaver Brook Flood Study for Pelham produced by VHB on the flooding events that now challenge Pelham, it states that due to rapid growth, and changes in climate events, modifications to the floodplain have had unintended consequences “ ” “. Not so excusable since the science of hard surfaces and its relationship to runoff and flooding has been known for over 30 years.

Now we are faced with building a high-pressure pipeline of great scope and magnitude that can have long term and potentially devastating impacts on our natural, social and cultural resources of NH, activities that can impact the “orderly development of this region”. Not thoroughly studying the unintended consequences of this project concerning maintaining the vital resources and way of life that we have in southern N H would be INEXCUSABLE given that: there are at least 17 other NE energy projects currently proposed, thousands of leaking gas capture incidences that need to be mitigated and great financial pressure to make the Marcellus Shale Fields profitable.

I ask therefore that you study the long term, 75 to 150 year impacts of this project by developing a research strategy that incorporates the evaluation of multiple stressors on the interrelated human. energy and ecosystem services of the southern NH/northern MA region through integrated laboratory, field and social science approaches. Further, given the growing understanding of climate change, I request that these studies include the projected impact of methane as a greenhouse gas, generated by loss of gas by pipe leakage in current systems in New England, blowdowns. venting and other events where methane and related gases are released at along pipes or compressor stations.

While this research takes time and effort, something that this rushed, NED project does not seem to allow, our collective wisdom should prevail so that in the long run we will hopefully prevent ourselves from furthering environmental injustices on populations that we view as sacrificial and that we will know that the best effort was made to do what is right.

**20150824-4026**

Hand written FERC Comment form: George May, 157 Naticook Rd, Merrimack, NH 03054, need for mitigation of Merrimack River crossing

**20150824-4027**

Project Docket PF14-22

Joseph McGuire

339 Nutting Hill Rd, Mason, NH 03048

NuttingHill@Gmail.com

My name is Joe McGuire - I live in the town of Mason, NH and I am a stakeholder.

The NED pipeline is planned to cut over 55,400,000 square feet of forest. As it traverses through our New England farmland, there are many individual examples of *Acer Saccharum*, also known as Sugar Maples, as well as sugarbushes that will be affected by this project. A sugarbush is any group of sugar maples that are planted in close proximity to each other for the purpose of harvesting maple sap, the raw ingredient used in the manufacture of maple syrup and related products.

Maple syrup is a prime agricultural product of the state of New Hampshire. As FERC develops the Environmental Impact Statement for the NED pipeline please identify how you will consider the following attributes associated with the removal of either an entire sugarbush, or a portion of a sugarbush for the entire pipeline route.

Since the economic vitality of any sugarbush is based on the closeness of trees to each other, in order to facilitate economically more feasible sap harvesting and continuity of operations, please be sure to personally examine, on foot, the impact to each and every sugarbush on the NED pipeline route. Removing the middle of a sugarbush for example can more than double the operational cost of running the remaining two, isolated pieces of a sugarbush as the harvesting process will need to be duplicated for each section. In many cases it will not be feasible for these costs to be borne by the operator and chances are that the entire sugarbush will cease production.

Please be sure to conduct these studies with the landowner and sugaring operator present, as well as a state employed forester, and a representative of the New Hampshire Maple Sugar Producers Association.

Please also identify the process by which Kinder Morgan will replant the sugar maples for each and every instance where sugar maples will be cut. In order to have the a successful replanting, young trees must be harvested and transplanted from the same sugarbush that they are going to be replanted in. The transplanting process takes one full year or the transplanting process will be a failure.

Please also identify how the economic impacts for every sugar maple cut will be handled to provide just compensation for the sugarbush operator. Any trees replanted will not yield marketable crop for at least 40 years. After that the sugar maple trees have a lifespan of up to an additional 360 years, providing agricultural products for many generations to come.

In addition please identify how Kinder Morgan will maintain the easements without the use of chemical herbicides which potentially will render entire crops unusable by humans. In addition please identify for the entire pipeline route how you will prevent either non-native species of trees or non-sugar maples from replacing the sugar maples that are cut.

In addition tourism, especially during the fall foliage season, is a much needed and valuable industry in our state. The sugar maple, which is a representative species in new England is known for its bright fall colors. Removing large swaths of these trees will detrimentally affect any tourist related business in operation now or planned for the future that relies on this spectacular fall beauty. Please identify each and every example, through personal, physical inspection and review, of any instance where the removal of sugar maples has a negative impact to a related tourist or potential tourist business.

**20150824-4028**

### **FERC - Restart Scoping**

On March 13th of this year, Kinder Morgan released the first draft of its Resource Reports for the NED project. These early draft reports were very incomplete and contained more than 21,000 uses of TBD - To Be Determined. These TBDs indicated where necessary data was missing from the reports.

Because these draft reports were so incomplete, they were all but unusable for serious analysis of the NED environmental impacts. Kinder Morgan promised to release updated Resource Reports in June.

FERC went ahead and scheduled the initial Scoping meetings to start on July 14th. This scheduling was very tight for those needing time to examine the updated reports ahead of the Scoping meetings.

Worried about this tight schedule and about the possibility that Kinder Morgan might not deliver the revised reports as promised in June, dozens of individuals, towns, environmental organizations and elected officials filed comments asking that FERC please not let the Scoping meetings proceed until after Kinder Morgan had released the updated Resource Reports and the public had had time to read and analyze them.

It is worth noting here just how massive a set of documents these updated reports are. There are thirteen resource reports, sixteen appendices and four companion documents. These total nearly 7,000 pages. This is not light reading.

What was FERC's response to the many requests they had received to delay the scheduling of Scoping meetings until a usable set of Resource Reports was available? **Absolutely Nothing** - they simply ignored these many requests and refused to delay the scheduled Scoping meetings.

And - what was FERC's response when Kinder Morgan did in fact miss the promised June release date and the updated reports did not become available until last Friday, July 24? Again **Absolutely Nothing** - FERC simply went ahead with the Scoping meetings as scheduled. The Pennsylvania and New York Scoping meetings took place before the updated Resource Reports were made available.

And FERC's schedule provides very little preparation time for attendees of this week's five Scoping meetings in Massachusetts and New Hampshire.

Simply stated, FERC has failed the public. Participants at the earlier Scoping meetings only had the unusable draft Resource Reports and even those attending later Scoping meetings will be afforded precious little time to read, analyze and prepare comments based upon the updated reports.

I add my voice to the many others calling upon FERC to restart the Scoping process for this pipeline proposal. FERC must provide those who would be so seriously impacted by this pipeline with the necessary time to read and digest these crucial reports. Surely FERC must want to receive the most complete and accurate Scoping feedback that a properly informed public can supply - and a restart of Scoping would allow that.

Thank you.

Nick Miller Groton, MA

#### **20150824-4029**

Hand written letter, Paul V. McLoughlin, 22 Birch Lane, Pelham, MA 03076, opposing.

#### **20150824-4030**

The Merrimack Village District is responsible for providing potable water to over 25,000 residents in the Town of Merrimack, New Hampshire. All of our water resources are derived exclusively from groundwater that is pumped from a series of high-yielding wells sited in three stratified drift aquifers. On an annual basis, we provide approximately 800,000,000 gallons of clean, potable water to our customers. The proposed route of the NED gas pipeline crosses through the center of one of the principal aquifers that supplies a critical portion of the groundwater supplied by the District.

The MVD has invested a substantial amount of financial resources in developing groundwater sources that are of very high quality. A loss of a production well would have devastating consequences and cost the rate payers millions of dollars to relocate. The loss of an aquifer would be catastrophic with immeasurable financial consequences and the inability to provide a reliable source of water to the residents and businesses of Merrimack.

The MVD believes that the installation of a gas pipeline through these 'sensitive groundwater recharge areas' that ultimately provide a safe and reliable Drinking Water to the greater Merrimack community seriously puts at risk the investments that we have made in these valuable water supply assets. Therefore we oppose allowing the installation and construction of high pressure gas lines within any of our designated Wellhead Protection Areas.

Ron Miner, Jr.

Superintendent  
Merrimack Village District  
Merrimack, NH 03054  
2 Greens Pond Road

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MERRIMACK VILLAGE DISTRICT

March 3, 2015

Federal Energy Regulatory Commission  
Secretary of the Commission  
888 First Street, N.E.  
Washington, DC 20426

RE: Mailing List for Tennessee Gas Pipeline Company, LLC (NED Project) Docket Number: PF 14-22

Dear Secretary,

The Merrimack Village District (MVD) is responsible for providing potable water to over 25,000 residents in the Town of Merrimack, New Hampshire. All of our water resources are derived exclusively from groundwater that is pumped from a series of high-yielding wells sited in three stratified drift aquifers. On an annual basis, we provide approximately 800,000,000 gallons of clean, potable water to our customers.

Tennessee Gas Pipeline Company, LLC is in the pre-filing process of siting a pipeline route (identified as the NED Project) through the Town of Merrimack. One of the proposed routes of the NED gas pipeline crosses through the center of one of the principal aquifers that supplies half of our groundwater through two high-yielding wells. Loss of the use of such critical production wells would have devastating consequences and cost the rate payers millions of dollars to relocate one or both of the wells. The loss, however, of an aquifer would be catastrophic with the immeasurable financial consequences and the inability to provide a reliable source of water to the residents and businesses in the Town of Merrimack.

Based on the research and findings from the MVD's geologist Emery & Garrett Groundwater Investigations (letter attached) we strongly oppose the siting of the pipeline within the Wellhead Protection Area and we intend to actively participate in the FERC pipeline siting and review process. We respectfully request that you add the Merrimack Village District to the mailing list for the above referenced docket.

Best regards,  
Ronald Miner, Jr.  
Superintendent

CC: MVD Board of Commissioners  
Timothy Thompson, Community Development  
Emery & Garrett Groundwater Investigations

Attachment

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**Emery & Garrett Groundwater Investigations, LLC**

56 Main Street. P.O. Box 1578  
Meredith, New Hampshire 03253

(603) 279-4425

Fax (603) 279-8717

February 18, 2015

Mr. Ron Miner  
Merrimack Village District  
2 Greens Pond Road  
P.O. Box 1949  
Merrimack, NH 03054

Dear Ron,

Pursuant to your request, this letter serves to provide you with our (Emery & Garrett Groundwater Investigations, LLC's [EGGI's]) professional opinion as it relates to potential impacts that might occur as a result of installing a proposed gas pipeline in Merrimack. The natural gas pipeline route that is proposed by the Tennessee Gas Pipeline Company would run directly through the middle of the Wellhead Protection Areas (WHPA) for the Merrimack Village District (MVD) Production Wells located in the Naticook Brook Aquifer. This letter summarizes our key concerns associated with that proposed pipeline route.

### **Background**

The Merrimack Village District is responsible for providing potable water to over 25,000 residents in the Town of Merrimack, New Hampshire. All of the water resources are derived exclusively from groundwater that is pumped from a series of high-yielding wells sited in three stratified drift aquifers. On an annual basis, the MVD provides approximately 800,000,000 gallons of clean, potable water to its customers.

Glacial sand and gravel deposits that filled an over-deepened bedrock trough that formed along the Silver Lake Fault Zone comprise the highly productive Naticook Brook Aquifer. Two of the most productive MVD wells (production Wells MVD-2 and MVD-3) are located in this Aquifer. Together, these two Wells have a combined sustainable yield of 1,900 gpm, which accounts for 50% of the MVD's total water capacity (Figure 1).

The Naticook Brook Aquifer is an invaluable natural resource within the Town of Merrimack that provides an irreplaceable source of clean groundwater for potable use. As you know, EGGI has conducted extensive hydrogeologic investigations throughout the Town of Merrimack and have concluded that no other aquifers, capable of yielding the quantity and quality of groundwater that are produced from these existing Production Wells, are available within the MVD Service area. *The Naticook Brook Aquifer deserves the highest level of protection; loss of such a critical resource would have devastating consequences on the MVD's ability to provide a reliable source of water to the residents and businesses in the Town of Merrimack.*

### **Gas Pipeline Concerns**

#### **Potential Blasting and Construction Activity Within the Wellhead Protection Area (WHPA)**

Portions of the proposed gas pipeline route (that are planned to be within the WHPA for Wells MVD-2 and MVD-3) crosses areas where bedrock is at or near the ground surface; therefore, blasting would likely be necessary to install the gas pipeline. Groundwater quality concerns with any blasting project are associated with the introduction of blasting chemicals (or their combustion by-products) into the environment. These blasting chemicals can enter the groundwater system and ultimately create adverse impacts to the underlying bedrock aquifer, adjacent sand and gravel aquifer, wells, and/or springs. Examples of blasting agents (and their byproducts) that are of concern include nitrate, volatile organic compounds (VOCs), perchlorate, and petroleum hydrocarbons.

Installation of a high pressure gas pipeline also involves significant construction activities including land clearing, major trenching and excavating, and tasks associated with the assembly of the pipeline and associated infrastructure. Construction activities pose numerous potential threats to the utilization of large community water supply wells. These threats include the following:

- Frequent handling and storage of petroleum products that can lead to uncontrolled releases into the environment that result in the contamination of underlying groundwater supplies;
- Earth disturbance and excavations that can change (or concentrate) storm water flow in new ways and, as a result, subsequently impair surface water' or groundwater quality.

#### **Operation of the Pipeline**

Although the normal operation of a natural gas pipeline typically presents limited risk to groundwater quality, there are certain events or occurrences that can pose a significant threat to groundwater resources. Catastrophic pipeline failures are low frequency, high-impact events that have devastating consequences in

terms of structural damage and personal injury\_ A catastrophic leak, explosion, or fire can lead to groundwater contamination (and water utility service disruption) due to runoff from fire suppression efforts and/or the mass injection of natural gas into the subsurface.

Furthermore, if this proposed pipeline is also licensed to carry liquid hydrocarbons (gasoline, crude oil, diesel, or other liquid hydrocarbons), there is serious concern that a release of one (or more) of these products could result in a significant impact to groundwater quality that renders the groundwater unfit for potable consumption for decades.

### **Loss of Future Groundwater Development Opportunities / Restricted Water System Expansion**

The gas pipeline could limit future well development. If the MVD decided to redevelop a Well at the former MVD-] site (or elsewhere on MVD or Town-owned property), the pipeline would be located just over 400 feet away, limiting the District's ability to drill additional Production Wells on their property. Although we do not see any reason to develop a well here, unforeseen events (such as contamination that puts MVO-2 or MVD-3 offline) might prompt the need for redevelopment of the old MVD #1 Production Well site. Additionally, it is not a simple matter to cross gas transmission lines with new utilities; there are often strict requirements that impose additional costs on the MVD if and when a new water line must cross the gas pipeline.

### **Conclusions and Recommendations**

If a catastrophic event were to occur that adversely impaired any of the MVD Wells, the cost to replace that Well would likely be in the \$2-3 million range ... and that is only if a replacement water supply could be found. It is our view (based upon our previous investigations) that developing new sources of groundwater supply capable of meeting the current New Hampshire Department of Environmental Services (NHDES) standards for Large Groundwater Withdrawals, will be difficult or impossible to accomplish. Therefore, protecting these sources of public water from adverse impacts should remain the highest priority for the Town of Merrimack and the MVD. **In our professional opinion, the MVD should oppose the siting of the natural gas pipeline through the Naticook Brook Aquifer to protect the availability of water resources for current and future residents of the Town of Merrimack.**

I hope you find the information contained herein responsive to your needs. If you have any questions, please do not hesitate to contact me.

Best regards,

Jeffrey M. Marts, P.G.

Project Manager/Geologist

1 The Naticook Brook Aquifer is directly connected to surface water bodies, including Greens Pond and Naticook Brook, which both provide necessary recharge to the underlying aquifer.

### **20150824-4031**

404 Jarmany Hill Road

Sharon, NH 03458

July 29, 2015

To: FERC Hearing on Kinder-Morgan Pipeline Proposed for New Hampshire Statement to Commission from Ted and Susan O'Brien, Sharon, Address Above

My husband and I are journalists of longstanding in New England. He holds the New England Television Academy Silver Circle Award, the highest recognition in the television media community.

We are unequivocally opposed to the gas pipeline proposed by Kinder-Morgan Corporation, and on these grounds:

---Eminent Domain: the seizing of private land for corporate profit is a fabricated abuse of the legal concept of eminent domain, which was enacted only for projects that address a public good. Numerous town gov-

ernments along the proposed pipeline have provided your commission with full proof that this pipeline will benefit no one in New Hampshire. Our town Planning Board, of which my husband is a member along with membership in the Select Board, has informed you that Sharon will seek relief from Constitutional law if you approve this pipeline.

---Environmental Disaster: please see the attached, very current article from the Boston GLOBE regarding the large and increasing number of explosions from pipelines. Your approval of this pipeline will place 822 families directly on the pipeline, an elementary school full of children, and others near the pipeline, in extreme and extraordinary danger.

-- Wildlife: although this is never a concern of corporations who propose these devastating acts, of course our wildlife, which we have carefully safeguarded and valued in numerous conservation easements and protections, will of course be decimated.

---Pollution: you are fully aware of numerous and longstanding reports of pollution of air, water and ground that will occur from this pipeline, including pollution of private wells, the only water source in many areas here.

Business--For example, a Vietnam veteran on the proposed route will have his ski trail business damaged. The ripple effect can impact all businesses in our area.

We have worked all our lives to be able to live in this area. Our fathers fought bitter and highly dangerous battles in World War II so we could have this quality of life. They did not do so on behalf of a land, water, air and ground battle by a completely unethical corporation.

All of this for a pipeline that is necessary and important only to one entity: the Kinder-Morgan corporation. We ask you to insure that this disastrous pipeline project be eliminated from New England.

Ted O'Brien

Susan K. O'Brien

Attached: Viewpoint Op Ed, Monadnock LEDGER TRANSCRIPT, July 7, 2015, "This Land is (not) Your Land" by Susan O'Brien

*{attachment omitted}*

## **20150824-4032**

Ogonowski  
110 Pelham Rd  
Dracut, MA 01826

Thank you

I am Jim Ogonowski of Dracut mass.

I am a 30 year veteran of the united states military. And I am a farmer.

My family been farming in Dracut for 112 years.

Based on what I can surmise. Our farm is the single most impacted parcel of land along the entire proposed routing.

I am here to tell you ... our farm is not for sale

Our farm is not free for the taking.

we have a proud farming tradition and we are known for preserving open space.

Two parcels of our family farmland is preserved as open space. With the assistance of the late senator Kennedy in memory of my late brother John himself a veteran, a farmer and the pilot of AA flight 11 who was murdered by terrorists on sept 11 2001.

my late brothers farm of over 100 acres is also preserved as open space.

The one parcel we have not preserved was purchased in 1948 when my dad a member of the greatest gen-

eration returned from ww2 from the ARMY AIR CORP.s it hasn't been preserved because as dad would say, "we own it, who ~o we have to preserve if from"?

I am here to tell you who. KINDER MORGAN.

Our farm is the most impacted parcel of land in the entire northeast.

Let me repeat that, our farm is the most impacted parcel of land in the entire northeast.

Not only do we get over 2500 feet of 30 inch pipeline we also get over 5000 feet of pipelines for two laterals one going to Lynnfield and one going to Haverhill. Our one farm is proposed to have 7500 feet of pipelines. crossing fields, waterways, and clear cutting 100 year old forest land. I've been told that would be over 10 acres

Not only do we get pipes we also would be neighbors to a massive compressor station.

Take a look at the entire routing, as it proceeds from west to east. When it arrives in Dracut it bends 90 degrees to the west across farmland to place a compressor station in a residential area. Dracut is the first town on the mass/ nh border. This pipeline makes no sense at all.. it borders on insanity .

The people of New England are well educated and deserve better than this proposal.

Don't let a texas company profit from new England landowners when they ship gas overseas.

my job, representing my family, is to protect the farm and we will pursue all of our legal rights to do so.

J am a 30 yr military veteran in need of your assistance.

I ask you to protect us and preserve our property, reject this pipeline

### **20150824-4033**

THANK YOU FOR THE OPPORTUNITY TO ADDRESS YOUR COMMITTEE REGARDING THE POTENTIAL PIPELINE PROPOSAL THAT IS BEFORE YOU FOR APPROVAL FROM KINDER MORGAN.

MY NAME IS DIANNE PAQUETTE AND I AM A 54 YEAR RESIDENT OF SALEM NH.

MY HOME IS NOT DIRECTLY EFFECTED BY THE PIPELINE PATHWAY HOWEVER I AM HERE TO REPRESENT THOSE SALEM NH RESIDENTS WHO ARE AFFECTED AND DEVASTATED BY THE PROSPECT OF THIS PIPELINE PATH BEING PLACED IN OUR TOWN.

MY CLOSE FRIENDS AND NEIGHBORS MANY HERE TONITE WILL BE DIRECTLY IMPACTED BY THE DECISIONS THIS COMMITTEE MAKES WITH REGARD TO THE KM PIPELINE. I HEARD A PHRASE -rr TAKES A VI LLAG E" WELL I AM TELLING YOU THE VILLAGE IS HERE. WHEN ONE VILLAGER IS AFFECTED, WE ALL ARE AFFECTED. I AM HERE TO SPEAK FOR THE VILLAGE OF SALEM NH.

KM KNOWS THAT THIS PIPELINE PROJECT IS NOT THE BEST PLAN OR THE SAFEST PLAN OR THE MOST BENEFICIAL PLAN FOR THE RESIDENTS IN THE PATHWAY, KM DOES KNOW THIS PLAN IS THE CHEAPEST MOST ECONOMICAL COST WISE PLAN AND THE PLAN THAT WILL GARNER THE MOST REVENUE FOR KM. KM ONLY CONCERN IS PROFITABILITY AND REVENUE AND THEY INTEND TO PURSUE THIS PLAN IRREGARDLESS OF THE COLLATERAL DAMAGE IT WILL CAUSE TO THOUSANDS SOME OF THE HOMES AND NEIGHBORHOODS AND WOODLANDS BEING DESTROYED AS COLLATERAL DAMAGE ARE OWNED BY THE RESIDENTS HERE TONITE.

WHEN YOU PURCHASE A HOME, YOU PUT YOUR LIFE INTO IT LITTERALLY, FIGURATIVELY AND FINANCIALLY, IT IS OUR LARGEST LIFETIME PURCHASE AND OUR LARGEST ASSET.

BUT WHEN YOU PURCHASE A HOME YOU ALSO INVEST YOUR PEACE OF MIND IN THAT PROPERTY, IT IS YOUR SANCUARY A RESPITE AND ESCAPE FROM LIFE.

WHEN THAT PLACE YOU KEEP YOUR PEACE OF MIND IS THREATENED, THIS CREATES AN IMBALANCE IN YOUR PEACE AND THE FOLKS HERE TONITE IN FRONT OF YOU FEEL THAT IMBALANCE AND HAVE BEEN LIVING WITH THAT IMBALANCE IN THEIR LIVES FOR SEVERAL MONTHS SINCE BEING TOLD THEY ARE IN THE PATH OF THE PIPELINE.

THAT IMBALANCE HAS BEEN CREATED BY KINDER MORGAN'S PLAN TO PLACE PIPELINES INTO THE VERY

SANCUARY OF THESE RESIDENTS, INTERFERING WITH THEIR PEACE OF MIND AND THEIR RESPITE.

THESE ARE HARD WORKING TAX PAYING HOMEOWNERS WHO FEEL VIOLATED AND FEEL AS THEY HAVE BEEN GIVEN ABSOLUTELY NO INPUT INTO WHAT IS ABOUT TO HAPPEN TO THEM AND THEIR HOMES AND THAT IS OUTRAGEOUS! THESE INPUT MEETING WITH FERC NEED TO BE MORE THAN INPUT THEY NEED TO BE THE VOICE OF THE VICTIMS OF THIS KM PLAN, FERC HAS HEARD ENOUGH FROM KM THEY NOW NEED TO HEAR FROM THE COLLATERAL DAMAGE OF THIS PLAN, THE HOMEOWNERS IN THE PATH.

SOME OF THE PEOPLE HERE TONITE ARE FRANKLY AT THEIR WITS END WITH THE WORRY OF WHAT IS PROPOSED TO HAPPEN TO THEIR PROPERTIES AND THE NATURAL WILDERNESS THEY ARE SURROUNDED BY.

THEY ARE WORRIED THAT THEY ARE SIMPLY A CONDUIT FOR THE PROJECT A PASS THRU AND THEY ARE NOT RECEIVING THE DIRECT BENEFIT OF THE GAS BEING PIPED THROUGH THEIR PROPERTIES AND TOWNS.

THEY ARE WORRIED ABOUT THE CONSTRUCTION AND DESTRUCTION OF THEIR PROPERTIES AS THE PIPELINE IS CONSTRUCTED ON, AROUND AND IN SOME CASES RIGHT THROUGH THEIR PROPERTIES.

THEY ARE WORRIED ABOUT THEIR CHILDREN IN HARMS WAY DURING CONSTRUCTION NEAR THEIR PROPERTIES.

THEY ARE WORRIED ABOUT ACCESS TO THEIR HOMES AND NEIGHBORHOODS.

THEY ARE WORRIED ABOUT HAVING TO MOVE SHEDS/GARAGES/POOLS/GARDENS OR HAVING PIPELINES IN THE CENTER OF THEIR PROPERTIES OR WITHIN 100 FEET OF THEIR HOMES.

THEY ARE WORRIED ABOUT BEING IN THE 1000 FOOT ZONE CALLED THE "INCINERATION ZONE" WHERE PROPERTIES AND PEOPLE ARE DESTROYED ALMOST INSTANTLY SHOULD THERE BE A PIPELINE LEAK OR EXPLOSION. HUNDREDS OF THESE HOMES ARE IN THIS ZONE.

THEY ARE WORRIED ABOUT LIVING NEAR A COMPRESSOR STATION WHERE LIGHTS SHINE ALL DAY AND NIGHT AND LOUD PIGGING SOUNDS FROM THE PIPES ARE CONSTANT AND THE AREA SURROUNDING THE STATION AND THEIR PROPERTIES HAS A CONSTANT GAS SMELL THAT PERMEATES THEIR HOMES. HUNDREDS OF THESE HOMES ARE NEXT TO PROPOSED COMPRESSOR STATIONS.

SO YOU SEE ITS CLEAR THAT FERC CANNOT APPROVE THIS PROJECT, THE PEACE OF MIND OF THOUSANDS OF HOMEOWNERS WILL BE DESTROYED FOREVER. KM HAS KNOWN FROM THE START THAT THIS PROJECT IS NOT THE MOST ECONOMICAL PROJECT FOR NH OR MA AND THEY HAVE KNOWN FROM THE START THAT IT IS NOT THE LEAST INVASIVE PLAN FOR NH AND MA.

THE ONLY THING THAT KM IS CONCERNED WITH IS PLACING A PIPELINE IN NH AND MA THAT IS COST EFFECTIVE FOR KM WHILE DELIVERING GAS AND GENERATING REVENUE FOR KM. AS LONG AS THE PIPELINE IS COST EFFECTIVE FOR KM IRREGARDLESS OF THE COLLATERAL DAMAGE IT CREATES AND THE PEACE OF MIND IT DISTURBS, THEN KM WILL HAVE INCREASED PROFITS AND THAT IS THE ONLY GOAL KM SEEKS.

FERC MUST NOT APPROVE THIS PIPELINE PROJECT, IT DOES NOT DIRECTLY DELIVER GAS TO THESE TOWNS AFFECTED, IT DOES HOWEVER DISRUPT NEIGHBORHOODS, DESTROY WOODLANDS, DESTROY FARMS, FIELDS AND WETLANDS, DISRUPT HABITATS AND AS I STATED EARLIER, THIS PIPELINE PROJECTS DISRUPTS THE PEACE OF MIND OF THOUSANDS, I RESPECTIVELY REQUEST THAT FERC DENY THE KM PIPELINE PROJECT APPLICATION AND GIVE THESE PEOPLE HERE TONITE AND THE THOUSAND OTHERS WHO ARE THREATENED THEIR PEACE OF MIND BACK FOREVER. A GRATEFUL VILLAGE AWAITS YOUR DECISION, I KNOW YOU WILL MAKE THE BEST DECISION FOR THE HOMEOWNERS OF NH AND MA. PLEASE DENY THE APPLICATION FOR THE KM PIPELINE INTO MASS AND NH.

THANK YOU,

**20150824-4034**

Hand written FERC Comment form: Julia K. Parkhurst, 11 Apollo Rd, Londonderry, NH 03053, opposing.

**20150824-4035**

Statement of Thomas S. Popik

20 Lee St., Nashua, NH 03064

Hello, my name is Thomas Popik and I am resident of Nashua, New Hampshire.

I wish to speak in favor of the Northeast Energy Direct Pipeline. While I am chairman of the Foundation for Resilient Societies, a non-profit group that advocates for greater electric grid reliability at the state and federal level, tonight I am representing only myself as a private citizen.

Among regions of the United States, New England is arguably at highest risk of large scale grid outage and resulting societal impact. States within New England are at elevated risk of grid blackouts caused by the combination of dependence on long distance electricity transmission, lack of pipeline capacity and local storage for natural gas-fired generation plants, accelerated phase-out of five New England coal-fired plants, above-average exposure to solar storms, and vulnerability to physical, cyber, and electromagnetic pulse attack.

New England's significant complement of nuclear power plants cannot be used during conditions of grid instability, because safety standards prohibit operation without concurrent off-site electricity supply.

The high population density of southern New England will exacerbate societal impacts during conditions of long-term outage.

Because New England has overlapping grid reliability and security issues, because the region narrowly avoided blackouts in the winters of 2013 and 2014, and because every winter brings potential rolling blackouts due to inadequate gas pipeline capacity, there should be greater receptivity among politicians, appointed officials, and the public for proactive measures, including building this natural gas pipeline.

Uncertain natural gas transmission and delivery makes grid restoration difficult because about half of New England generation is dependent on natural gas. During grid restoration, the New England nuclear plants at Seabrook, NH, Plymouth, MA and Waterford, CT will be shut down. All of these factors combine to make long-term blackout for New England more likely.

The New England electric grid consists of generation and transmission within a control area managed by ISO-New England. Like Silicon Valley and San Francisco, New England is a vulnerable "electricity peninsula" dependent on power imports. New England has ten interconnections on eastern border, supplemented by one interconnection to New Brunswick (see graphic below).

**{graphic omitted}**

Graphic Source: ISO New England

New England is dependent on imported electricity and natural gas used for electricity generation, with about two-thirds of electricity demand supplied by these sources (see graphic below). Dependence on imported energy has been growing over time. For electricity imports, New England is principally dependent on Hydro Quebec. Hydro Quebec has the longest electricity transmission system in North America. These "built" features, along with enhanced and demonstrated vulnerability to solar storms make New England inherently vulnerable to natural and man-made disruption.

New England Depends on Energy for Electricity from Outside the Region

**{graphic omitted}**

Graphic Source: U.S. Energy Information Administration, from ISO New England

The natural gas pipelines for New England are long and narrow at the ends, as the below graphic shows.

New England Is at the Narrow Ends of Long Natural Gas Corridors

**{graphic omitted}**

Graphic Source: Principal Interstate Natural Gas Flow Summary, 2012; U.S. EIA

Much of the New England natural gas pipeline capacity is used for home heating in the winter. Gas utilities supplying residential customers have "firm contracts" for supplies, while electric utilities obtain cheaper gas through the "day ahead" market. During cold snaps, generation plants using natural gas for fuel may not

secure sufficient gas to operate. On two occasions in the winter of 2013, New England nearly had rolling blackouts due to constrained gas pipeline capacity.

More local natural gas storage may contribute to a future solution. However, the geology of New England prevents underground natural gas storage in rock formations, as a result, liquefied natural gas storage (LNG) is the only storage option. GDF Suez operates a large LNG facility in Everett, Massachusetts with a direct connection to a 1.5 gigawatt generation facility.

New England's reliance on electricity transmission over long distances and imported natural gas for generation reduces its resilience to a wide range of blackout-initiating events and therefore this pipeline is essential for increased electric grid reliability.

**20150824-4036**

Statement of  
David Rushton  
12 Autumn Street  
Windham, NH. 03087  
Before FERC Scoping Hearing  
July 29, 2015  
Nashua, NH

Docket No: PF14-22-000

My name is David Rushton. I live in Windham, New Hampshire. Thank you for this opportunity to speak publically about a project I oppose. My property is in close proximity to the planned pipeline. I live close enough so that it will be significantly devalued and more importantly I will live with the constant fear associated with being in the "area of high consequence" should there be art problem with the pipeline. Direct ~ abutters and those in my situation are being asked to shoulder the expense and stress for this project, while a private company reaps the benefits. Realistically, any short-term benefits to this region will be far exceeded by sacrifices a relative few will make. In the longer term, temporary construction jobs will quickly go away, depreciating pipeline assets will eat away at promised town revenue, safety issues will grow as the pipeline ages, the inevitable exportation of gas delivered by this pipeline will lead to large market price increases negating potential financial gains, and our collective dependence on non-renewable energy sources will continue unabated. All the while our environment will continue to suffer in ways you are all well aware off. You should be sure to hold Kinder/Morgan accountable.

During this pre-filing period, Kinder-Morgan! Tennessee Pipeline is obligated to:

1. Communicate with stakeholders.
2. Identify areas of concern.
3. Attempt to resolve those issues.

It seems to me that they have forgot that last step. To a certain extent, the first two requirements are being addressed. It is your duty to require that they work on the last one and make an honest attempt to resolve known issues. Unfortunately, as I see it, most issues cannot be resolved, and in true governmental methodology it will by necessary to brush those under the rug. You should at least require that they work on those issues, which could potentially be resolved.

One resolvable issue bothers me more than some.

Why has Kinder/Morgan not negotiated with the power companies to truly co-locate this pipeline within the power line easements. Specially, the section from Londonderry to Dracut contains a very wide right-of-way, more than capable of including both the pipeline and the power lines should they be willing to negotiate and consolidate lines. Can you require that they at least attempt to do so? If not, why not?

Thank you for your time, I will await your response.

## 20150824-4037

NORTHEAST DIRECT PF14-22

Stephanie Scherr Fitzwilliam, New Hampshire

Those of us OPPOSING THE KINDER MORGAN NED PIPELINE want you to HALT THE SCOPING HEARINGS and RESTART THE PROCESS giving land owners the FULL 60 days they are allowed. The thousands of “to be determined” labels in Kinder Morgan’s latest report is unacceptable. Routes have been changed leaving no time for land owners to understand what is happening to them as Kinder Morgan’s people swoop in on them like vultures trying to negotiate deals. These calculating moves on the part of Kinder Morgan do not go unnoticed, nor without response.

When Kinder Morgan uploaded their latest draft of the Environmental Report on Friday afternoon, leaving just days to sort through the enormous document before scoping, land owners called FERC. Their calls were met with incredibly rude, disrespectful, condescending responses. This reinforces that you support pipeline projects at any and all cost with no regard for those that will be impacted and whether they WANT or NEED your services.

The following comments were made by FERC employees Sarah McKinley & Marcia Lurensky at the land-owner helpline:

- Sarah told one caller, “Compressor stations are just big chemical plants.

There is no pollution. I don’t know what you’re worried about. I have worked on gas pipelines for FERC for over 30 years and never heard the term blowdown. You have been sold a bill of goods. You need to get off YouTube!” Then she hung up. This was the second person at FERC to tell her blowdowns do not exist.

- Sarah told another caller, “You and your folks can take as long as you want to process and digest this information. You do not need it for scoping. Your FERC comments sent in to us are the same as testifying at scoping. Kinder Morgan pushed your buttons and there’s no need for your buttons to be pushed.”

- A caller who spoke to Marcia stated, “Not one of my questions have been answered. She’s beating around the bush. She wouldn’t stop talking until I told her that it was my turn to talk now. She tried to tell me that there would be no tariffs on our electric bill, that the noise wouldn’t be THAT interruptive, and that any information that I may get from protest groups is biased.”

- Marcia told another caller that she talks to Kinder Morgan on the phone.

They’re wonderful people. They don’t want to hurt anyone. She said that she’d be at working til 7:00 tonight “donating her time to FERC” talking to people to make them feel better. She was told she should not be so upset.

Believe me, this kind of response doesn’t make anyone feel better.

The FERC game is rigged to promote old, outdated, filthy energy technology. Seal the leaks in existing pipelines and send Kinder Morgan back to Texas! We value clean air, clean water, wildlife, scenic vistas, outdoor recreation, state parks, conservation lands, historic homes and small town culture. The injustice of shoving this pipeline through rural communities does not sit well with us. RURAL LIVES MATTER!

We have clean energy solutions already in use, exploding in popularity. The energy field labor force already possesses the skills to transition to safer, healthier, clean energy jobs with bright futures. I call upon Governor Hassan and all of our state representatives to have the VISION to boldly move New Hampshire forward, promoting choices that will proudly put New Hampshire in the lead.

## 20150824-4038

Environmental Concerns July 29, 2015

Michelle Scott, 632 Sand Pit Road, Mason, NH 03048

miscott39@gmail.com 603 878-1680

**Aquifer in Mason, NH** that serves the town. When blasting through the granite which exists throughout

this community, how will you avoid damaging the main water supply of Mason. GOing only SO ft from the pipeline is not likely to take care of the wells that can be disturbed by blasting. What measures will be taken to determine well failure that is caused by the blasting. There are house lots in Mason which remain unbuilt on because it turns out they are on an impenetrable ledge of granite.

**Brooks and streams which are part of the Nashua River Watershed.** How will you maintain the flow, the trout population, and restore the vegetation around the pipeline. There are at least 5 streams (not rivers) that are crossed by the proposed pipeline route in just the town of Mason. How will you keep from not only polluting the brooks/streams, but altering their flow.

**Air Pollution.** How much gas escapes when the pigging stations are use? Exactly what is in the off-gas? What plans do you have to measure the air quality before the pipeline is in place, to compare it to monitoring air quality after the line is actively moving gas? How will you reduce/minimize the pollutants in the fracked gas that are leaked at pigging stations and at the compression stations.

**Deforestation and air pollution.** Since Mason and the other 17 towns are heavily forested, how will KM mitigate the air pollution increase that will result when a 70 mile 150 ft swath is cut thru southern NH? That is about 55,440,000 sq ft of forest, and at least 18 million average sized trees. The carbon storage of this many trees will affect the overall air quality of NH. Due to the westerly winds, we already receive pollution from the Midwest, and some refer to southern NH as the "Tailpipe of the Nation." We need these trees for air purification. Colocation with power lines is a myth, since the main corridor which is free of trees must be enlarged by 100 to 150 feet since a 36 inch pipeline cannot safely be located directly in the path of high tension wires.

## 20150824-4039

Docket No: PF14-22-000

FERC Scoping Meeting July 29, 2015

Homer Shannon, 15 Autumn Street, Windham NH

I built my home in 1983 and have lived in it since. When I purchased the land for my home, it came with a power line easement. The easement occupies about 30% of my total land. For the most part, the power line has been a good neighbor: it has never had any barking dogs, there have never been any shouting residents and best of all, I know that it cannot be rezoned for a 24-hour gas station.

Imagine my surprise when in January of this year I learned that Kinder Morgan was plotting to take about 20% of my non-easement land for a natural gas pipeline and its associated right of way. I was informed that this would be in the best interest of all citizens as the route would use "existing power corridors".

I'm not certain what a "power corridor" is. No one has ever used this term in reference to the power lines that go across my property before. My land is not zoned as a "power corridor". I do not consider my property to be a "power corridor" - it is simply my yard.

What would the impacts of this project be to me and my property?

The strip of rand in question is on the west side of my usable land. The strip is heavily forested with mature oak, maple and pine trees, 50 to 80 feet in height. This strip of forest buffers my house and landscaped yard from the power line. This is more than an esthetic feature. In the winter, the trees protect my property from the cold winds that blowout of the northwest. In the summer, it provides shade that cools my home and adjacent yard from the long, hot, afternoon sun.

The Kinder Morgan NED proposal, as presently drawn in the alignment sheets, would require that most or all of this treed buffer would need to be cleared. There is not sufficient room between the new easement and my home to grow a new buffer - even if I had thirty years to wait for it to grow. Furthermore, my land with the power line easement is not at the same level as the usable portion of my land. The usable portion of land, including the treed buffer, is about 10 to 15 feet higher than land of the power line right of way. How will the pipeline be raid so that a significant portion of my yard is not carved away to allow its installation?

This pipeline will devalue my property in many ways:

- The placement of a second easement (of any sort) will cause a devaluation of my property,
- The loss of usable land will devalue my property.
- The presence of a 30", potentially explosive, pipeline on my land will devalue my property.
- The loss of the power line, treed buffer will devalue my property.
- Re-grading my usable land will devalue my property.

I estimate that these losses will cost me \$50,000 or more in the market value of my home. I will incur the burdens of the planning for this project, I will have legal cost relative to negotiating with Kinder Morgan and granting an easement, I will have to endure the construction of this project, and I will have a permanent degradation of "lithe use and pleasure" of my land due to the esthetic changes caused by the pipeline.

How much will Kinder Morgan pay me for these losses? How much for the taking of my land? How much for the inconvenience that this entire project represents? How much for aesthetic damages to my property? How much for the new risks associated with living right next to this pipeline? I do not know. I have been to several "Open Houses", but all Kinder Morgan says is that, "You will be paid in full for your land and paid for any additional damages". What these are and how much I am to be paid is not discussed f

I ask you (FERC), if you approve this application, will you protect my rights to the full value of my land? Will you assure me due compensation for all of my losses? You have the authority to approve or deny Kinder Morgan's application, but that authority comes with a responsibility to assure me and all of the right-of-way owners in the path of this project that we will be fully and fairly compensated. I am demanding that you demonstrate that you will uphold your responsibilities in this regard. Tell me how you will protect my interests.

#### **20150824-4040**

Hand written FERC Comment form: Ed Silva, 43 Auburn St, Lowell, MA 01852, opposing

#### **20150824-4041**

Hand written FERC Comment form: Susan Silverman, 67 East Lake Rd, Fitzwilliam, NH 03447, **requesting CD of latest Resource Report filing from NED**

#### **20150824-4042**

Scoping letter to FERC

My name is Terry Silverman and I live at 67 East Lake Road, Fitzwilliam, NH.

I am the **Planning board chairman for the town of Fitzwilliam** a 30-year member of the board and an active **member of the NH Municipal Pipeline Coalition**. I am concerned with the NED proposed project and its effects on the area and the Town of Fitzwilliam.

The proposed route of the NED pipeline suggests that construction, maintenance and the pipeline itself will affect wetlands. NH RSA 674:17 states that the specific intent is to protect wetlands values such as:

- Ground water quality and quantity
- Surface water quality and quantity
- Storm water runoff quality and quantity
- Flood control, erosion and sediment control
- Wild flora and fauna
- Recreational aesthetics

The following should be considered:

- Will the project result in the conversion of wetlands from one type to another, and how can this be avoided or minimized?
- How much wetlands will be permanently lost? Can this be mitigated?
- Even if temporary disturbance is “mitigated” or “minimized” how will soil compaction from construction affect the wetlands function?
- How will the pH change in soil due to the rotation of removed and replaced earth? How will this change affect wetland and water quality?
- How will the destruction of vernal pools be avoided since many of these, though important for the health of the watershed and wetlands, are not mapped?
- How will the partitioning of wetlands and surface water affect the effectiveness of wetland function and wildlife?
- What are the detrimental effects on wildlife during and post construction due to the loss of native vegetation and plant diversity?

FERC- Wetland and waterbody construction and mitigation procedures only require 80% native vegetation and 50% plant diversity differential from preconstruction levels. (1994 FERC procedures).

- The study done by Robert G. Bailey of U.S. Forest Service for FERC studied 960 sites suggest that [problem wetlands greater than 20% surface rock or open waters, shallow bedrock soils or those dominated by annual plant species] had a low mitigation success rate ;35% from preconstruction levels. The Adirondack New England mixed forest eco-region along with the proliferation of granite that defines N.H. makes these wetlands common. The success of mitigation is not high. How would this be more successfully mitigated?
- What will be the affect of the additional non-permeable surfaces in construction sites, additional work areas, and access roads (temporary and permanent)? How will this be mitigated?

I urge you to follow the Statement of Policy issued (9/15/1999) in which the Commission’s goal is to consider:

1. The enhancement of competitive transportation alternatives,
2. The possibility of overbuilding infrastructures,
3. The avoidance of unnecessary disruption of the environment
4. The unneeded exercise of eminent domain.

While I have discussed only concerns of wetlands it seems clear that the continuation of the NED pipeline does not reflect these goals and I urge that this project be rejected.

Thank you for your consideration. Terry Silverman

## 20150824-4043

Comments of Stephen Spaulding, 32 Fletcher Lane, Hollis, NH

The following questions pertain to the Northeast Energy Direct (NED) pipeline proposed by Kinder Morgan and Tennessee Gas Pipeline (KM/TGP).

**Energy policy:** Expansion of our natural gas infrastructure has serious implications for the overall approach to meeting our energy needs.

Do you support implementation of policies designed to promote development and use of clean, sustainable energy technologies?

Do you support implementation of policies designed to promote conservation and greater efficiency in energy usage?

Do you believe that policy should favor non-polluting and renewable energy technologies over fossil-

fuel-based technologies?

Do you consider natural gas a sustainable energy source, given that the supply is finite? Do you consider natural gas a clean energy source, after taking into account its full environmental impact at all stages from extraction to combustion?

Given the scale of the NED project, its environmental and aesthetic impact, and the need to grant powers of eminent domain for the taking of private and public land, do you feel that the project should be allowed to proceed only if it is clearly demonstrated to be the best way to address the region's energy needs?

Do you believe that the NED project has been clearly demonstrated to be the best way to address the region's energy needs?

**Climate science:** Global temperatures are rising, with many results that are already observable and many others predicted by scientific modeling.

Do you accept the near-unanimous judgment of the scientific community that climate change is occurring, is caused by human activities, and is an imminent, serious threat to the wellbeing of human beings and other species?

Do you agree with the scientific consensus that moving away from reliance on fossil fuels is essential if we are to avoid the worst impacts of climate change?

Methane, the principal component of natural gas, is known to be an extremely potent greenhouse gas (many times more so than carbon dioxide). Do you support increased government regulation of methane emissions?

Leaks from natural gas infrastructure introduce large quantities of methane into the atmosphere (69 billion cubic feet in 2011—more than 30 times the daily capacity of the proposed NED pipeline—according to figures provided by gas distribution companies). Do you support requiring the owners and operators of existing pipeline infrastructure to repair these leaks?

**Energy prices:** Elected officials, regulators, KM/TGP, and various utility companies state that the NED project is needed in order to lower energy prices in New England.

Many project opponents believe that much of the gas would be destined for the export market, where prices are several times higher than domestic prices, and that New England consumers would see little benefit. Do you believe that a guarantee of reduced electric rates for energy consumers in New England, many of whom are unlikely in the foreseeable future to have the option of using natural gas for heating and cooking, should be a prerequisite for approval of the NED project?

Do you believe that alternative approaches, such as conservation, grid modernization, and increased exploitation of renewable sources, offer the promise of lowering energy prices?

If the NED pipeline were to fulfill the stated objective of lowering energy prices for New Hampshire consumers, do you believe this outcome would impede development of clean, sustainable energy technologies and encourage increased consumption of natural gas?

Even if the NED project is approved and completed without delay, it will bring no gas to New England until late 2018. In many parts of the United States and the world, energy from renewable sources is already cost-competitive with natural gas. Do you believe that advances in other technologies during the interim might make natural gas relatively less advantageous from a cost standpoint?

If the price of fossil fuels reflected the true costs of the environmental damage they cause, do you believe such fuels would remain economically competitive?

Throughout the world, demands are mounting for action on halting climate change and on curbing the extraction, transmission, and consumption of fossil fuels. Do you think that this political opposition will result in delays and increased costs (ultimately to be borne by consumers) in construction of natural gas infrastructure?

Are you confident that the economic benefits promised by the project's advocates outweigh the environmental, social, and opportunity costs of completing it?

**Fracking:** Support for expanding the natural gas infrastructure strongly implies support for increased hydraulic fracturing, or fracking, as the means of extracting the fuel. The fracking process injects as many as 600 chemicals into the ground, including numerous known carcinogens and other toxins. It also consumes between one and eight million gallons of water per well.

Many studies suggest that in the vicinity of fracking sites, water and soil are contaminated, seismic activity increases, and residents suffer elevated rates of cancer and other diseases. Do you believe that fracking poses a threat to public health?

Fracking companies are exempt from the provisions of the Safe Drinking Water Act, and in many cases are not required to disclose the chemicals that they are using. Do you think fracking is adequately regulated?

Do you support the right of states, counties, and municipalities to ban fracking within their borders?

If industry scientists were to discover commercially viable shale deposits in New England, would you support allowing fracking to proceed in those locations?

#### 20150824-4044

1.) My name is \_\_\_\_\_ and I live at \_\_\_\_\_ in Brookline, NH. In Brookline, a total of 15 parcels will be impacted by the pipeline, including six parcels that have been purchased by the Town's Conservation Commission at a cost of over \$571,000 and totaling over 163 acres. The Town of Brookline has engaged qualified experts to assess the potential impacts of the pipeline project. We ask that the record reflect such resources have been retained. As the results of these studies are finalized, we reserve the right to utilize them in requests to Kinder Morgan, its affiliates as well as FERC, NHSEC and other agencies.

2.) Secondly, I wish to advise FERC that at Brookline's annual town meeting on March 11, 2015, voters overwhelmingly passed several warrant articles related to the proposed pipeline.

The following were passed:

- #1 ~ Shall the Town of Brookline vote to oppose approval of the Northeast Energy Direct Project because the proposal is inconsistent with the Town's goal of protecting and preserving aquifers, drinking water including community and private wells, wetlands, streams, and other bodies of water. In addition, the proposal to extract water to use in drilling or other operations, whether from a body of water or well, is inconsistent with the Town's goal to protect such waters.
- #2 - Shall the Town of Brookline vote to oppose approval of the Northeast Energy Direct Project because the proposal is inconsistent with the basic tenet of individual property rights whereas if approved, Tennessee Gas Pipeline Company, LLC shall have the power to force private property owners to give up rights under Eminent Domain proceedings in order to create a new corridor for the installation of the pipeline project.
- #3 - Shall we impose a moratorium on any interstate gas pipeline projects within the Town of Brookline? The moratorium became effective immediately upon the vote and included, but was not be limited to, land acquisition, surveying, tree removal, or any physical alteration of any land within the Town of Brookline intended for pipeline construction or development.
- A fourth article appropriated funds to assist the Town in opposing the pipeline project.

*{remainder too confused by hand written additions to OCR convert}*

#### 20150824-4045

Statement of  
Paul Sullivan  
3 Autumn Street

Windham, NH. 03087  
Before FERC Scoping Hearing  
July 29, 2015 Nashua, NH.  
Docket No: PF14~22~000

My name is Paul Sullivan; I am an abutter to the proposal at 3 Autumn St, Windham NH. Segment J. Mile Post 34.80

I appreciate the opportunity to offer testimony this evening.

In December of 2000, an executive of Tennessee Gas testified before the NH Public Utilities Commission and stated, ... “there are few, if any human endeavors, which can be undertaken without some impact to the environment” 1

While I vehemently oppose this proposal, and find explanations and analyses riddled with double speak, misrepresentations and outright lies .. I do agree with TGP on this point, there will be impact to the environment An environmental impact, that will leave a permanent scar on the face of this state.

I wish to direct my remarks to the neighborhood in West Windham and the environmental damage this proposal will have.

I would like to raise two issues during this hearing.

The first pertains to the lack of documentation on Wetland & Watershed areas.

It should be noted that this neighborhood is included in the Stratified Drift Aquifer! and also part of the Upper Beaver Brook Merrimac River Watershed3

Referencing the Tennessee Gas maps of 1/12/154 at mile marker 34.8 an ‘unnamed stream’ links a series of ponds and drains into Beaver Brook at mile marker 34.9. No ‘wetlands’ are delineated on the TGP map. But a simple review of town tax maps shows a Wetland & Watershed Protection District (WWPD)S along the western edge of Autumn St including most of lot 19-B~919o

Construction in the WWPD would violate town ordnances written for the protection of private wells and natural habitat

The potential risks include:

- Contamination from pipeline construction, including compounds used for field-coating welds before installation of pipe
- Potential contamination of the watershed from herbicide use
- Disturbance of soil in the ROW, staging areas and temporary construction access points will seriously increase the risk of invasive plant species

The nature of the watershed, which includes glacially, deposited sand and gravel are highly susceptible to contamination. ‘Wells located in an unconfined aquifer are considered to have a high vulnerability to potential contamination due to the absence of hydro geologic barriers (i.e. clay) that can prevent contamination migration into the aquifer from the surface.’?

The second issue pertains to the aesthetics of the environmental damage.

When this neighborhood was developed 35 years ago, the power line ROW had already been established. The builder preserved the natural buffer of trees to the ROW as the development took shape. Now comes TGP, who will remove the natural buffer and opening a vista comparable to a lunar landscape ... no trees, no brush no buffer, just an unimpeded view of the electric ROW.

It’s not just the abutter effected by this, but residents across the street, who once had a view of majestic trees will now have unimpeded views of the power lines and towers.

While these two issues have direct impact on the neighborhood, one fact needs to highlight this testimony. As of this date, Tennessee Gas cannot

point to a spot on the ground and tell my neighbors ... this is where the pipe will be placed!

Segment J uses construction technique ROW-CONFIG\_OS and \_06B, which could cause a clearing of either 45' or 85' from the centerline of the pipe. This is bad enough, but the fact is, we don't even know where the pipe will actually be placed to start with.

In its Environmental Construction Plan for NH, Tennessee Gas is ... "proposing that the pipeline will be installed generally five feet outside the exiting power line easement boundary,"? But a few paragraphs later the proposal comes with a loophole .... "adjustments may result in the centerline of the pipeline to be located with in an existing power line easement, less than five feet from the existing power line boundary, or further than five feet from the existing power line boundary"<sup>10</sup> In other words, we are giving Tennessee Gas the option, to put it wherever its wants.

Members of FERC, you are asking us to offer specific environmental comments about this pipeline, yet you do not hold the Tennessee Gas responsible to offer a specific route. You are asking for comments on a moving target

I have serious reservations as to validity of the scoping hearing since the true route has not been established and the release of the draft EIS was only days ago.

I have spoken of the impact this will have in my neighborhood in the town of Windham. But my mind reels with the fact this will be repeated in hundreds of towns along the route.

To my fellow residents this should be a wake up call as to the power a private corporation can wield again citizens.

To our elected officials, take note ... this is what happens when an agency & rules are streamlined to work against the very citizens and environment it was designed to protect

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1 NH PUC re: TGP, SEC89-01 p.8 12/28/2000

2 Rockingham Planning Commission Map 12/15/09

3 Rockingham Planning Commission Map 3/22/06

4: Appendix A

5 Appendix B

6 Town of Windham NH, Zoning Ordinance and Land Use Regulations (amended March 10, 2015) re: 601.1.1 II Prevent the development of structures, or other land use within the WWPD that would contribute to surface and groundwater contamination or reduce surface and groundwater supplies."

7 Source Water Assessment and Protection (SWAP) Report. MA DEP

8 Appendix #3

9 TGP, Environmental Report NED Project Appendix M. M-4 July 2015

10 TGP, Environmental Report NED Project Appendix M, M-4 July 2015

*{5 pages of maps, etc., omitted}*

**20150824-4046**

**Merrimack Conservation Commission**

6 Baboosic Lake Road

Merrimack, NH 03054

merrimackoutdoors@merrimacknh.gov

www.merrimacknh.gov

July 29, 2015

Kimberly D. Bose. Secretary

Federal Energy Regulatory Commission 888 First Street. N.E.

Washington. DC 10426

RE: Tennessee Gas Pipeline Company. L.L.c.: Federal Energy Regulatory Commission ("Commission")

Docket No. PF 14-22-000

Dear Secretary Bose,

The Conservation Commission for the Town of Merrimack New Hampshire: a properly established Conservation Commission in accordance with New Hampshire State Law RSA 36-A. appreciates the opportunity to submit these scoping comments in conjunction with the pre-filing phase of the Tennessee Gas Pipeline Company's (TOP) proposed Northeast Energy Direct pipeline ("NED Project"), Docket No. PF14-22.

The Conservation Commission already commented (accepted March 18, 2015 - 20150318-5072) on the need and appropriateness of placing a pipeline as proposed in our managed and owned conservation properties so I will not duplicate those comments at this time.

These comments today are in response to the guidance provided by your Commission in the June 30, 2015 Notice of Intent to Prepare an EIS for the planned NED project. Given the limited time to speak, my comments will highlight our concerns but will not be all-inclusive of our concerns. The Conservation Commission will be filing a more complete submittal in the near future.

I will now comment on each of the environmental impact headings:

### **Geology and Soils**

New Hampshire is known as "Granite State" and that is for good reason. Granite is very prevalent and found in all areas of our State. It lies on the surface and under the surface in most locations within our Town. There are significant granite formations within the proposed pipeline route. Those formations are not only picturesque but also contribute greatly to the hydrology of these properties. They form the underground channels and holding areas for the aquifers that provide more than 80% of the water needs of our community.

With this prevalence comes the burden of removal when a buried pipeline is being constructed. Typical methods are blasting, pulverizing, and digging. Each of these processes creates the opportunity for unintended consequences on the land, soils, water resources, vegetation, and wildlife nearby. The Town of Merrimack has developed ordinances to guide contractors during this type of activity. The Conservation Commission requests you stipulate TOP follows our ordinances and processes even if they appear more burdensome than State or Federal rules and regulations. The Town has local experience and has developed these ordinances to balance the

environmental and health needs of our community with the needs of the business community. Our local experience and knowledge should not be underestimated and if nothing else, any other resident or commercial entity would be required to do the same. We are asking no more of TGP than we would require of any other business.

### **Water Resources and Wetlands**

As commented previously, Merrimack is nearly completely dependent on subsurface ground water through both private and large municipal wells. As this is a resource that cannot be easily replaced, protection of our underground water resources needs to be of the utmost concern. The Conservation Commission requests you stipulate to TOP that it must map, sample, and monitor all wells within the construction area and outside that area to a minimum distance of 1000 feet to be able to know if their activities have had a negative impact to these water resources. The sampling and monitoring should address both water quality and water quantity with baseline measurements done before activity starts. The results of the testing and subsequent monitoring should be independently confirmed and provided to the landowner of record.

Our conservation and other open space properties (both private and public) have ponds, streams, brooks, rivers, jurisdictional wetlands, and numerous vernal pools. The most elusive of these are the vernal pools. Vernal pools by nature appear and disappear every year. They provide life to some of the smallest wildlife in our Town. That wildlife then provides life to other species, including State rare and threatened species. Proper mapping of these vernal pools before construction is essential to assure the overall health of our properties and its inhabitants. This mapping should be done in different seasons leading up to construction to ensure all vernal pools are identified and cataloged. Once mapped, avoidance is the next request. Something often not considered is the avoidance of the trails, pathways, and connecting channels for these pools. If the connections are disturbed or blocked by the construction or the placement of a pipeline, the ef-

fectiveness and health of the vernal pools and wildlife dependent on them is of great concern. Vernal pools therefore cannot be viewed on an individual basis but must be considered, avoided, or properly mitigated when viewed as part of a larger ecosystem. The Conservation Commission requests that you stipulate TGP follows the New Hampshire Method (<http://nhmethod.org>) and all applicable State Laws and Merrimack ordinances when mapping all types of wetlands and makes that information fully available to the impacted landowners. Providing this information prior to construction will allow affected landowners to refute irregularities and educate both TGP and regulatory agencies associated with the project. This will help ensure potential wetland and vernal pool impacts are not missed in the process.

The proposed pipeline will have temporary and permanent wetland impacts within Merrimack and across the State. State Law (RSA 48:2-A) provides guidance on how these impacts should be mitigated and it is referred to as compensatory mitigation (<http://des.nh.gov/organization/divisions/wetlands/WILNO>). One aspect of that mitigation is a payment in-lieu of doing physical protection or mitigation activities. This payment opportunity should be viewed as a last resort. The Conservation Commission requests that you stipulate TGP must act in good faith and make every reasonable effort to provide physical compensation in each community where wetland impacts are made. The use of a payment should only be a last resort whose determination is solely allowed to proceed if the New Hampshire Department of Environmental Services has determined no mitigation project is possible in an impacted community.

### **Vegetation and Wildlife**

Merrimack's open space and conservation areas impacted by this pipeline are teeming with life of all types including plant, insect, amphibian, reptile, rodent, mammal, and human. We have professionally documented cases of NH rare and threatened species within the TOP study area for the proposed pipeline. This includes both plant and animal species. Some of this information has been found more recently and we are working with NH Fish and Game and NH Natural Heritage Bureau to have them be formally documented. Given these occurrences and their vicinity to the pipeline project, the Conservation Commission requests you stipulate TGP must do on-the-ground studies for rare and threatened species of both plants and wildlife and require them to avoid those areas where they are found and the general habitat areas where they live. Some of these species are mobile. They move and live in different habitat depending on the time of year, mating season, and for hibernation. Avoidance of these areas is crucial for their ongoing survival. This is one key reason why the Town of Merrimack has spent literally millions of dollars to preserve these open space areas.

The proposed pipeline project is intended to run adjacent to existing high voltage power lines. These power line corridors require vegetation maintenance which is likely similar to a natural gas pipeline. Eversource is our local power line company and they use mechanical methods to control vegetation along the route in our Town. They have been doing this work when the ground is frozen during what are normally the winter months. Doing this activity during the winter ensures most animal species are in hibernation or have migrated and are not likely directly harmed by the activity. They also avoid certain plant life if it has been identified as needing protection. The Conservation Commission requests that you stipulate TGP must only do mechanical vegetation control and that those activities only happen once the ground is frozen during the months of December through February. Also, that TGP work with each landowner to ensure rare or threatened species identified anytime during pipeline construction or operation are protected from any form of vegetation control.

### **Cultural Resources**

The Town of Merrimack was chartered before our great country came into being. It has a long history dating back to the 1600s. The proposed pipeline will inevitably cross or come into close contact with these historical treasures in our Town. Some of those treasures will be directly impacted if the proposed primary route is taken. This includes an historic roadway used by our Founding Fathers and original settlers who helped to incorporate, build, and farm our community. Those homesteads, foundations, and roadways are pre-

cious to OUF Town and are currently protected by the Conservation and Heritage Commissions in our Town along with many private citizens. The Conservation Commission requests that YOU stipulate TGP maps all these treasures, avoids them once mapped and where avoidance is not possible, that best management practices for historical preservation be performed to ensure artifacts are not lost, removed from our Town, and not damaged. When an historical item is encountered anywhere along the construction route, we request you require the Town to be immediately notified and appropriate action be taken to preserve the item. We further request that historical artifacts found on properties that TGP may purchase as part of this project be offered free of charge to the prior property owners or the Town of Merrimack if those owners do not wish to have them.

### **Land Use, Recreation, and Visual Resources**

Many members of our Town and the surrounding communities utilize our conservation and open space areas. They are a treasure and are held in high regard. The Town of Merrimack has designated millions of dollars over the years to purchase and maintain these properties. We actively manage our parcels and have committees whose sole purpose is to manage them for all their intended uses. Wildlife, rock formations, flora and fauna only add to the visual appeal of our properties. Our open spaces have multi-use trails, fields, and support outdoor water recreation. Hunting, trapping and fishing is also deeply revered and an important part of our community as well as a way to control certain animal species. A pipeline coming into our community will impact our way of life. The Conservation Commission requests that FERC reviews each of these activities, assesses the impact to them, and stipulates that TOP work with the Town and each landowner to minimize an interruption the pipeline may make as well as ensures that pipeline infrastructure is not located so as to impede these activities in our open spaces and conservation areas. Infrastructure items beyond the actual pipeline (metering stations, pig related items, blow off valves, etc.) often entail support roadways and other items. They should be specifically sited out of these open spaces and conservation areas to avoid interruption to the users and inhabitants and ensure the safety of the infrastructure.

### **Socioeconomics**

This is not an area where a Conservation Commission as defined by State Law would be active in. But it is something we do consider when making decisions. We feel our conservation properties and our oversight of water/aquifer projects within our Town certainly have a socioeconomic impact. We endeavor to ensure our properties add to the quality of life for our residents and businesses. Disruptions of these open spaces, visual interruptions, and the safety fears of people as they relate to a pipeline cannot be minimized. The Conservation Commission recognizes that State and Federal regulations may dictate certain signage, painting and marking schemes, etc. The Conservation Commission requests that you stipulate that TGP further: adheres to our local ordinances for these things when they do not conflict with these other regulations. When local regulations add further precision, local ordinances should be adhered to and not be ignored because they add cost of any form or time.

### **Air Quality and Noise**

Air quality is a deep concern for the Conservation Commission. Blow-offs, venting, and other activities that allow gas to leave the transmission pipeline are both a fact of life and an area of concern. The gas that will flow through this pipeline is known as a green house gas and will likely contain many other gases that are part of how the gas is extracted from its initial source. Some are known to disturb and affect humans. Not to be missed is their impact on plant and animal species as well as when or if this gas becomes part of our wetlands or aquifers. The Conservation Commission realizes there are Federal regulations that dictate and mandate how air quality is measured and impacts should be mitigated. We do request that YOU stipulate TGP does not place potential gas emitters (valves, stations, outlets, etc.) within wetlands, near existing trails or commonly used areas by humans, or where if they were ignited could cause a significant loss of our forests and open spaces. It should not be lost on your Commission that our Town has only a limited public safety capability and a pipeline of this proposed size can cause significant damage before safety mechanisms

react.

### **Cumulative Impacts**

The proposed pipeline is primarily being sited to run adjacent to the existing Eversource power lines. The power lines have already left a visual scar on our communities. Adding an adjacent scar on the landscape, will have a significant visual impact and will directly interfere with usability of both private and public property. Eversource likely has a long planned capital power line improvement plan. We are seeing evidence of this in one of our neighboring communities as Eversource is upgrading its own infrastructure. The Conservation Commission requests that FERC contact Eversource and review those long-term plans. We further request that where those plans may potentially be in conflict with or along the same proposed route of the pipeline (and within the pipeline's intended operational life) that you consider those impacts when making your siting adjustment requests. Balancing these conflicts must be considered a part of your charter as you go through your approval process.

### **Public Safety**

The Conservation Commission is very concerned about pipeline and public safety during both the construction and operational phases of this project. Terrorism, natural disasters, weather, seismic changes, negligence, and ignorance can all lead to a public safety incident. The Conservation Commission requests that you stipulate TOP must not only work with local safety officials but that it must bear the cost of planning and implementation for any relocation of current public or private use trails that may be impacted by the pipeline project or be of a safety concern by TGP or Merrimack public safety officials.

In conclusion, the Commission has contracted with a professional ecological company to assist us in understanding two of our potentially impacted properties. We have allocated over \$30,000 for this study with the results due by early fall. Unfortunately this may leave us with no time to further clarify our scoping comments to your Commission before your current scoping deadline.

The speed at which this NED pipeline process is moving makes it very difficult for our community to be adequately prepared and do adequate research. It is not that we have delayed our activities or are using this as an excuse. We have been very proactive and engaged our contractor within one month of the New Hampshire alternative route becoming the primary proposed route. The simple fact is that our properties are large (-600 acres). The different seasons of the year provide both challenges to performing a study and provide for new or not previously seen species of all kinds to be found, identified, and studied. Proper science following best management practices has a time aspect that cannot simply be ignored.

Given these concerns and our sincere desire to be an active stakeholder in the project, we request your Commission extends the scoping period by 60 days so we can provide you even better guidance and further that your Commission holds a scoping meeting and site visit within the Town of Merrimack to allow specific input on any impacted parcels as they relate to the NED project

Sincerely,

The Merrimack Conservation Commission

Timothy Tenhave

ttenhave@merrimacknh.gov

As authorized by the Conservation Commission on July 20, 2015.

### **20150824-4047**

Scoping questions

1) Since water quality and supply is a key issue in New Hampshire due to its topography and weather extremes it is of interest to residents what safeguards are taken during use and during construction. Kinder Morgans routing process seems to have been centered around inflaming landowner sentiment since they played connect the dot with water sensitive areas as well as Schools, homes, and public areas. What mea-

asures is FERC prepared to take to ensure water quality is treated properly within these constraints?

2) In Litchfield alone there are a number of notable water resources that we want on the record. The project crosses the Merrimack River at entry, runs near the Nesenkeag Brook that feeds the Merrimack. Nearby are the Pennichuck wells that feed into the Litchfield, Hudson and Nashua water supplies. There are several ponds nearby as well, within reach of interaction from the proposed course. These are Darrah Pond, Half Moon Pond, Perch Pond and Common Pond. Since the topography of the area involves runoff events during the year this could well involve Chase Brook as well. Within the area of the path there are several private wells in use that would well be impacted by blasting and the use of heavy equipment. What enforcement resources does FERC have to employ to safeguard these resources once the permits have been issued and how are affected residents going to access them?

3) Since the proposed route seems to have been chosen to inflame public sentiment, a connect the dot path across water supplies and near schools, parks, and residential density, what measures is FERC prepared to take if the State ofNH Site Evaluation Committee deems this project not expedient to approve?

4) Since a number of the properties to be impacted by this proposed path will be marginally habitable afterwards what is FERC prepared to do to referee the process? Wren Street in Litchfield will have severe impacts and a number of these properties will probably be market desertions as a result. Despite the assurances and the platitudes spread around during the process the end result will be a large number of properties that no one will want to own, left to lenders and the town to assume the debt and liability loads from. Since the gas act seems to lend protections to the builders does FERC intend to be a liable interest.

5) Given that the Merrimack and most of the other rivers in the area that this impacts were reclaimed from extreme pollution during the 50s, 60s, 70s and 80s and are now clean enough to be a recreational resource how does FERC intend to protect this public resource from the pollution inherent in the gas infrastructure framework?

6) This is the first of what was to have been three scoping meetings in the Granite State, the third is still not scheduled. The governor and the state congressional delegation had requested that FERC schedule meetings in accordance with the demand from impacted communities. Since we were blindsided by this and the recent release of the resource report that is almost unusable because of all ofit's blank space and "to be determined" entries we want to know the time and date for the third meeting. Is that available at this point?

Steve Tirrell  
64 Nesenkeac Dr  
Litchfield, NH 03052

## **20150824-4048**

July 29, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE Room 1 A  
Washington, DC 20426

Re: Tennessee Gas Pipeline Company, L.L.C. , Docket No. PFI4-22-000 Northeast energy Direct Project

Dear Commission Members,

The intent of this letter is to confirm, on record, that I oppose the above referenced project. I live in a dwelling within a rural residential neighborhood which is located at 17 Autumn Street Windham, NH ( Windham NH Tax Lot 19-B-906 ).

The construction of this proposed pipeline and the tree clearing for the pipeline easement would cause devastating economic impacts to properties located within our neighborhood. Eight properties located on Autumn Street are directly impacted and an additional fourteen properties on Autumn and Winter Street are indirectly impacted. My definition of direct impact is that these properties will have the pipeline or tree cut

easement on their property. Indirectly impacted properties, even though the pipeline or easement is not on their property, will absorb disadvantage economic effects of the pipeline construction.

The directly impact properties are faced with the following:

- 1) The devaluation of their property. Depending on the intrusion on the property forensic insurance companies estimate it to be as high as 35% of the property value.
- 2) Potentially go through the seizure of their property by eminent domain.

This would be a blatant abuse of the eminent domain process for private company profits.

The indirectly impacted properties are faced with the following:

- 1) The devaluation of their property. Due to the devaluation of abutting properties.

Forensic insurance companies estimate it to be as high as 15% of the property value.

Please see the enclosed Plan entitled "Overview Plan, Prior & Post Construction"

If you have any questions or comments please don't hesitate to call or contact me

Sincerely,

Anita E. Trudel  
17 Autumn Street  
Windham, NH 03087  
(603) 889-6158

*{Plan omitted}*

**20150824-4049**

July 29, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Room 1 A  
Washington, DC 20426

Re: Tennessee Gas Pipeline Company, L.L.C. , Docket No. PFI4-22-000 Northeast energy Direct Project

Dear Commission Members,

The intent of this letter is to confirm, on record, that I oppose the above referenced project. I live in a dwelling within a rural residential neighborhood which is located at

17 Autumn Street Windham, NH ( Windham NH Tax Lot 19-8-906 ). The proposed pipeline and easement is designed to clear cut a fifty-five foot (55') existing treed buffer which currently exists and is located between my dwelling and an existing three hundred and fifty foot (350') wide clear cut utility easement. The present utility easement consists of three rows of high tension steel towers in which one extends to the height of eighty feet (80'). Eversource, the utility company which has the 350' wide easement, has released plans to relocate within the easement an existing row of towers and add another row which include 80 to 90 foot tall steel towers ..

The existing fifty-five foot (55') treed buffer performs many uses.

- 1) It is a visual buffer to the existing 350 foot wide treeless easement corridor.
- 2) It is a visual buffer to the eighty foot (80') high steel electrical towers.
- 3) The buffer protects my dwelling from high force winds which blow through the existing treeless easement corridor.
- 4) The buffer plays a crucial part of the desirable rural characteristics and value of my property.

Please see the enclosed Plan entitled "Lot 19-8-906 Prior & Post Construction"

If you have any questions or comments please don't hesitate to call or contact me

Albert T. Trudel  
17 Autumn Street  
Windham, NH 03087  
(603) 889-6158

*{Plan omitted}*

**20150824-4050**

NORTHEAST ENERGY DIRECT PROJECT

Docket No. PF14-22-000

Public Scoping Meeting

Wed., 07/29/2015

Nashua NH

Thank you for the opportunity to address you this evening.

I am in opposition to THE NORTHEAST ENERGY DIRECT PROJECT as it passes through the town of Merrimack.

My specific concern is the impact upon the Water supply for the Town of Merrimack. The propped route crosses through the center of one of the principal aquifers from which the MVD ( the producer of water for the town) draws water. There are two production wells in the area of the crossing. Protection of this aquifer is provided by the town's Aquifer Protection overlay District. The contributing zone for the two wells is a registered Wellhead Protection Area with the State of New Hampshire. I must state my strongest opposition to the construction of the proposed pipeline in this area.

To lose such a critical resource would have dire consequences on the capability to provide water to the residents and businesses in the Town of Merrimack. Another aquifer to the southwest (Witches Brook Aquifer) is also interdicted by the proposed 'pipeline. Together these aquifers contain 83% of MVD capacity. Based on numerous searches it would be very unlikely that production wells of equal yields could be found in the involved servic area.

Also of concern are construction activities. Blasting, excavation, and storage of such products necessary for such an undertaking invite contamination. Stormwater runoff changes can also impact surface/groundwater quality.

Fuurther, although infrequent, catastrophic pipeline failures are most always accompanied by structural damage and personal injury. A reasonable person, municipal entity or dare I say a Regulatory Commission would not place even such a small risk in so sensitive an area.

Finally the cost of replacing production wells, if it were possible to do so, would be prohibitive. (estimated to be 2-3 Million dollars each.)

As a Resident of the Town of Merrimack and a Rate payer of the MVD I mast strongly urge the Commission (FERC) to find the project not of public convenience and necessity.

Lon S. Woods  
2 Arbor St.  
Merrimack NH 03054

**20150824-4051**

July 29, 2015

Dear Commission Members,

Thank you for travelling here and taking the time to hear our concerns about this proposed Kinder Morgaof-fennessee Gas Pipeline Project.

My name is Caroline Zuk, a Team Leader of the Dracut Pipeline Awareness Group.

I reside at 100 Old Parker Road, Dracut, Massachusetts 01826. I am a graduate of Wentworth Institute of Technology and have worked as a test engineer, project engineer, and regulatory engineer.

I presently own and operate Saja farm in Dracut, MA, a family owned farm, now under the watchful eye of the US Dept. of Agriculture's Agricultural Preservation Restriction program. We grow food. We feed people. Many communities across New England are doing the same. We recognize farm land to be a national food resource and we don't want it tainted.

Emissions, airborne toxic contaminants, undue noise levels, increase in utility easements, loss in property values, tariffs, displacement of wildlife habitats, waterways, and risk of catastrophic events weigh heavily on our minds. Most of us still don't have a clear picture of what Kinder Morgan is proposing as information keeps changing. That doesn't sit well •..

To better understand our concerns, we invite regulators to put on your hiking shoes and come take a closer look. Visit our populated areas, citizens, local farmers, and places slated to be ravaged by what is perceived to be an "industrial invasion".

We have an existing aging gas pipeline infrastructure in Dracut in need of attention.

When will the noise and odors from the metering station be resolved? Why aren't we funding renewable energy solutions instead? Are we really examining the long term cumulative effect on our communities and our environment? ••• I don't think so.

We don't need this. Dracut doesn't need this. We are not designed for this. Tell Kinder Morgan goodbye.

Caroline Zuk  
100 Old Parker Rd  
Dracut, MA 01826  
978-888-4480

## 20150824-4052

FERC Scoping Session 30 July, 2015

Milford Town Hall

Dear Mr. Tomasi,

My name is Michael Barrett and I live at 24 Twillingate Road, in Temple, New Hampshire. The Town of Temple abuts the proposed location of the compressor station. I am a member of the **Town of Temple's Ad Hoc Pipeline Committee.** I have read the Draft Environmental Report and I am greatly concerned. The Report is incomplete, insufficient in scope, and is not sufficiently protective of the health, safety, and welfare of the public and the environment.

The Report states clearly that the public safety is ensured based upon "empirical information." The overly simplistic use of empirical data does not include the unique features of our environment. The Report also states "the greatest hazard of a natural gas transmission line is a pipeline rupture that results in a fire or explosion." Yet the report does not consider that New Hampshire is the second most densely forested state in the continental U.S. and that Temple is a heavily forested community. Incidentally, there are currently five out-of-control fires in the United States. The report does not mention that Temple has an all-volunteer fire department and it does not address the Town's ability to contain and limit the growth of a fire-related incident during periods of dry weather.

The report does not refer to the existing Emergency Plan of the Town, or any other towns along the pipeline. It ignores the fact that the Temple policemen are the first to respond to Town hazards. The report does not indicate the times when none, one, or two policeman are on duty. The Report does not acknowledge the location of the Temple police station being situated two towns south of Temple, in the Town of Greenville. This detail is unique to Temple. The Report does not address the possibility that the police travelling from

Greenville to Temple in response to a reported pipeline or compressor station hazard need to access the one or two roads that may be impassable in the event of a fire or rupture. Both roads are adjacent to the compressor station. Thus, a hazard may at times prevent the Temple police from beginning the evacuation of the citizens to minimize the loss of life.

These concerns that) have stated are not unprecedented and they are well documented. Although not one NTSB Pipeline Accident Briefing is referred to in the Report, I refer you to the May 2009 briefing entitled “Rupture of Florida Gas Transmission Pipeline and release of Natural Gas”. This report describes the closure of a highway due to a pipeline rupture. It further describes the evacuation of a local school to prevent injury. In this case there were three injuries including a first responder, a sheriff. The Tennessee Gas Pipeline Report does not indicate that the Town’s only school is located about two thousand feet from the proposed pipeline and compressor station. It does not address the means by which the school can transport the children to a safe zone. In Temple, the school busses do not remain at the school during school hours and are often in use during school hours. The current school evacuation plan has the children crossing Route 45 and being secured within a barn, a wooden barn. An alternate plan will be needed.

The Report does not consider the fact that the school is also the only emergency shelter in the Town of Temple. This emergency shelter has provided housing for residents during past and recent declared emergencies. This emergency shelter’s ventilation system requires the use of outdoor ambient air which is subject to any emissions received from the proposed site of the compressor station.

The report also fails to address compressor station hazards that occur during declared emergencies. It does not mention the twelve-day emergency that began on December 11 th, 2008. The Governor signed the Emergency Declaration on December 13th as the residents of Temple were beginning to occupy the emergency shelter. These residents had nowhere else to go; Entry and egress to and from the Town was prevented by the massive amount of fallen trees and power lines lay on the ground and crossing almost every road and street. Although this disaster lasted over a week the adjacent Towns were not able to provide mutual aid because they too were in distress. Finally and thankfully, the NH National Guard arrived and ensured the public safety. I still remember the day when they arrived at my house in a Humvee to check on my family’s welfare. At that time only large all-wheel-drive vehicles could safely navigate through the Town.

The Report failed to consider all other types of natural disasters that have been declared in Temple. Some claim the worst natural disaster was 1993 snow storm. It has been called the storm of the century by some. This storm was huge and affected 26 states as well as most of eastern Canada. The storm came with cold Arctic air, heavy snow and hurricane force winds. The storm left 10 million people without power, 310 people lost their lives and the storm cost \$6.6 billion in damages. I had to transport my wife to the hospital for surgery and was unable to leave the hospital for three days due to impassable roads.

Other notable disasters include the 1940 New Hampshire earthquake, for example. On December 20, 1940, New Hampshire had a 5.5 magnitude earthquake with the epicenter being in Ossipee. The effects of the earthquake were felt in Montreal and Quebec, Canada as well as Maine, New Jersey, New York, Pennsylvania, Delaware, Massachusetts, Vermont and Rhode Island. Damages from the storm included broken pipes, furniture and walls as well as several damaged chimneys and water wells.

Clearly the Tennessee Report admits the use of “empirical information.” This type of information does not well address our environment and the many potential hazards associated the proposed pipeline and compressor station locations. The Tennessee Report claims compliance with the Pipeline and Hazardous Materials Safety Administration (“PHMSA”) 49, CFR Part 192. I conclude they are grossly misrepresenting the situation, and as proposed, significantly violate many requirements including “the availability of personnel, equipment, tools, and materials, as needed at the scene of an emergency, and the “making safe any actual or potential hazard to life.” Without a hazard analysis the Report’s claim remain unsubstantiated.

As a degreed engineer with experience in the drafting of safety and hazard analyses I am also greatly concerned the Tennessee draft Report seems to ignore the lessons learned within documented NTSB reports. It also does not consider a local and occupied religious facility, called Our Lady of Hope. As someone that

has raked the leaves there in the fall, I can personally attest to the potential for the rapid growth of fire when the dry leaves and on the ground. This facility is located just across the street from the proposed compressor station and the pipeline is located under or next to their land. Why is this facility not considered in the federally-mandated risk assessment? I am going to add them in my prayers.

In addition to inadequately assessing the public safety, the Tennessee Draft Environmental Report does not even mention the precious raptors and eagles that also make Temple unique. Ignored entirely is the extremely important migration route for raptors. Temple is part of and contiguous to one of the few pathways for the twice-yearly migration of raptors which is federally recognized. Thousands are recorded each year on Pack Monadnock as they begin their flight south (toward the compressor station) in the fall, and often times over ten thousand are reported and counted. The site is one of approximately 169 consistently reporting North American watch sites, all of which enter their daily observations into a database administered by the Hawk Migration Association of North America (HMANA). Audubon employs a naturalist to record raptor migrations in Temple during the period from August to November each year, supported by volunteers who, in 2012 “logged 600 observation hours over 55 days”. The proposed location for the compressor station in New Ipswich is on the lead line of this very special migration. What assessments have been made for the compressor station’s heat plumes, drafts, blow-downs, noise and light? None are mentioned in the Environmental Draft Report.

I respectfully request that FERC requires Tennessee Gas Pipeline Company, LLC to pay for and provide an updated Environmental Report with:

1. A comprehensive hazard analysis report written by an independent Professional Engineer with significant expertise to identify all potential hazards to the local environment resulting from the proposed compressor station. The analysis is to include the probability of occurrence and the severity of hazards assuming multiple scenarios.
2. A comprehensive analysis written by a Professional Engineer or PhD with significant expertise to address all potential’ hazards to the local bird species, including all recorded migratory birds, resulting from the proposed location of the compressor station. The analysis is to include the probability of occurrence and the severity of hazard assuming multiple compressor station hazard scenarios.

Respectfully Submitted,

Michael J. Barrett  
michaelbarrettnh@ymail.com

**20150824-4053**

July 30, 2015

Statement of Dr. Martin J. Barry PE, CIH, CSP at FERC Scoping Hearing, Milford, NH

Good evening -I am Doctor Martin Barry with the **Troy Conservation Commission**.

I am a professional engineer in New Hampshire, a certified industrial hygienist with a PhD in biomedical engineering and extensive experience in Risk Assessment.

I am concerned for those near the so-called “Incineration Zone” and the potentially devastating consequences ... the potential loss of life and severe environmental damage ... that could come from a pipeline leak and accident.

Now, I recognize that statistically, the chance of a major catastrophe, with a brand new properly installed pipeline, is extremely remote.

But, considering Kinder Morgan’s history of pipeline safety violations’, I am concerned that

- (1) The pipeline will Not be properly designed
- (2) That the pipeline will Not be properly installed ... and most critically
- (3) That the pipeline will be neglected and poorly maintained

I am concerned about the risks that our children and grandchildren will inherit from a deteriorated, poorly maintained pipeline ... thirty, fifty or one-hundred years from now.

So I ask FERC ... When doing your risk assessments ... when predicting the number of hypothetical deaths that this pipeline will bring to our communities ...

Run your risk scenarios

- 1) Assuming improper design
- 2) Assuming poor construction
- 3) Assuming inadequate seismic bracing
- 4) Assuming Kinder Morgan will poorly maintain the pipeline
- 5) Assuming excessive pipe corrosion over time
- 6) Assuming Significant erosion of pipe underlayment materials

And specifically calculate the risks ... the number of estimated deaths ... that our children should expect to occur not just during the first decade of operation, but also during the fifth decade, ninth decade and tenth of operation. Thank you

Martin J. Barry, PhD, PE, CIH, CSP

Member: Troy Conservation Commission

Address: 17 South Street, Troy, NH 03465

MartyBarry56@gmail.com

(1) Example: United States Department of Transportation - Pipeline and Hazardous Materials Safety Administration - Final Order in the Matter of Kinder Morgan, Inc. Finding of Violation -letter dated 9/1/2009

## **20150824-4054**

My name is Josiah Barthelmess, I am 11 years old. I live across the street from the proposed compressor station in New Ipswich, NH.

I told you, you would see me again.

Kinder Morgan's slogan is "we are good neighbors." Webster's Dictionary defines neighbor as a person who shows kindness or helpfulness toward his or her fellow humans.

FERC how can a compressor station be my good neighbor? Do you think it's kind to emit toxins into the air I breath? For the record .... a good neighbor doesn't steal your stuff.

A good neighbor is someone you trust and respect. Good neighbors don't Lie. Kinder Morgan says this is the only answer for New England. Yet we've heard right hear, there are clearly better alternatives than this pipeline. FERC my question to you is can we start speaking TRUTH here? You have seen these last couple of days, that the residents of New Hampshire are not backing down. They are well versed, educated and far beyond thinking they will benefit from Kinder Morgan's lies.

Hearing about taking the land of the people .... all in the name this "NEW ENGLAND ENERGY CRISIS". How can you even think of moving forward with this project?

This doesn't give my generation much hope in our government and the laws we the common people must abide by.

How is it those with deep pockets can re-write the law? I asked my dad and mom to explain this to me and I didn't like their answer ... that unfortunately this is the way the world works. Well that isn't good enough. What answer do you have for me? Aren't you a Federal organization, that will make sure Kinder Morgan follows the rules? Will you enforce them? What boggles my mind is why their rules are different than the rules we have to follow?

If this is what my federal government is like and what you stand for. I am moving to New Zealand. Please give me and my generation HOPE ..... that you are truly looking out for our best interest. And not that of a

corporate giant .... or the next corporate giant.

You've already had a good look at me ... Outside this building RIGHT NOW .... my generation is gathering in protest. The next generation IS being inforned ... and I WILL make sure all will remember the decision that you will make in regards to this project. How do you want to be remembered?

I want to remember yOU ..... as a good neighbor.”, someone I can trust and respect when this is all done. FERC at the end of the day, I want YOU to be able to hold your head high. I will. ... because I fought for what was right. Don't let me down.

I promise ... you will see me again ... and the voices of the Kidz of the Pipeline Resistance will continue to be heard.

Thank you for your time.

**20150824-4055**

### **Wetlands and Vernal Pools**

Hi, my name is Sebastian Barthelmess and I live in New Ipswich, NH just feet from the proposed 10 acre compressor station.

**Given the incomplete nature of Kinder Morgan's Resource Reports and recent changes to the scope of the project, these scoping meetings are being conducted prematurely and, therefore, are failing to provide information that would benefit the NEPA process (National Environmental Protection Act).**

Fresh, clean, water is our single most valuable resource for sustaining life - NOT gas, oil, or coal. New Ipswich has no public drinking water, we are all on private wells.

My fellow neighbors and I are seriously concerned the pipeline will impact wetlands.

Our wetlands are of great importance for flood control, water filtration, water storage and recharge for both groundwater and surface water.

Vernal pools are among our most valuable wetlands and the pipeline will impact several wetlands, including vernal pools.

All vernal pools along the pipeline route should be identified and avoided.

Vernal pools within 300 yards of pipeline work areas, staging areas, and other construction areas associated with pipeline construction should be identified.

Wetlands are essential for a wide variety of plants and animals. They provide birds, mammals, reptiles, amphibians, fish, insects and plants with food, water and shelter - including animal breeding or nest habitats. Approximately 66 percent of New Hampshire's species of greatest conservation concern are wetland or surface water dependent.

Alteration of Terrain Best Practices (as outlined by the NH dept. of Environmental Services) should be used to AVOID indirect impacts to wetlands.

The quality and thickness of pipe needs to be increased to prevent leakage and water contamination along the entire route involving wetlands.

We require you use NO HERBICIDES during construction or maintenance along the pipeline and compressor station properties. Besides wetlands impact, this also affects organic farming, and honeybees on our property and in the greater New Ipswich area.

This is a "high consequence area",

**I would also like to address Light Pollution from the proposed compressor station in New Ipswich.**

We are identified as having a rural sky and are regarded as a truly dark site.

To protect that we require that ALL lighting (interior and exterior) follow energy efficient shielded LED form factors for the proposed compressor site and adjacent buildings AND that only minimal exterior safety lighting is permitted and only with required motion sensors.

The official clear sky chart result of 4.5 (beautiful night sky) is for the nearest light pollution reading on MeetingHouse Hill several towns away. An accurate reading at the proposed compressor site needs to be taken now, and then maintained post-production.

**Asking us to identify what needs to be “avoided, mitigated, minimized, or compensated” without the adequate resources or time to do so can only assure that the Town of New Ipswich will suffer irreparable harm from this project**

**20150824-4056**

To KM,

The environmental impact of this project itself is too great for us to let this happen. Taking any trees and woodlands will affect the local wildlife. The possibility of polluting our natural wetlands, and more important, our residents underground drinking water is a great hazard.

Sound and noise pollution is something no small, rural town should have. I’m currently deployed and living on a small military base that is run by generators. I can assure you that it is not pleasant. But here, it’s required to maintain quality of life and provide security to defend our troops, our nation and partner nations. A large compressor station surely has no reason being in our town. The ground vibration alone would be enough to force wildlife from the area and cause issues with the natural ecosystem.

The negative economic impact it would create will drastically and unfairly reduce property values. Home owners’ insurance rates would climb for anyone within range of the incineration zone. Some residents will end up leaving the area to escape the negative effects of this project. With less residents, there will be less tax money coming in to support our town. This could lead to a hike in our property taxes.

You can say what you want to try and deceive the people of our community into thinking that this pipeline and compressor station is a great idea for us and that we will benefit from it. Keep patronizing us, telling us what you think we want to hear. I, for one, can see through your BS and I’m sure most others can as well. There is no benefit at all for anyone except KM. Any amount of money you spend for testing and research is just a waste. There is no good reason for us to allow you to bring your pipeline and compressor station through this community. Ask yourself if you would let this happen if you lived here.

I’ve been defending people against bullying my whole life. I’ve been defending our great country and our allies from being bullied by its enemies for 12 years. What makes you think I won’t defend my town from being bullied by you?

Sincerely,

Sgt. Joseph Belanger  
B Btry 3/197 FAR  
31 Appleton Rd.

**20150824-4057**

Regional Need - Mark

My name is Mark Bender and I live at 20 Grater Road, Amherst, NH.

I am the **Town Administrator in Milford, NH**. I am also a member of the 15 Town **NH Municipal Pipeline Coalition**.

On July 16,2015 Kinder Morgan announced that the Northeast Energy Direct (NED) project’s market path segment would be reduced from a 36” diameter and 2.2Bcf/d pipeline to a 30” diameter and 1.3Bcf/d pipeline. In the announcement they state that NED “will serve the commitments we have received from New England local gas distribution companies (IDCs) and commitments we expect to receive from other IDCs and electric distribution companies (EDCs) to provide domestic, low cost and environmentally cleaner natural gas for New England’s residential and industrial consumers, and to meet New England’s existing and antiCipated gasfired electricity generation demand.” While the diameter reduction is welcome news, the

troubling part of the announcement is that at this late stage KM is announcing commitments they expect to receive.

We understand that:

- o The electric grid is shared regionally in New England.
- o New Hampshire has 63 operating power plants including Seabrook nuclear plant.
- o New Hampshire is a net exporter of electricity to the region.
- o NED provides very little benefit to New Hampshire for the enormous impact.
- o 71 mile “greenfield” project entering New Hampshire from Massachusetts only to return to Massachusetts.
- o liberty Utilities, the only IDC signed onto NED from NH, reduced their commitment from 115,000 Dth/d to 100,000 Dth/d and only 50% of that commitment represents incremental capacity or growth. The incremental/growth volume represents less than 4% of the reduced 30” diameter pipeline capacity.
- o No EDCs from NH have made a commitment to NED.

We request that FERC require that Kinder Morgan:

- 1.} Detail the commitments from all LDCs and EDCs.
- 2.} Ensure a full analysis of need by Identifying replacement gas currently delivered to customers on existing pipelines and real Incremental/growth gas for each LDC and EDC.
- 3.} Quantify expected commitments from LDCs and EDCs and explain to FERC why these should be Included in the project evaluation.
- 4.) Quantify amount of gas delivered by KM/TGP to EDCs in New England for the past five years.
- 5.} Require Liberty Utilities to detail plans for their NED commitment to show communities that will be served and when.
- 6.} Compare competing pipeline plans to NED that are known by FERC to determine least and best cost solutions and to prevent a gross overbuild of infrastructure.
- 7.) Quantify the amount of gas lost in current transmission and distribution pipelines in New England.

## **20150824-4058**

Good evening, and thank you for being here tonight. Based on my knowledge of how the federal government works, you are employed by us, the people of the United States of America, and tonight, you are here to hear us, the people of Southern NH. I’ll refrain from the emotional rhetoric, as I know that while it is important to us, it is not necessarily germane to your decision making process. I’m sure you are aware that one of the proposed compressor stations is a 1/2 mile from the Temple Elementary School, and I’m sure you know our volunteer fire departments are ill-equipped to handle even a small “accident”. I know you will take into consideration the quality of life we enjoy here - the fresh air, the clean water, the solitude, the peace and the conservation land we so diligently put aside for future generations to enjoy. I know you will consider all of this, because you represent us, the people. This is not the least expensive place to live, and not the easiest, but it is ours, and we love it.

I am far from the most knowledgeable person on this subject, and have relied on the efforts and dedication of others to gather information, and I have tried to look at both sides of this issue. Based on my understanding, there is a perceived “need” for energy in this region, and that the term “energy crisis” has been bandied about as justification for this pipeline proposal. One does not have to dig too deeply to find out that this is a fabricated need by those who will benefit financially from it, and not an actual one. One also doesn’t need to look too hard to find out that the vast majority of the natural gas this pipeline will move will not be used in New England. The one company that has “signed up” to utilize a very marginal amount of the gas is - wait for it - affiliated with Kinder Morgan. I guess if you can’t legitimately find a need, if you have enough

money you can create one.

I'm not sure what Kinder Morgan expected to find here, but we are not the semi educated back woods hicks they might have expected. We are country folk, for sure, because we choose to be. I could say thank you to Kinder Morgan, for this issue has united and galvanized a large population that might otherwise not have come together. I think they have underestimated how fiercely we love this place we live, and how fervently we will fight to protect it. We live here for a reason, and if anything, this proposal has given us great reason to pursue alternative and renewable energy resources, to reduce our energy consumption, to buy more energy efficient products. We, as a nation, should be moving in this direction, not increasing our reliance on fossil fuels. I believe it is your job to facilitate that process.

I challenge you to give us a year. To let us show you through nothing but our concerted efforts that we can in fact reduce our energy consumption, that we can pursue other options, that we can live comfortably without having our homes and communities pillaged and plundered by deceitful and greedy corporations. I will leave you tonight with a quote by Margaret Mead - "never doubt that a small group of thoughtful committed citizens can make a difference, indeed, it's the only thing that ever has". You, my friends, have run into a group of very committed citizens, and as our state motto suggests, we will indeed, live pipeline free, or die trying. All of us here and especially the children of the Temple Elementary School, thank you for your thoughtful and rational consideration as you deny this proposal.

Amy Cabana  
64 Cutter Rd  
Temple, NH 03084  
amyc3364@aol.com  
603-249-6081

## 20150824-4059

FERC comments -

- Liberty Utilities, one of the subsidiaries of Kinder Morgan's partner in this endeavor, has already stated that it will build a lateral pipeline from NED through Cheshire County to Keene. This is segmentation of the project, and against FERC's mandates.
- In every FERC filing regarding NED, TGP has stated that it reserves the right to change the route, size of the pipe, number of ancillary facilities and pressure of the gas as it sees fit. The thousands of "BD"s in TGP's latest filing are an insult to the residents that live along the proposed route of this massive industrial infrastructure. The project AS A WHOLE should be evaluated, not bits and pieces. The devil IS in the details.
- ISO-NE has already admitted that existing New England pipelines are currently running at 20 to 80% below 2008 levels. 20 to 80% BELOW. Adjusted prices are lower now than they were at that time. ISO-NE also stated that to decrease prices further would "send the wrong signal" to consumers about the relative scarcity of this resource.
- Energy industry experts are already questioning whether Marcellus holds enough supply to recover the costs associated with building this pipeline. An un-needed, un-wanted pipeline will be laid to pump fracked gas for how long? What would the pipeline be used for then? And would residents have any input on that process and decision?
- The true energy crisis in New England is that instead of diversifying its energy portfolio with truly renewable solar, wind and hydro-electric power, New England is doubling down on non-renewable fossil fuels which damage communities and the environment at EVERY point of extraction, storage and distribution. As the FERC you have an enormous responsibility. You hold the gavel for the energy of the future in your hands. Your decisions affect numerous individuals, families, businesses, and communities. Today I task you with a new responsibility, one no group is owning, but has become our burden to bear. I

task you with including the negative impacts pipelines and compressor stations have on SOCIety, and the communities situated around them, because our futures rely on it. By Identifying how to approve a project such as NED primary based on the least amount of impact to the environment is not only performing half of your due-diligence it's simply a job left undone.

Every action in our world is balance by an equal and opposite reaction. We are required to live with those reactions. It's time for change, change that doesn't continually feed a consumption nation, but that instead responsibly assists in suppl.jS1,alanced supply of truly renewable energy.

Thank you,

Brandon Cardinal

## 20150824-4060

7/30/15

Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

Re: Scope meeting Held in Milford NH Docket # PF14-22

Nick Darchik  
320 Melendy Rd.  
Milford NH 03055  
603-672-9769

This project will create a non recoverable impact on the environment. With a 150 foot clear cut work area in the proposed 72 miles of New Hampshire being impacted, 1,309 acres of pristine land will no longer remain usable. This is the pipeline route only! Add in the additional proposed 57 acres for each pump station (Possibly 2) this now removes 1,423 acres from the total area of New Hampshire and the globe. This equates to 2.22 sq. miles gone!

This loss does not appear to be that great of an impact, However If the original route in Massachusetts is used, The total miles of pipeline will be reduced (This IS THE MOST direct route) and an additional reduction in the land loss in the state and total impact on the environment and the globe! The original route needs to be re addressed to minimize any and all impacts to the environment.

	Square acres	1,309 acres % loss of ea.
New Hampshire	5,984,000	= .021875 0/0
Massachusetts	6,754,560	= .019379 %
Texas	172,044,800	= .000760 %
Earth	37,000,000,000	= .000003537 %

The larger the land area the less the impact on that area only, the impact globally remains the same.

We NEED to keep what we have for real estate since NO ONE can go out and buy more!

## 20150824-4061

7/23/2015

To the Officials of FERC:

I have grave concerns regarding the proposed Kinder Morgan pipeline project to be constucted in the Monadnock area. If allowed to move forward this project will forever change the affected communities and disrupt the environment. My concerns are as follows:

### **Public Health and Safety and Environmental Hazards:**

What safeguards will be in place to protect the residents and the children who attend the Temple Elementary School (which will be approx 0.5 miles away from the compressor station in the "Burn" zone)? If there is

ever an accident at the compressor station the students, staff and residents will be in grave danger and our volunteer Fire Dept will be inadequate to the task of dealing with such an incident. The Compressor Station is automated and by the time an issue is noted and residents notified it could be too late to evacuate the students, staff and residents in the affected zone. Kinder Morgan does not have the best safety record regarding their compressor stations and an incident could result in loss of life and property.

There are concerns regarding toxins released into the air periodically during normal operations that could impact the entire area. What filtering systems will be in place to prevent air pollution? Of note: Noise pollution could also hinder effective learning at the school as well as negatively impact nearby residents.

Another important issue is potential pollution of the aquifers that supply water to all of the town of Temple's wells as well as the Public Water Supply for the Town of Greenville. (There is no feasible way to bring in "city supplied water" from a safe source if this occurs).

Additionally potential ground contaminants would negatively impact farming in the area (some of which is certified Organic). This will adversely affect the local businesses, causing many farms to close down operations.

**Negative Impact on Property values:** living in a rural area, we pay significant property taxes to cover the costs of running the Town. If this project moves forward, it will negatively impact property values causing hardship on the residents of the affected Towns. Our tax rates will rise even as our property values plummet. Homes will be difficult to sell and residents will take large losses in their investments. The pipeline will also negatively impact land which was placed in Conservation for protection.

The proposed Compressor Station is too large to be built in the middle of these rural mountain communities. This should be built in an industrial zone away from populated communities which would lessen negative impact on property values as well as increasing safety for the residents.

Lastly, this project is not going to benefit the families in the affected areas or even the New England area. The majority of the energy produced will be sent off shore where it will increase the profits of Kinder Morgan at the expense of the residents of all the affected towns along the proposed route. I sincerely hope that you will consider the negative impact this project will have on the Monadnock area and address these grave concerns regarding the KM Pipeline project in NH.

Sincerely, Jean Darnell  
89 Kulgren Rd  
Temple NH 03084  
nhfiddler@hotmail.com

## 20150824-4062

My name is Lisa Derby Oden and I live in New Ipswich, NH.

Given the incomplete nature of Kinder Morgan's Resource Reports and recent changes to the scope of the project, these scoping meetings are being conducted prematurely and, therefore, failing to provide information that would benefit the NEPA process. And more importantly, given that NEED has NOT been demonstrated, I'm unsure why we are here at all.

Though my concerns are many, I am going to talk about pets and farm animals. They will be affected by the pipeline construction noise and vibrations, as well as compressor station construction and operation.

I own dogs, cats and horses and they are a large part of my life. Indeed, one of the reasons that I live in a pristine, quiet, healthy, rural environment is so that I may have all these animals. I am not alone in this! Subjecting our pets and farm animals to ongoing construction noise as well as compressor station noise, vibration and emissions is just not okay from an emotional OR financial point of view.

Pet and farm animal owners invest a large amount annually into their care and well-being. At town hall this spring I was told that there are 1000 licensed dogs in New Ipswich. That does not take into account the other pets of all kinds or farm animals in New Ipswich and across the NED project, and we don't really know

what that count is.

Animal health issues related to construction and compressor station operation will result in increased veterinary bills, as well as premature loss of the animals. Similarly, health impacts to farm animals represent loss in production and subsequently directly impact the livelihood of those with production farm animals.

At the very least, FERC and Kinder Morgan need to provide us with the following:

- Determine pets and farm animals owned across the NED project
- Investigate cost to relocate pets and farm animals during construction phase and offer relocation to those requesting it
- Conduct meteorological studies to evaluate weather patterns year-round and impact areas of the toxins that are air born
- Identify chemicals used in fracking process that are emitted during compressor station operation, as well as animal health-related problems associated with them
- Calculate economic loss to local businesses that supply pet food and treats, vitamins, veterinary services, animal sitting and kennel boarding, groomer and grooming aids, toys, and other pet and animal supplies when animals are lost as a result of construction and compressor station emissions
- Identify resources and availability to evacuate pets and farm animals in an emergency
- Provide ongoing animal health monitoring during construction and when pipeline and compressor station are operational
- Pay ongoing increased veterinary bills and production loss costs
- A plan and adequate funding for ALL those humans, pets and farms animals, impacted by the construction and operation of NED to BE MADE WHOLE, not just mitigated
- Other items, studies, and resources that are TBD

Asking us to identify what needs to be “avoided, mitigated, minimized or compensated” without the adequate resources or time to do so can only assure that the Town of New Ipswich will suffer irreparable harm from this project.

### **20150824-4063**

Good Evening, my name is Brian Dillon and I live in Amherst,

This is currently the view from my home into the proposed pipeline path. My home abuts the land where the proposed route will begin to deviate to avoid Souhegan HS and Middle School.~ is also where a water line to Milford is buried as well. This picture is what I am trying to prevent happening to this land.

Part of Kinder Morgan’s pitch to New Hampshire has been that we will now have a less costly source of energy to use. This is a false premise. Currently, many towns do not have the existing pipeline infrastructure that would be needed to get this gas into our homes. Several of us looked into getting natural gas hooked up to our homes because there is an existing natural gas line along Boston Post Road. It would cost us around \$150 per linear foot to run the pipe to our homes. My home is roughly 425 feet from the line. That does not even consider the cost to purchase and have installed a new furnace that would burn natural gas. Kinder Morgan is not offering one cent towards the infrastructure in the towns impacted by their pipeline needed to get the gas to our homes nor are they offering anything to the homeowners.

The threat of this project has already caused my property value to decrease. Once built, the value will decrease even more. Like many people, my home value is a part of my retirement plans. It is going to take a very long time for my property value to recover if at all. Additionally, I asked my insurance agent what it will mean for my homeowners insurance if this pipeline is built and I will now be living in an incineration zone. Initially nothing, but that does not mean it would stay that way. The real problem could occur when I go to sell it. That is when the home would be evaluated and now that the home is in an incineration zone, the cost of homeowners insurance could make it too costly for a new owner. ~I am already in a flood plain and

have seen my yearly flood insurance premiums dramatically increase, especially after Super StormSandy. I can barely dig a hole without jumping through a lot of hoops.

How in the world is the same government that forces me to buy flood insurance is allowing a flood plain to be ripped to shreds and all vegetation around the pipeline be killed off? At some point after this pipeline is built, it may be better financially for me to simply send my house keys to Kinder Morgan and walk away. This pipeline could destroy everything I have worked for in terms of property value and lifestyle.

Shame on Governor Hassan, our two Senators and our Congressmen here in New Hampshire. While opposition to this pipeline is abundant, ALL of them have stayed on the sideline and the most any of them will say is that we need more time to study this. In the words of Teddy Roosevelt ... BULL FEATHERS! We do not need more study time. We need this pipeline sent back to Massachusetts where it is needed. The Federal Government wants this and Kinder Morgan wants this. Use land owned by the Government ... bury this line down the middle of 495 to Dracut! There is not a need for this in New Hampshire as we are already a net energy exporter and our electricity rates are being reduced.

Finally, this whole process and the threat of friends and neighbors property being taken by eminent domain has really soured me and has got me thinking about running for Congress. Someone needs to fight for us here. Many towns, livelihoods and qualities of life are about to be steamrolled by an over-reaching Federal Government and a company built by the alumni of Enron, (remember them?), in order to put in a pipeline that will ultimately export natural gas, under the guise that natural gas is needed in New Hampshire.

Thank you.

#### **20150824-4064**

Susan L Durling  
292 Chesham Road Apt 3  
Harrisville, NH 03450

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE  
Washington, D.C. 20426

July 30,2015

Re: Tennessee Gas Pipeline Company, LLC Docket No. PF14-22-000

Northeast Energy Direct Project

COMMENT FOR SCOPING MEETING

I am Susan L. Durling, a resident of New Hampshire, and proud to say that my family has lived in New Hampshire for more than 400 years. I therefore claim standing to oppose the issuance of a Federal Energy Regulatory Commission (FERC) permit for the Kinder Morgan/Tennessee Gas Pipeline Company, L.L.C., and its Northeast Energy Direct Project.

Prior to my questions for this meeting, I am compelled to respectfully request that scoping meetings be postponed until everyone has had an adequate amount of time to examine and respond to the gigabytes of data Kinder Morgan/Tennessee Gas Pipeline posted to FERC's website on Friday, July 24, 2015.

The Town of Winchester has the longest segment of greenfields, areas far from power lines; and residents must drive substantial distances to attend these meetings.

My questions for you are:

- Will Kinder Morgan/TOP provide a list of citizens of affected towns with whom it has contracted for services, and the fees paid to them?
- If unable to identify because of privacy issues, how will the number of persons and financial or material compensation by town be made known?

- What will be done to avoid impact to Winchester's natural wonders of Pulpit Rock and Pulpit Falls?
- The pipeline enters Winchester through conservation land deeded to the town with the caveat that these areas be protected. We want these areas avoided. What will you do to protect them?
- Most homeowners rely on wells for their water supply, (municipal or private). Given the rocky nature of The Granite State, blasting will no doubt be required to complete construction. Please look into how the company plans to avoid contamination, damage, and changes in water levels.
- Will KMJTOP preserve stone walls, historic foundations, and dam and mill sites within the project's Area of Potential Effect (APE)?
- Will KMffOP perform archeological surveys to determine pre-historic and historic significant areas within the project's APE?
- I have seen no reference to performance of a determination of properties eligible for listing on the National Register of Historic Places within the project's APE has been done. Does the company have a plan for this? What is that plan?
- I have seen no reference to Native American traditional cultural places within the project's APE. Does the company have a plan for dealing with the unanticipated discovery of prehistoric sites, historic properties or human remains? What is that plan?
- Please contact Elizabeth H. Muzzey, the Director of the Division of Historical Resources and New Hampshire's State Historic Preservation Officer, as she has not yet been contacted by Kinder Morgan.

Respectfully,

Susan L. Durling  
SUELDU@gmail.com 603-496-1783

#### 20150824-4065

#### **“Knowing and Protecting Your Rights When an Interstate Gas Pipeline Comes to Your Community**

A Legal and Practical Guide for States, Local Government Units, Non-Governmental Organizations and Landowners On How the FERC Pipeline Certification Process Works and How You Can Participate”

Prepared by Carolyn Elefant,  
Law Offices of Carolyn Elefant, Washington D.C.  
www.carolynelefant.com  
contact: 202-297-6100  
Carolyn@carolynelefant.com  
(May 17, 2010)

*{This submission contained a complete copy of Carolyn Elefant's excellent and highly recommended 64 page guide - which can be downloaded directly from:*

***<http://lawofficesofcarolynelefant.com/wp-content/uploads/2010/06/FINALTAGguide.pdf>* }**

#### 20150824-4066

Hand written FERC Comment form, Liz Fletcher, 288 Marcel Rd, Mason, NH 03048, outdated maps, corner cutting, financial stability, 5-year performance bonds for mitigation, insurance, decommissioning fund. Duplicate of 20150824-4009

#### 20150824-4067

Comments on NED Pipeline Construction Proposed Project (Docket PFI4-22-000)

Given the great technological advances of this century in Solar, Wind, Geothermal, ground source heating and cooling, tidal power, biomass as well as weatherization and energy efficient construction, I request that your commission evaluate whether these technologies might more appropriately and more economically

meet any need we have for energy and be a less expensive and longer term option for our future needs.

We have south facing roofs, we have well digging skills for geothermal, we have coastline, we have open spaces for solar fields. We also have colleges and technical schools that can train our young people to install and maintain the modern systems. Indeed, we have, I have read, in the town ofEpson a high school training students in solar technology; all ofEpson's town buildings are powered primarily by solar. The sun, wind, earth and water will always be with us.

Please study the capacity of these alternate systems for power production in New England in the near and medium term and whether our power needs might be met more economically and with less disruption than by this gas pipeline.

Julia I. Flood Page  
44 Mountain Road  
Rindge, NH 03461  
7/30/15

**20150824-4068**

**SOCIETY FOR THE PROTECTION OF NEW HAMPSHIRE FORESTS**

54 Portsmouth Street Concord,NH 03301

Tel. 603.224.9945

Fax 603.228.0423

info@forestsociety.org www.forestsociety.org

July 30,2015

Ms. Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE  
Washington, DC 20426

RE: Northeast Energy Direct Project, Docket N. PF-14-22-000

Dear Ms. Bose:

Thank you for the opportunity to comment on the proposed Northeast Energy Direct Project (NED). As you know, the Forest Society is New Hampshire's oldest and largest land trust. We hold more than 750 conservation easements permanently protecting more than 120,000 acres of privately owned land statewide. In addition, we own more than 53,500 acres of forested lands in 180 separate reservations in 101 New Hampshire municipalities. Three of our forest reservation parcels are located in the route of the NED: the 55 acre Heald Tract parcels in Greenville and Mason, and the 45 acre Bockes Forest in Hudson. As such, we are in the process of assessing the potential negative impacts the project may have on them and their natural resources, and will be providing a full report upon completion of this study.

Because the 71 mile proposed route in New Hampshire will cross significant land and water resources as well as wildlife habitats, SPNHF requests FERC undertake a thorough and transparent review of the impact the entire NED Project will have on natural resources on the ground. As you determine whether it provides a public benefit, we believe FERC must equally weigh the project's adverse effects, especially over the long-term. These natural resources provide benefits to public drinking water supplies, agricultural and forest soils, public recreation including hunting and fishing and the forest products industries. It is therefore incumbent for the agency to take this approach during its review.

Specifically, we would urge the agency to develop alternate proposals that will avoid and minimize impacts to protected conservation lands and other sensitive natural areas. As you recall, the Nature Conservancy asked FERC to give special consideration in the EIS of how to avoid, minimize impacts to, or offset impacts to critical habitats. We strongly support TNC's request and would expect to see information in the Draft EIS that addresses the following categories: large, intact forest patches; floodplains, wetland and vernal pool

complexes, seeps, bogs, and fens; fragile habitats; rare species habitats, both freshwater and terrestrial; migratory bird habitat. As you develop these alternate proposals, we would also ask FERC to consider options that use existing transportation rights of way.

The Natural Gas Act grants private natural gas companies that have received a FERC certificate of public convenience and necessity the power of condemnation. This authority is a powerful tool and provides those companies a significant regulatory advantage over landowners. Therefore, FERC must exercise extreme diligence and restraint before granting such power. We would ask FERC to set a high a review threshold for determining if the NED Project will provide a substantial benefit to the people of New Hampshire before granting the power of condemnation.

In closing, if you determine this project is necessary, we would also ask you to require the developer to avoid impacts the most ecologically significant natural resources and minimize impacts on other important environmental areas. Thank you for your consideration of these comments. We look forward to your response.

Sincerely,

Matt Leahy, Public Policy Manager

**20150824-4069**

July 30, 2015

Re: Tennessee Gas Pipeline Company, LLC, Docket No. PFI4-22-000

My name is Elizabeth Freeman. I live at 410 Ashby Road, New Ipswich, NH. I wish to address the issue of potential noise created by the proposed compressor station. I am the Vice Chairman of the New Ipswich Planning Board, but today I speak as a private citizen.

Several years ago, the Planning Board wrote an ordinance governing the construction and operation of commercial wind farms. In the process of writing that ordinance the Board researched numerous issues, including the impact of industrial and commercial noise on a quiet rural community. The Board consulted with acoustical engineers with many years of experience in community noise control. Our consultants referred us to the cautionary warnings for quiet environments published by the US Environmental Protection Agency' and the World Health Organization' .

While I did not, by any means, become an expert on community noise as a result of helping to write this ordinance, I did gain an understanding of certain issues. First, that New Ipswich is a quiet area with no industrial or commercial noise sources, which establishes us as a "Quiet Rural Community." The existing Background Noise Levels in New Ipswich are less than 30 dBA and 20 dBA at night without natural sounds. Second, that if the noise levels generated by a commercial or industrial use are not designed to operate quietly, there WILL be a serious, negative impact on the health and welfare of residents of the community. And third, that industrial and commercial noise level limits for a "Quiet Rural Community" need to be significantly lower than those for an urban setting.

My concern is that the noise standards used by FERC, while appropriate for an urban setting, are NOT appropriate for a "Quiet Rural Community" and ignore the cautions found in Appendix D of the aforementioned EPA document. While more expensive, it is possible to build a compressor station with noise levels lower than FERC's standard of 45 dBA leq night time.' Additional expenses for doing this can be better controlled if an acoustical engineer takes charge of the entire acoustic footprint," There are noise-control material providers that specialize in the design of very quiet compressor stations.

In order to preserve the quiet rural environment of New Ipswich and to provide protection from excessive noise levels that cause adverse impacts to public health, welfare, and well-being, I request that Kinder Morgan be required to meet a noise level standard for the compressor station that is less than 38 dBA leq night-time at the boundary of residential properties.

Thank you.

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- 1 United States Environmental Protection Agency's document Information On Levels Of Environmental Noise Requisite To Protect Public Health And Welfare With An Adequate Margin of Safety, 550/9-74-004, March 1974. (the "Levels Document")
  - 2 World Health Organization (WHO) night noise guidelines for exposure to noise during sleep found in the documents: Night Noise Guidelines (NNLG) for Europe, 2007 and ISBN 978928904173 7, 2009.
  - 3 The Design, Fabrication and Installation of a Quiet Compressor Station, Humphries, Schulz and Binek, The American Society of Engineers, 91-GT-239, 1991
  - 4 Effective Management of Gas Compressor Station Design Projects, Cleveland and Humphries, The American Society of Engineers, 95-GT -460, 1995

**20150824-4070**

Hand written FERC Comment form: Denise Hannessy, 77 Elan Street, Apt 4, Milford, NH 03055, opposing

**20150824-4071**

My Name Is Craig Herlihy I'm from Wilton, NH.

I moved here with my wife 8 years ago and I love my town and I love this state. When we moved here we were looking for a place that was beautiful, a safe place to raise our children and a place to invest in a home that will hopefully increase in value. I do believe we've found that here. But, all of these things are in jeopardy with this proposed pipeline.

The beauty of nature preserves in our area as well as the back yards of average citizens are at stake. We are here in the hopes that all our voices combined will stop the grinding machine of Kinder Morgan from misusing Eminent Domain in their selfishly motivated intentions.

The pipeline would also be a soft terror target and a daily hazard to those who live and work around it.

Furthermore, it would lower property values because No-one wants to live in a danger zone.

Lastly, no clear benefit has been outlined for the citizens of this community!

I am strongly opposed to this disastrous proposal.

The answer to the question of whether this pipeline should be put through NH is a resounding No!

**20150824-4072**

Hand written letter, 2 pages, Trey Hiatt(?), many questions, opposing.

**20150824-4073**

**TESTIMONY OF COMMISSIONER CAROL H. HOLDEN CITIZEN OF AMHERST, NH  
HILLSBOROUGH COUNTY COMMISSIONER - DISTRICT 3 - 23 OF 29 TOWNS**

I WANT TO POINT OUT SEVERAL CONCERNS ABOUT THE PIPELINE RAISED BY MY CONSTITUENTS.

THE PLAN, SITE AND ROUTE OF THE PIPELINES WAS TO BE DONE IN WAYS TO REDUCE ENVIRONMENTAL AND COMMUNITY IMPACTS. PONEMAH BOG WILDLIFE SANCTUARY, RHODORA DRIVE WHICH IS SLATED TO REQUIRE BLASTING TO INSTALL THE PIPELINE. LET'S HOPE THE SANCTUARY CAN BE SAVED!!

THE SANCTUARY FEATURES A THREE ACRE POND SURROUNDED BY A FLOATING SPHAGNUM MAT, ALL ENCIRCLED BY OAK AND PITCH PINE WOODS. THE BOG IS IN A KETTLE HOLE CREATED BY THE RETREAT OF GLACIERS. CLASSIC BOG PLANTS SUCH AS LEATHER-LEAF, BOG LAUREL AND TAMARACK GROW HERE. VISIT IN MAY TO SEE A SPECTACULAR DISPLAY OF RHODORA. YOU CAN ALSO FIND INSECT EATING PLANTS, PITCHER PLANTS, SUNDEWS AND BLADDERWORTS. A TRAIL, BOARDWALK, AND A VIEWING PLATFORM AL-

LOW YOU TO GET A CLOSE VIEW OF THE LIFE OF THE BOG.

1. ACCORDING TO AN AMHERST TASK FORCE THE PIPELINE WAS NOT TO BE SITED ON A DEAD END STREET FOR SAFETY REASONS. IS THE PIPELINE GOING TO BE REROUTED IN ALL STREETS THAT DEAD END?

2. FOR THE SAME REASON AND THE ABILITY TO HAVE TWO MEANS OF EXIT, THE PIPELINE WAS NOT TO BE SITUATED NEAR A SCHOOL. THE AMHERST CHRISTIAN CHURCH SCHOOL IS AT THE END OF PATRICIA LANE. THE CAPACITY OF THE SCHOOL IS APPROXIMATELY 100 STUDENTS. THE PIPELINE GOES THROUGH THE PARKING LOT OF THE SCHOOL.

3. CONSIDERATION FOR ABUTTORS LIVING NEAR A TRANSMISSION SITE WAS TO BE GIVEN. SENIOR CITIZENS MIGHT WANT TO SELL THEIR HOMES IN 3- 5 YEARS AND WOULD NOT BE ABLE TO GET FULL MARKET VALUE FOR THEIR PROPERTY. THEY WOULD NOT BE ABLE TO WAIT 10-15 YEARS FOR THE PIPELINE TO HAVE A SAFETY RECORD TO SELL THE PROPERTY AT FULL VALUE.

WHO IS GOING TO BE RESPONSIBLE FOR THEIR LOSSES?

4. FIREFIGHTERS IN ALL COMMUNITIES IN THE PATH OF THE PIPELINE NEED TO BE TRAINED TO KNOW WHAT THEIR ROLE WOULD BE IN AN EMERGENCY.

5. FINDING PIPELINE EASEMENTS - TO GET DETAILED INFORMATION ABOUT A SPECIFIC PARCEL, YOU SHOULD CONTACT THE HILLSBOROUGH COUNTY REGISTER OF DEEDS AND PROVIDE THEM WITH THE PARCEL NUMBER OF THE PROPERTY YOU WISH TO LEARN MORE ABOUT. THE REGISTER OF DEEDS CAN ALSO HELP YOU LOCATE A DEED AND DETERMINE IF THE PIPELINE COMPANY HOLDS AN EASEMENT ON IT.

6. PLEASE MAKE SURE IF YOU HAVE A UTILITY EASEMENT WHICH ONE IS ON YOUR DEED. A PIPELINE EASEMENT MIGHT NOT BE ON YOUR DEED.

TY

I REPRESENT THE FOLLOWING TOWNS: Amherst, Brookline, Greenville, Hollis, Lyndeborough, Mason, Milford, New Ipswich, Temple, Wilton and Windsor. IN THE PATH OF THE PIPELINE AND I HOPE CONSIDERATION OF THESE CONCERNS AND THOSE OF THE WHO WILL TESTIFY BEFORE YOU THIS EVENING.

THANK YOU.

-----  
Hillsborough County Board of Commissioners  
Suite 120  
329 Mast Road  
Goffstown, NH 03045  
Phone: (603) 627-5602 Fax: (603) 627-5603

Board of Commissioners

The administration of Hillsborough County Government is vested in the three member Board of Commissioners, elected every two years from the three county districts:

Toni Pappas

District #1 - Bedford, Manchester and New Boston,

Sandra Ziehm

District #2 - Hudson, Nashua, Pelham and Litchfield ..

Carol H. Holden

District #3 - Amherst, Antrim, Bennington, Brookline, Deering, Frankestown, Goffstown, Greenfield,

Greenville, Hancock, Hillsborough, Hollis, Lyndeborough, Mason, Merrimack, Milford, Mont Vernon, New Ipswich, Peterborough, Sharon, Temple, Weare, Wilton and Windsor.

The Board of Commissioners duties are mandated by NH Statute RSA 28 and Includes the custody and care of all property and real estate belonging to the County.

They are responsible for the governing, administration and overall supervision of the department of corrections, nursing home, public assistance, human resources and departments not under the statutory control of other elected officials. The Commissioners also have budget review over all county departments.

original at: <http://www.hillsboroughcountynh.org/boc/boc.html>

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Hillsborough County Registry of Deeds

“Welcome to Hillsborough County”, 2 pages, *not OCR compatible*

original at: <http://www.nhdeeds.com/hillsborough/HiHome.html>

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Ponemah Bog Wildlife Sanctuary - Merrimack River Wildlife Heritage Trail *{not OCR compatible}*

original at: <http://merrimack.wildnh.com/ponemahbog/>

#### **20150824-4074**

July 29, 2015

Kimberly D. Bose, Secretary

Federal Energy Regulatory Commission 888 First Street NE, Room 1A Washington, DC 20426

RE: Docket PF14-22-000, Nashua Scoping Meeting Comment

Dear Secretary Bose,

On behalf of the 60 members of the **Friends of Horse Hill Nature Preserve**, I respectfully request that the FERC ensure that all potential Impacts of the proposed Northeast Energy Direct (NED) pipeline route be thoroughly evaluated. Environmental Impacts to be studied and documented In the EIS Include:

- Impacts to wildlife during the construction and maintenance of the pipeline, including specific reference to all lifecycle stages, such as mating and gestation areas and migration requirements. All terrestrial and aquatic plant and animal life must be identified and included In the studies.
- Impacts to wetlands during the construction and maintenance of the pipeline. All wetlands, including vernal pools, ponds, streams, uplands surrounding wetlands, and so on, must be Identified and Included in the studies.
- Impact of temperature on the pipeline. Please ensure that the EIS includes detailed information specific to New Hampshire, such as extremes of temperature, expected maximum depth of frost, Impact of frost heaves on the pipeline, case studies of pipelines in a similar topography and climate, and so on. (Note that the existing TGP pipeline in New Hampshire may not present the same challenges and may not be a good candidate for comparison.)
- Specific information on the use of non-mechanical means of vegetation control (e.g., chemical defoliants and herbicides), Including responsibility for monitoring for chemical use and corrective action that will be taken If agreements with property owners are not adhered to.
- Documentation of all methodologies, testing equipment, qualifications of evaluators, evaluation dates, and a comprehensive report of all results from all studies.

In addition, Merrimack has some unique concerns. Our town has been Identified as the site of a proposed metering station and we are concerned about leaks. In a written response to questions from the Town of Merrimack, kinder Morgan said:

*“All compressor and meter station(s) along the pipeline routes are monitored from the 24-hour control center ... If a leak is detected that does not represent a safety concern and is classified as a non-hazardous leak an appropriate repair plan would be developed. An example of a non-hazardous leak that would not require a system shut down could be a valve packing that can be tightened to stop the leak.”*

Given that Kinder Morgan states that leaks may happen and may be allowed to continue while a repair plan is developed, and given that the proposed site is very near the Merrimack River, we are requesting that the air and water surrounding the proposed metering station be evaluated before, during and after construction and during the operational life of the station, in a minimum of 1000' radius around the station site. The results of preconstruction tests, and a specific plan for ongoing monitoring and notification, must be included in the EIS.

The currently proposed route bisects the Horse Hill Nature Preserve (HHNP) and the Gilmore Hill Memorial Forest, and these present unique issues that must be addressed in the EIS, including:

- Impacts on trail maintenance. The proposed pipeline route crosses our trail system in several locations. In response to the town's questions, Kinder Morgan stated that any trail improvements or construction activities would have to be submitted to them for approval, and that they would have to be on site whenever a piece of equipment is used. Clearly, this will cause a great deal of difficulty for trail maintenance and is unacceptable. Please provide a specific plan addressing these concerns.
- Impacts to specific user groups. For example, hunting is currently allowed on HHNP. Will that be a problem for KM/TGP? Please elaborate, being specific about notification, monitoring, policing, and so on.
- Impacts of erosion on the protective soils above the pipeline. Use of the trails by hikers, bikers, horses, and ATVs causes severe erosion in certain areas, particularly in the pipeline corridor. Please provide specific details describing monitoring, policing, and specific corrective action that will be taken to address erosion issues. Note that closing the trail is not an acceptable corrective action.
- Impacts on public support for conservation land donations and purchases following the granting of a right-of-way to a natural gas transmission pipeline. The taxpayers of Merrimack voted to spend over \$4 million dollars of their hard-earned money to purchase HHNP in 2002, and they continue to contribute to its ongoing maintenance. If the federal government can grant the right to a corporation to cut through the delicate ecosystem of this Nature Preserve, will voters be as inclined to fund future purchases in the name of conservation? Please document a minimum of ten situations in which the FERC has approved an application in similar situations and the changes in voter behavior following installation of the pipeline.

Permitting the taking of private property by a corporate entity is a serious use of federal power, and the FERC is obligated to ensure that there is a societal benefit commensurate to the exercise of this power. Please provide details describing the societal benefit by:

- Documenting all existing pipeline capacity that could service the same need as the NED proposal. Include a thorough evaluation of potential use of the spare capacity available on the Maritimes line and proposals by Portland Natural Gas to provide more gas to the region.
- Documenting the injection of liquefied natural gas into the New England pipeline network over the last five years, including specific amounts and dates of injection. Evaluate whether the markets have been working properly in this regard and, if not, how that might have impacted New England's available gas supplies.
- Documenting the projected impact of the approved AIM and/or Expansion projects, and the proposed Access Northeast and other proposed projects, on New England's natural gas supply.
- Documenting the impact of expanding the Concord Lateral. Such expansions have been an appropriate response to increased natural gas demand in the past.

Finally, please provide a detailed description of how this pipeline proposal supports the goals set forth in the

*New Hampshire 10-Year State Energy Strategy*, prepared by the New Hampshire Office of Energy and Planning, published In September 2014 and endorsed by Governor Hassan.

Thank you.

Sincerely,

Debra Huffman Merrimack, NH

#### **20150824-4075**

Hand written FERC Comment form: Carol Iodice, 304 Old County Rd, Mason, NH 03048, opposing

#### **20150824-4076**

Hand written letter, 2 pages, Mason, NH, Historical Society, Carol Iodice, President, 304 Old County Rd, Mason, NH 03048, opposing

#### **20150824-4077**

Hand written letter, 2 pages, Al Jenks, 1180 Turnpike Rd, New Ipswich, NH 03071, opposing

#### **20150824-4078**

I am Timothy Jones. My wife and I are part of a 265 year tradition offarming in New Ipswich. We have chosen organic farming in the belief that, while slower and less profitable than farms using chemicals, it contributes more to human health and improves our local community. We chose New Ipswich because of its open space and respect for nature. In fact, we were struck by the fact that the Town's Master Plan starts out by citing the importance of 'a country environment free of pollution from water, air, noise and light' and 'characterized by farmlands and woodlands'.

We feel that the Town's Vision is very much in jeopardy at this time.

But first, about organic farming and why it is so slow but effective

##### I. Soil

- avoid all chemical pesticides and herbicides
- add natural amendments
- promote natural microbial activity via microbes, fungi, and earthworms
- use coyver crops to add nutrients naturally and break up soil compaction
- till cover crops into the soil to act as 'green manure'
- rotate and diversify our crops
- and we must have abundant clean air and water

##### II. Livestock (in our case pigs, chickens and sheep)

- rotational grazing for animal health and well being
- rotational grazing: to spread livestock manure naturally
- rotational grazing: to disrupt and improve the soil
- rotational grazing: to grow optimum pasture grass .
- animal stress directly affects meat quality, so we minimize environmental stress, including noise
- and we must have abundant clean air & water and minimum noise

##### III. Vegetables and fruit

- soil fertility directly affects weed control
- water quality and mineral balance affect taste
- soil fertility directly affects plant growth and flavor
- and ample clean water and air are essential

After all this work and preparation, if our soil and air become contaminated, it takes 3 years of work to

regain an organic designation. You simply cannot hasten the organic process. Organic farm margins are too slim to weather that kind of disaster.

Some observations:

1. First, it seems that our community is being penalized for its focus on a healthy, open environment. What easier place to park a massive construction project than where there is low population density, even if that was why so many people chose to live here.
2. And second, my wife and I are unable to sort out what tips the scale so that much of what our region holds dear is forfeited to a large corporation, chasing a huge profit, paying lip service to helping NH energy needs all while exporting the product to foreign markets?

## 20150824-4079

FERC Scoping Session

Milford July 30, 2015

My name is John Kieley.

I, and the colleagues you have or will be hearing from shortly, **represent the Town of Temple**. While Temple is not directly on the pipeline route, the proposed pipeline and New Ipswich compressor station would be immediately south of our town line.

This proposed project would have dramatic impacts on the quality of life in our town including the air we breath, the water we drink, our rural tranquility and even our ability to educate our children.

Even in such an important area as air pollution, the Resources Report filed by Kinder Morgan last week still has it as a "TBD" item. We feel that it is inappropriate to schedule scoping sessions when the report we are supposed to be commenting on is still incomplete. We request that additional scoping sessions be scheduled in each of the towns affected by the project a minimum of 60 days following the issuance of a complete Resources Report.

In addition to providing complete impact information on air, water, light, vibration and noise pollution as well as safety concerns and the diminishment in property values that my colleagues have or will comment on. the Town of Temple requests that research be conducted on the impact of this project, including the compressor station. on:

1. FLYWAY. The largest and most important flyway in the northeast is along the Temple Mt ridgeline and is a migration route for more than 10,000 raptors annually including bald and golden eagles. This flyway has been the subject of annual research by NH Audubon for many years/The site of the proposed compressor station is in the flight path of these raptors and their use of the flyway would be directly impacted by the noise, light, air and thermal pollution emanating from that facility. Research should be conducted to assure that the compressor station could not interfere with this migration.
2. LUKAS COMMUNITY. The Lukas Community provides the required tranquil environment for twenty developmentally disabled adults many of whom have lived there for decades. The facility is in close proximity to the compressor station so residents would be particularly affected by the noise and air pollution emanating from that facility. Research should be conducted to assure that the quality of life for these residents is not diminished by the compressor station.
3. ELEMENTARY SCHOOL (1). Our elementary school is roughly one-quarter mile from the proposed compressor station site. Air pollutants from compressor stations are known to have significant negative effects on human behavior and health thus placing our children at riskf Research should be conducted to assure that our children could not be negatively affected by the pipeline or compressor station.
4. ELEMENTARY SCHOOL (2). The Town uses the elementary school as our emergency shelter. During the 2008 ice storm that facility kept our residents warm, showered and fed for two weeks. Research

should be conducted on the appropriateness of continuing to designate that facility as our emergency shelter and what the costs would be to build an alternative.

5. BROWNFIELD. The proposal is to build the compressor station on an EPA brownfield site. A study should be conducted to assure that lead and other identified toxins on the site could not leach into private wells, the Greenville reservoir and the Temple/New Ipswich aquifer all of which are in close proximity to the site.

#### **20150824-4080**

FERC Scoping Session Milford July 30, 2015

My Name is Constance Kieley. I am a resident of Temple and represent the Town.

Kinder Morgan has repeatedly stated that the proposed pipeline and compressor station will not effect property values of nearby residences and, therefore, no compensation is due to those property owners.

We are already seeing that properties for sale along the pipeline, particularly those in close proximity to the proposed compressor station, are being shunned by those seeking to buy properties locally.

We ask that Kinder Morgan commission a study by independent experts to determine what the reduction in property values actually is. Such a study should be based on actual historical data from similar communities with similar pipeline and compressor station infrastructure.

I refer you to a 2014 Fremont Center, NY study by a certified real estate appraiser that determine that homes close to a compressor station were reduced in value by 25% to 50%. Please note that the Fremont compressor station is approximately one third the size of the proposed New Ipswich station. That appraiser's rationale included safety hazards substantiated by a middle of the night evacuation, air pollution and noxious odors, persistent vibration and noise, damage from construction and increased truck traffic.

We further request that the study include the impact of pipelines/compressor stations on the tax rates in affected communities. Our analysis of the Town of Temple shows that the pipeline/compressor station will reduce the value of up to 100 houses in close proximity. This then causes dramatic increases in taxes to the other property owners in Temple to cover the loss of value and taxes from houses near the pipeline/compressor station. Similarly, property owners in the other eight ConVal towns will experience an increase in their taxes as the costs of the consolidated school is shifted to those communities.

Constance Kieley  
37 Holt Lane  
Temple, NH 03084

#### **20150824-4081**

July 28, 2015 Written submission to FERC Scaping Session at Milford, NH scheduled for Thursday, July 30,2015

Jacob E. Krashan, Sr. of 20 Nutting Hill Road, Greenville, NH previously from Cromwell, Ct, 147 Berlin Road. In the 1950s Algonquin Gas who is the parent company to Kinder Morgan, installed a 36" pipeline and with the installation it destroyed a private pond on our property, in CT and the surrounding area.

We were not allowed to use the land that they had a right of way to (gas line) and they sent an airplane over twice a day to monitor the gas line. Then during the 1980s they came through and put another 36" gasoline adjacent to that one.

My question are:

If they put one gas line through now, will they put another one in another 20-30 years?

Are they going to have vents on each side of the road at each road crossing?

How will this gasoline be monitored?

How wide of a buffer zone will be required? And how much of the required buffer zone will be totally defo-

liated?

At the Compressor Station, are you going to maintain a fully staffed Fire Department, at all times? This is a must as other small businesses have to maintain other fire apparatus.

Jacob E. Krashan  
20 Nutting Hill Road  
Greenville, NH 03048

**20150824-4082**

Duplicate of **20150824-4068** above

**20150824-4083**

Federal Energy Regulatory Commission  
Project Docket No: PF 14-22  
Comments by Albert C. Lefebvre  
695 Old New Ipswich Rd  
Rindge NH 03461  
(603) 899-2208  
Email: vohoal@hotmail.com

My name is Albert Lefebvre and I live in Rindge NH which is along the path of the pipeline. I am a member of the Rindge Conservation Commission. As a Commission member, I request that the Federal Energy Regulatory Commission schedule new scoping sessions after we and other Conservation Commissions have had the opportunity to review and respond to the over 6500 page Resource Report prepared by Kinder-Morgan with, I might add, many items still to be decided. Those items must be completed and distributed to every affected community, Conservation Commission and other town boards in order to understand the full ramifications of the pipeline and what Kinder-Morgan has studied or is planning to study or has not properly studied. How can we as everyday citizens attempt to properly respond to this incomplete Kinder-Morgan report? It is, to say the least, unprofessional, unethical, condescending and without merit to us and you the Federal Energy Regulatory Commission.

Kinder-Morgan is a multi-billion dollar corporation with vast and varied resources at its disposal that it can draw upon and pay for. It is associated with and can draw upon the whole world-wide energy structure for assistance. Kinder-Morgan's financial resources are like a huge Goliath compared with those of the small towns along the proposed route. It seems to the people that Kinder-Morgan and the Federal Energy Regulatory Commission are using and taking advantage of the people by its actions in this regard. These small towns have significantly fewer financial and human resources to address the monumental issues confronting them with this pipeline. How can these small towns develop responsible responses in such a short period of time? How can you, a regulatory commission, allow this to happen? How is it that our government, its leaders, legislative bodies and the various arms of the government not concern itself with this issue?

The Federal Energy Regulatory Commission will certainly be looked upon negatively in NH and elsewhere if it cannot agree to an extension until all reports are completed and the towns and their people have sufficient time to respond and then to allow the Commission to ethically weigh the issues of the people of this region.

Thank you for your attention to this matter and I look forward to a response.

**20150824-4084**

John Leoutsacos  
79 Mountain View Drive  
Temple, NH 03084

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426 !

Docket # PF14-22-000

My name is John Leoutsacos. I live in Temple, NH.

I'm going to begin and end my comments echoing my friends in New Ipswich, because YOU NEED to hear US and so far it appears you Aren't listening.

First of all, given the incomplete nature of Kinder Morgan's resource reports and recent changes to the scope of the project, these scoping meetings are being conducted prematurely, and therefore, fail to provide information that would benefit the NEPA process.

I have several serious concerns regarding the water sources for hydrostatic testing.

There is a definite need to identify the water sources to be used for hydrostatic testing during construction.

As typical hydrostatic testing utilizes millions of gallons of water, will these sources be replenished and if so, how?

Is monitoring of "used" hydrostatic testing water for toxins required? If this water is found to be contaminated,

who is this information reported to?

how is this water purified or disposed of?

An extremely high number of New Hampshire residents rely on private wells as their sole water supply. Being that Gas companies are currently exempt from the Safe Drinking Water Act and do not have to disclose the chemicals in the pipeline; a pipeline leak could contaminate water sources with undisclosed chemicals. In addition to potential damage caused during the construction process, these wells may be negatively impacted by contamination from ground and surface waters.

Asking affected towns to identify what needs to be "avoided, mitigated, minimized or compensated" without the adequate resources or time to do so can only assure that the State of New Hampshire will suffer irreparable harm from this project.

**20150824-4085**

LABORERS' INTERNATIONAL UNION OF NORTH AMERICA  
LOCAL 976

P.O. Box 4119· Portsmouth, NH 03801 • (603) -136-4910· Fax (603) 431-2469

FERC

NED FERC Scoping Meeting Milford NH, July 30th, 2015

Re: In support of Kinder Morgan Northeast Energy Direct Energy Project Dear Ms or Mr:

My name is Thomas F. Hersey. I am the Business Manager of laborers Local 976 located in Portsmouth, NH. I am here today on behalf of myself and my Local's members to speak in support of Kinder Morgan's Northeast Energy Direct Pipeline project.

This project will bring a much needed reliable energy source and jobs to the State. The Union Laborers who will build the pipeline are skilled and well trained. Union Laborers have access to training and safety certifications at our Hopkinton Training facility specifically designed for the construction of transmission and distribution pipelines.

As NH residents, they will take great pride in their work, going the extra mile to make sure this project will be built safe, on time and on budget with respect for the environment.

Kinder Morgan and specifically Tennessee Gas Pipeline is, and always has been, a responsible pipeline

owner and good neighbor. The Pipeline will be built along an existing utility corridor to ensure the environmental impact will be minimal.

This project will not only create jobs during its construction but will have a positive, exponential effect on job growth in NH. The inexpensive, safe, reliable, clean, energy the pipeline will provide will allow existing industries to lower their energy costs and expand. It will also attract new industries creating new job opportunities for NH's citizens.

I urge the FERC to approve and support this project.

Respectfully submitted

Thomas F. Hersey  
Business Manager laborers Local 976

## 20150824-4086

My Name is Laura Lynch and I am from Temple NH and I am here representing anyone suffering with lung problems such as COPD, Asthma, Bronchitis, Emphysema and many many more.

Gas pipelines involve a mix of chemicals, including known carcinogens and radioactive gases such as Formaldehyde, Benzene, Methane and Radon. (Radon - an odorless gas - is considered the second largest contributor to lung cancer in the United States, after smoking, by the EPA). Natural Gas mining and consumption have been associated with severe public health and environmental degradation, due to these chemicals, in dozens of communities across the United States, the majority of which are rural/farm locations.

The VOC formaldehyde is also considered a Hazardous Air Pollutant (HAP) by the US EPA (EPA). It is one of the emissions chemicals that the natural gas development industry is required to report, for instance to the PA OEP. According to these reports, compressor stations are the highest UNGO source for formaldehyde.

For the year 2012, emissions of formaldehyde from compressor stations in Pennsylvania ranged from 0.0 TPY to 22.5 TPY. 51

A recent study of air emissions in the Barnett shale region of Texas found concentrations of formaldehyde at sites with large compressor stations.

Some of these concentrations were greater than the Texas Commission on Environmental Quality's health protective levels. Formaldehyde was one of 101 chemicals found in association with methane in this study. The research showed that aromatics in particular were associated with compressor stations.

Air exposures to formaldehyde target the lungs and mucous membranes and in the short-term can cause asthma-like symptoms, coughing, wheezing, and shortness of breath. The EPA classifies it as a probable human carcinogen.

The World Health Organization classifies it as carcinogenic to humans.

It has also been associated with childhood asthma. The California Office of Environmental Health Hazard Assessment (OEHHA) has "identified formaldehyde as a Toxic Air Contaminant and gives it an inhalation Reference Exposure level (REL) of 55 µg/m<sup>3</sup> for acute exposures and 9 µg/m<sup>3</sup> for both 8-hour and chronic exposures.

The acute REL is 74 ppb based on irritation of asthmatics. It has also been linked with adverse pregnancy outcomes and reproductive and developmental toxicity. More recent investigations on formaldehyde near compressor stations are focused on the chemical reaction between methane and sunlight.

While it is well known that stationary compressor station engines emit formaldehyde, it is less well known that formaldehyde may also be formed at these sites through this chemical reaction. While the research is ongoing, it suggests that health hazards associated with formaldehyde may be greater than previously thought. Because reported health symptoms near compressor stations, such as respiratory impacts and shortness of breath, can be caused by exposure to formaldehyde, targeted monitoring of this chemical at these sites would and should be recommended.

**20150824-4087**

Hand written letter, Ara Lynn, organic farmer, New Ipswich, NH 03071, opposing.

**20150824-4088**

July 30, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Room 1A  
Washington, DC 20426

Re: Northeast Energy Direct Project Docket HPF14-22

Dear Ms. Bose,

I am writing to register my opposition to the Northeast Energy Direct Project (NED) as currently proposed by Tennessee Gas Pipeline Company, L.L.C. Division of Kinder Morgan, and to urge the Federal Regulatory Energy Commission to deny permits for the project to proceed.

Even though it is generally accepted that New England needs more energy, the NED pipeline would deliver far more natural gas than the region needs or could use. Other projects already approved can meet New England's current and projected shortfall and are much less disruptive than NED. One can only conclude that the natural gas supplied by NED will be sold for export with little or no gas supplied to or needed in New England. If this project is allowed to proceed the result will be the taking of more private property by eminent domain for corporate profit. The landowners are left with unusable land that they still own and pay taxes on, receiving a onetime token payment to host the pipeline and live with the consequences while Kinder Morgan generates a cash stream for themselves year after year.

Please reject the NED project.

Thank you for your consideration.

Sincerely,

Linda Maki  
71 Maki Road  
New Ipswich, NH 03071

**20150824-4089**

July 30, 2015

Kimberly D. Bose. Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Room 1A  
Washington. DC 20426

Re: Northeast Energy Direct Project Docket #PF14-22 Dear Ms. Bose.

I am writing to register my opposition to the Northeast Energy Direct Project (NED) as currently proposed by Tennessee Gas Pipeline Company, L.L.C. Division of Kinder Morgan, and to urge the Federal Regulatory Energy Commission to deny permits for the project to proceed.

Even though it is generally accepted that New England needs more energy, the NED pipeline would deliver far more natural gas than the region needs or could use. Other projects already approved can meet New England's current and projected shortfall and are much less disruptive than NED. One can only conclude that the natural gas supplied by NED will be sold for export with little or no gas supplied to or needed in New England. If this project is allowed to proceed the result will be the taking of more private property

by eminent domain for corporate profit. The landowners are left with unusable land that they still own and pay taxes on, receiving a onetime token payment to host the pipeline and live with the consequences while Kinder Morgan generates a cash stream for themselves year after year.

Please reject the NED project.

Michael Maki  
71 Maki Road  
New Ipswich, NH 03071

## 20150824-4090

I'm Pat Martin

I live in Rindge, NH

And I'm the **Chairman of the Rindge Energy Commission**

Does NH NEED NED? NOI We know that NH already has more energy than we need, and we export almost half to the rest of New England.

We now know that last winter's high electric rates were not due to scarcity, but timing! In spite of a colder winter than the previous one, wholesale prices fell 60% by Jan. without any new pipelines. For months now, we've had the lowest demand for electricity in 12 years ... and electricity wholesale prices are lower than they've been in 16 years ... without a single new pipeline and with the retirement of 4 major power plants! As the president of the NE Power Generators Assoc. said, "the 'energy crisis' was overblown!"

But for any winter peaks, we're already covered by Distrigas LNG, NEPOOL's proposal and the Winter Reliability Program. Portland Natural Gas Transport System will also be available soon and wouldn't foist a destructive and expensive construction process on rate payers. AIM and TGP/CT pipelines are already approved by FERC. They would all be less of a burden for rate payers than NED and not harm southern NH's economy, travel industry, real estate markets and communities.

Please show us how adding more fracked gas to the line-up of projects already in queue for NE will NOT create an imbalance in our supply when we're already using gas for 50% of generation. Adding more natural gas to our generation actually REDUCES diversity. Please explain to us why NH's State Energy Strategy should abandon the price protections and security offered by supply diversity.

Prove to us why we'd be better off with Kinder Morgan's 5 measly permanent jobs, rather than thousands of good permanent local jobs from energy efficiency work and installing renewables.

Kinder Morgan keeps telling us that prices will go down if NED's approved. Show us the error in the EIA calculations that predict prices for gas will rise due to exports. Explain to us when most of NED's fuel hits its destinations in Asia and Europe where they pay 4 times as much how it won't force gas prices to rise here at home.

Explain to us why the Industrial Energy Consumers of America who are fighting the exportation of gas should stop worrying about their manufacturing and transportation costs rising. And explain to us why thoughtful applications of alternatives won't be a smarter choice than squandering our US fuel resources for higher profits abroad and depleting our resources at home that future generation may need.

## 20150824-4091

S.A. Matthews, 40 Settlement Hill, New Ipswich, NH 03071, enclosing reprint:

**Madison County, New York Department of Health  
Comments to the Federal Energy Regulatory Committee  
Concerning Docket No. CP14-497-000, Dominion Transmission, Inc.**

Prepared for Madison County Department of Health  
by

September 30, 2014

## Executive Summary

The following comments are addressed to the Federal Energy Regulatory Commission in response to the permit application (Docket No. CP14-497-000) filed June 2, 2014, by Dominion Transmission, Inc. of Richmond, Virginia. The Madison County Department of Health has concerns that impacts to public health have not been adequately addressed in this permit, specifically in regard to the Sheds compressor station in Madison County. The National Environmental Policy Act requires that FERC take into account potential environmental impacts and that FERC address public concerns in its permit review. The Madison County Department of Health's concerns are based in part on the report from the United States Environmental Protection Agency (USEPA) Inspector General that documents a lack of emissions data from oil and gas facilities which, in turn, casts doubt on the accuracy of projected air quality impacts. This brings into question the appropriateness of using the National Ambient Air Quality Standards to establish health safety risk near the Sheds compressor station. There are also documented correlations between health impacts and residential proximity to unconventional natural gas development facilities, including compressor stations.

Section II of these comments reviews what is known from the literature about compressor station emissions. Information specific to compressors is very limited. The types of chemicals that have been identified include VOCs, carbonyls and aldehydes, HAPs, aromatics and particulate matter. In particular, there is a lack of information on the intensity, frequency and duration of emission peaks that occur during blowdowns and large venting episodes that are a normal part of compressor operations. Slowdowns, on average, release 15 Md of gas into the atmosphere. Fugitive emissions and accidents are also of concern. One study from Fort Worth, Texas reported 2,126 fugitive emission points from a set of compressor stations. Radioactive chemicals are present in natural gas pipelines and can be released into the atmosphere, though little is yet known about exposure profiles for communities near compressor stations.

Section III reviews known health risks from known chemicals emitted, while acknowledging that there are data gaps in both chemicals emitted and potential health effects. Health risks from VOCs in the short term include eye and respiratory tract irritation, headaches, dizziness, visual disorders, fatigue, loss of coordination, allergic skin reaction, nausea, and memory impairment. Effects from long-term exposure include loss of coordination and damage to the liver, kidney, and central nervous system as well as elevated risk of cancer. Health effects from particulate matter affect both the respiratory and cardiovascular systems. Inhalation of PM<sub>2.5</sub> can cause decreased lung function, aggravate asthma symptoms, cause nonfatal heart attacks and high blood pressure. Diesel emissions from truck traffic (primarily during construction of the compressor) can irritate the eyes, nose, throat and lungs, and can cause coughs, headaches, lightheadedness and nausea. Short-term exposure to diesel exhaust also causes inflammation in the lungs, which may aggravate chronic respiratory symptoms and increase the frequency or intensity of asthma attacks. Long-term exposure can cause increased risk of lung cancer. Chemical exposure to vulnerable populations is a particular concern. The problem of chemical mixtures and how these might affect health needs further research.

Health effects associated with compressor stations are summarized in section IV. This set of research relies primarily on self-reported data from public health surveys. The symptoms identified are associated with health impacts on respiratory, neurological and cardiovascular body systems. These health effects correlate with the impacts associated with many of the chemicals emitted from compressor stations.

Madison County residents have reported numerous concerns to FERC and to the MCDOH (Section V). Primary concerns are for health safety and food/crop safety. Concerns about the safety record of compressors and pipelines, impact on community character and home values, emergency response preparedness, air quality and other environmental impacts were also raised.

Recommendations for framing and scoping public health issues (Section VI) includes information on relevant health data sources. Methods for assessing environmental health determinants include baseline data collection on air emissions, soil, and water quality.

Data gaps and other challenges to the implementation of a public health analysis are identified in section VII. These are: a lack of previous health studies that address compressor stations; limited data on chemical constituents of compressor air emissions including intensity, frequency and duration; the problem of poorly identified chemical mixtures and potential health effects; unidentified related emissions from metering stations and pipelines; the lack of data on potential radioactive chemical emissions; Inadequate assessment of the effect of local weather patterns on dispersal of air pollutants (air dispersion modeling); and very limited information on the exposure pathway of air pollutants entering soil and food crops, and the potential for human health impacts.

Recommendations are also provided in the event that the permit is granted, as follows:

- Perform a baseline health study to establish population health status before the compressor station is built.
- Require best practices to ensure that effective emissions control measures are kept up to date.
- Establish an alert system for blowdowns or other large emissions and/or noise events.
- Put Emergency Plans in place.
- Institute a monitoring strategy at the Sheds compressor station and surrounding locations.
- Institute a health registry.

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*{body of report not included here, but full report can be downloaded from: }*  
{ <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=13661255> }

20150824-4092

### Threatened and Endangered Species

Hello, My name is Alec Mayer, and I am a resident of New Ipswich.

Given the incomplete nature of Kinder Morgan's Resource Reports, coupled with the recent changes to the scope of the proposed project, these scoping meetings are being conducted prematurely and, therefore, are failing to provide information that would benefit the NEPA process.

The Southern New Hampshire region contains multiple endangered, threatened, and protected species of animals, insects, and plants. These flora and fauna include, but are not limited to, Blanding's Turtles, Marbled Salamanders, Golden Eagles, Spotted Turtles, Wood Turtles, Blue Spotted Salamanders, Wood Frogs, Lady's Slippers, and Bearberry. Several of these species have been identified by residents that are located within what is called "The Incineration Zone". Unfortunately, with the limited time we have been given, and the lack of resources and properly trained participants, there are bound to be many more that have gone unnoticed.

If the proposed pipeline and compressor station are allowed to be built, the result will include some deforestation, which then leads into a population boom of invasive species. A weakened ecosystem is then left open for more disease and insect destruction. We already face the onslaught of Emerald Ash Borer, Hemlock Woolly Adelgid, and the Asian Longhorn Beetle nearly on our door. Combine all of that with the potential and unknown impact this proposed project will have on the local honey bees and other pollinator populations.

- Who is going to implement an IPM program for invasive controls?
- What damages will be done to the microclimates and ecosystems within the region?
- Where are the case studies on the impact to an already threatened region?
- How will the emissions from the compressor station impact migratory paths and breeding grounds?
- When will our lands be safe?

Asking us to identify what needs to be "avoided, mitigated, minimized, or compensated" without the adequate resources or time to do so, only assures that the Town of New Ipswich, and the Southern New Hampshire region, suffers irreparable harm from this project.

20150824-4093

I'm Kat McGhee, I live in Hollis and **was the chair of the town's Impact Study Taskforce** the year before many of the towns in this room heard about NED. I was asked to join the **Nashua Regional Planning commission** by my town, and I serve on that group still, reviewing the issue of Demand.

In the time I have been involved with Senate hearings in Concord, and Public Utility filings and hearings in MA and NH, and interactions with FERC, it has become abundantly clear that the system at the state and federal level, is strongly weighted toward industry.

I say this because each agency hides behind a segmented responsibility, giving you cover to ignore the big picture. The only picture you do consider beyond the business as usual permitting is the economics. But, ignoring the total picture of our energy and environmental decisions is also a bad long term economic decision - that is being swept under the rug - to aid the current gas-boom. We don't need regulation to help pipeline companies. We need regulation to maintain a balance between commerce and the common good.

The NED pipeline would not be found to be in the public's interest if we factored in the context of 21st century greenhouse gas emissions levels; we could also argue it is not in the public good to throw good money after bad, investing ratepayer dollars in a new unsustainable energy infrastructure - but then vision is not

your department right?

Now it may very well be that you don't want to hear these words. It may very well be that you do not believe these very real issues are among your very specific charge - which is: to facilitate the permitting process. Since your charge compliments the industry that pays your salaries, it is designed to make opposing projects, very difficult. So from the outside looking in, there is a lot wrong with this picture.

So here is our proposal: Why don't you update your mission for the times in which we live?

Why don't you recognize that having access to sufficient gas to bridge our clean energy strategy is a far cry from permitting every 'reasonable' project - when the industry seems to be so good at making them all appear to meet your burden of proof. We ask that you recognize that the cumulative effect of permitting NED, on top of the existing infrastructure projects that will bring ample new gas to the region, is going to change the landscape of our energy markets to the detriment of clean energy alternatives and goals; NED will bring a negative effect to fuel rates when market dominance forces prices up.

The issue seems to be that the state uses a microscope to approve straightforward precedent agreements and the FERC facilitates permitting as long as basic environmental rules are upheld. And what we need from you, in 2015, is a lot more acknowledgement that these decisions have consequences that can no longer be kicked down the road. Under these conditions, conditions defined by the petroleum industry, the public good has no ability to be served.

It is up to the FERC to reinvent itself for this century, when the fossil fuel industry is exploiting its last gasp to the fullest, at the expense of future generations. You have to say no to projects that mean excess capacity is being harvested and burned. I taught my children the difference between want and need. Its time you taught the gas industry the same.

We ask that you rise to the integrity of public servants who can see that the common good means we use restraint against an industry that wants to burn as much fossil fuel as it can, as fast as it can. We will not have the time to create generative, sustainable technologies if we acquiesce that excess pipelines like NED are needed. The NED plan goes against the public interest. We ask you to reform your charge for the environment we face today, and deny this permit.

**20150824-4094**

**MILFORD N.H. PIPELINE TASK FORCE**

**Master Plan link**

[http://milford.nh.gov/sites/milford.nh.gov/files/MasterPlan\\_Rev2012.pdf](http://milford.nh.gov/sites/milford.nh.gov/files/MasterPlan_Rev2012.pdf)

**20150824-4095**

**MILFORD N.H. PIPELINE TASK FORCE**

**REPORT**

**JUNE 8, 2015**

Prepared by:

Steve Duncanson, Chair

Mark Bender

Herb Adams

Don Jalbert

Andy Hughes

Carolyn Halstead

Steve Bonczar

**Milford Pipeline Task Force**

**June 8, 2015**

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Appendix 2	Relieving the Energy Crisis
Appendix 3	NE Power Grid Profile
Appendix 4	Knowing and Protecting Your Rights
Appendix 5	Town of Milford Master Plan – Link to Website

*{This 174 page Report is not included here, but can be downloaded from: }*

<http://www.milford.nh.gov/sites/milford.nh.gov/files/Milford%20Pipeline%20Task%20Force%202015%20entire%20Report%20with%20appendix.pdf>

#### **20150824-4096**

Hand written FERC Comment form: Patricia Miller, Arrowhead Farm & Ranch, 47 Gilman Hill Rd, Mason, NH 03048, re native burial mounds in Mason & New Ipswich.

#### **20150824-4097**

**NRPC  
NASHUA REGIONAL PLANNING COMMISSION**

July 30, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

RE: Project Docket Number: PF14-22-000

REQUEST TO EXTEND COMMENT PERIOD through October 23, 2015

Dear Ms. Bose:

The proposed Northeast Energy Direct (NED) project will directly impact eight of the 13 member municipalities served by the Nashua Regional Planning Commission (NRPC) including Mason, Brookline, Milford, Amherst, Merrimack, Iitchfield, Hudson and Pelham New Hampshire. For the NRPC region and Southern New Hampshire as a whole, the NED proposal represents a significant expansion of gas pipeline infrastructure through relatively rural and undisturbed landscape, including significant environmental resources and residential areas.

On July 24, 2015, Kinder Morgan/Tennessee Gas submitted updated draft Environmental Resource Reports to the FERC docket. It is critically important for NRPC and its member communities to review and under-

stand these documents so that they may provide valuable input to the FERC pre-filing process. NRPC's Commissioners will convene on September 16, 2015 to revisit issues relative to the NED, and they need adequate time to synthesize all available information. For these reasons, I ask that the previously established comment period be extended through October 23, 2015 to allow more time for review of this information in order to more fully assess potential impacts associated with NED. Further, additional scoping meetings should be held to allow the public more opportunity to address the additional information.

An effective and transparent environmental process must allow all parties adequate time to review the significant volume of information which has been filed, some of which was made available only days ago. NRPC echoes the collective position of the Southwest Region Planning Commission that a comment deadline of August 31, 2015 does not represent sufficient time for agencies like NRPC and the communities we serve to provide thoughtful and detailed comment. NRPC respectfully requests that the public comment be extended to close of business on Friday, October 23, 2015.

Thank you for the opportunity to provide input.

Tim Roache  
Executive Director

cc: US Senator Jeanne Shaheen, US Senator Kelly Ayotte, US Congresswoman Ann McLane Kuster,  
US Congressman Frank Guinta, NH Governor Maggie Hassan, NRPC Commissioners

**20150824-4098**

**New Ipswich, NH  
NED Pipeline and Compressor  
Station Concerns  
New Ipswich Board of Selectmen  
30 July 2015**

*{slides used in 30 July 2015 meeting}*

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**Outline of Concerns**

- Private Wells
- Public Health and Safety
- Noise, Air and Light Pollution
- Socioeconomics
- Land Use, Recreation and Aesthetics
- Threatened and Endangered Species
- Extend Scoping Period

**Consider the NO ACTION ALTERNATIVE - NED is Not Needed**

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**Private Wells**

- No public drinking water
- Aquifers
  - Three Stratified Drift Aquifers will be segmented by pipeline
  - Unknown number of Bedrock Aquifers
  - Water table is typically 10 to 20 ft below land surface
- NO BLASTING I
  - Consider alternatives such as drilling and cutting
- Identify wells drawing water from impacted aquifers
  - Hydrogeological study
  - Test wells for flow and contaminants

## **Groundwater is Life Blood of New Ipswich**

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### **Private Wells, continued**

- Identify dug wells which may be impacted by compressor station emissions
  - Test wells prior to construction
  - Test wells quarterly for contaminants
- Quality of Pipe increased to prevent leakage / water contamination
- Alternation of terrain Best Practices
- NO HERBICIDES!

## **Groundwater is Life Blood of New Ipswich**

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### **Public Health and Safety**

- Emergency Management
  - All volunteer
  - Emergency Response Plan
- Fire Department
  - All volunteer / mutual aid
  - Wildfire fighting capabilities limited due to water sources
  - Compressor station design?
  - Training? Special Protective Gear?
- Police Department
  - No 24x7 coverage / rely on mutual aid
  - Compressor station security ~.

### **Who Lives in New Hampshire? .. We Do!**

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### **Public Health and Safety, continued**

- Department of Public Works
  - Roads are not suitable for heavy equipment / truck traffic
  - Bonds should be in place well before work begins
- Automatic Shut-off Values
  - Road structure / conditions
  - Terrain
  - Weather
- Steep Terrain
  - AVOID grades greater than 15%
  - Erosion, pipe cleaning (PIGS)
- Quality of Pipe increased to prevent accidents

### **New Ipswich Lives Matter!**

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### **Noise, Air and Light Pollution**

- Quiet Rural Community
  - Currently less than 30 dBA and 20 dBA at night
  - Need to reduce FERC standards by 10 dBA
- Rural sky / typical truly dark site
- Air Pollution
  - Build compressor station to control emissions - PREVENTION
  - Use NAAQS Standards as MAXIMUM
  - Test for emissions

- Test dug wells for contamination
- Health monitoring program -

**Public Health and Safety is our First Priority!**

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**SocioEconomic**

- New Ipswich is economically diverse
- Few businesses
- Mostly bedroom community (91% residential)
- Tourism limited
- Reduced property values / abatements anticipated .
- Need to study and identify impacts
- AVOID disproportionate impact on low income ..

**Greater Property Taxes will Change Socioeconomic Character**

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**Land Use, Recreation and Aesthetics**

- Windblown Cross Country Ski Area
  - Land use, recreation and economic impacts
- Wapack Trail
  - Pipeline proposed to cross trail 3 times - UNACCEPTABLE!
- Conservation Easements . '
  - Preserve land, no clearcutting ... except for pipeline? '
    - Need to AVOID!
- Native American / Religious sites need to be AVOIDED ~ II
- Deforestation impact needs to be studied •

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**Threatened and Endangered Species**

- Endangered
  - Blanding's Turtle
  - Identify habitat and AVOID May through August
  - Marbled Salamander
  - Golden Eagle
- Threatened
  - Spotted Turtle
  - Northern long-eared bat
- Species of Special Concern
  - Northern Leopard frog
  - Blue spotted salamander
  - Wood turtle
  - Smooth green snake

**Study, Monitor, Protect**

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**Extend Scoping Period Beyond 31 Aug**

- Kinder Morgan Resource Report - March 2015 FIVE MONTHS
  - Over 21,000 TBDs
  - Compressor Station location TBD
  - Some Affected landowners along Existing Right-of-Way have not been notified
- Compressor Station in New Ipswich -June 2015 LESS THAN THREE MONTHS
  - Some Affected landowners have not been notified

- Scoping Meetings Announced - 30 June 2015 TWO MONTHS
- Kinder Morgan Final Resource Reports - 24 July 2015 ONE MONTH
- Need time to study and identify impacts - objective & non-stakeholder funded
- Some studies can only be done in Spring / Summer 2016

### **Environmental Issues Important? Why Rush?**

**20150824-4099**

#### **NEW HAMPSHIRE SENATE**

107 North Main Street  
Concord, NH 03301-4951  
(603) 271-2111  
TDD Access: 1-800-735-2964

July 30, 2015

Dear FERC representative,

Thank you for the opportunity to speak to you this evening. My name is Gary Daniels. I am a member of the Milford Board of Selectman, and I also serve as the State Senator for New Hampshire District 11, a district whose population exceeds 50,000, and which is comprised of the towns of Amherst, Merrimack, Milford and Wilton. It's in this Senate capacity that I testify, as three of the four towns I represent, Amherst, Merrimack and Milford, are impacted by the proposed Northeast Energy Direct pipeline project.

While each of these three towns assembled task forces to study this project, vetting various aspects, proposals, and concerns, and ultimately all opposing it, I chose to focus primarily in the areas of community need and community benefit. Over the past six months I met with Kinder Morgan and Liberty Utilities numerous times, both formally and informally. In addition I attended briefings involving ISO New England and the New Hampshire Public Utilities Commission.

With the loss of fossil fuel generating stations, natural gas and wind power dominate the new resource proposals in the ISO queue, with natural gas at 63%. I do believe southern New Hampshire and the towns I represent need an alternate source of energy, but I am not convinced it is necessary to construct the Northeast Energy Direct pipeline to achieve this result. There are other transporters and other routes that may fulfill the need without disturbing 71 miles of southern New Hampshire terrain, and impacting numerous residential properties.

While I do believe there is a need, the real problem comes when I ask how this project is going to benefit my communities. From the beginning Kinder Morgan has stated that it is just the transporter of the gas and therefore the pipeline alone offers no benefit to a community without a distributor. That's where Liberty Utilities comes in. Liberty Utilities currently distributes gas in this area from Kinder Morgan's Dracut, Massachusetts to Concord, New Hampshire lateral.

I met with Liberty Utilities representatives numerous times, inquiring each time how the NED pipeline was going to benefit my communities. Beyond the potential that the existing 5301 natural gas customers in my district may see lower prices because the gas would come from the Marcellus shale instead of the Gulf of Mexico, I have been told directly that Liberty Utilities cannot guarantee there would be any benefit to the towns of Amherst, Merrimack and Milford. No guarantee, yet some of my constituents face the prospect that their property could be taken by eminent domain. I do not find it an unreasonable request that Liberty Utilities disclose where they intend to extend their customer base so that those in my communities will know whether or not there will be any benefit derived from this project, or if those communities are just being used as a pass-through, with no public benefit left behind.

I understand that issues of eminent domain need to be addressed now in the process, as it's too late to try to address this issue after a certificate has been granted. My understanding of "eminent domain" has always been that it is only supposed to be used in instances where land is taken for public use or purpose, that is,

for the public good. I have already stated that the pipeline, by itself, serves no public good. Liberties Utilities has been and will continue to be the gate keeper to any benefit offered to the communities. What we are being asked to do now is support a pipeline, which, by itself, offers no community benefits, while the entity that holds the key as to whether or not there are any benefits, stands on the sideline in deafening silence. This is not right.

To my point, if Liberty Utilities plans to expand their customer base in the more densely populated communities of Nashua, Manchester or Concord, for instance, there are more direct paths for a pipeline to follow than cutting across 17 southern New Hampshire communities who would experience no benefit.

I respectfully ask that FERC issue a stay of order until such time that (1) all questions asked by the community task forces are answered, (2) Liberty Utilities has made available to the public a detailed plan for expansion that identifies the towns in which expansion will take place, and (3) upon identification of Liberty Utilities expansion area, reassess routes to that expansion area on environmental and personal property impact criteria.

I, again, thank you for your time and respectfully ask that you take these comments under active advisement.

Respectfully submitted,

Senator Gary Daniels District 11  
(603) 860-4482

#### **20150824-4100**

Concerns with the Kinder Morgan Pipeline

1. the pipeline is going thru 70 miles of NH, without any planned access for NH except for Liberty Utilities, which has limited distribution.
2. Liberty Utilities Director of Government and Community Relations - NH Michael Licata and Chico DaFonte, Vice President, Energy Procurement explained to me that Liberty Utilities can not expand into an area unless it is economical. And that expanding into Milford NH and many adjoining towns do not offer economical expansion
3. If any of this gas was going to benefit any of the towns it is going thru, I might have a different opinion. To the best of my knowledge the biggest user for the gas will be residents of Mass, with the bulk of the gas to be potentially exported at a significant profit for KM. Mass resident said "not in my back yard". To take any of my NH neighbors property by eminent domain for the benefit of a private company can not be legal.
4. It has been stated that the pipeline will lower the energy cost of NH residents by 40%. The only benefit I could see for me would be my electric bill. There is no way I could endorse cutting my \$120/mo electric bill by 40% at the sacrifice of my neighbors house, having a potential time bomb a mile from my house, scarring the face of our wonderful NH landscape with a pipeline. You really need to re think what NH residents value.
5. Show me that this pipeline will benefit NH if you approve the continued development. Do NOT rubber stamp this proposal. We don't need it, we don't want it.

#### **20150824-4101**

Gary Nielsen & Connie Rinaldo  
185 Colburn Rd  
Temple, NH 03055

July 30, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission (FERC) 888 First Street, NE, Room 1A

Washington, DC 20426

RE: Tennessee Gas Pipeline Company, L.L.c.

Docket No.4-22-000: Proposed Northeast Energy Direct (NED)

Dear Ms. Bose:

The town in which we have chosen to raise our family, Temple, New Hampshire is a small rural-residential town located immediately north of New Ipswich and west of Peterborough. While not a host to a portion of the proposed pipeline, it would run less than 1/2 mile from our southern border. And the proposed New Ipswich compressor station would be only 1/2 mile from our elementary school and only emergency shelter. After reviewing information relating to the NED pipeline project, we, our Planning Board, and our Selectboard have very serious concerns about the effect of this project on our town and on the many other towns through which it will pass and impact. All that have looked into this project find it to be of absolutely no redeeming value to any of these towns (or the states through which it passes) and consider it to be the most egregious challenge to the continuing health and prosperity of our family, town and region we have ever faced.

**Please study whether natural gas is as “clean” an energy source as many claim.** Proponents purport that the NED pipeline will bring more “clean” energy to the region. Is natural gas clean? If all of the pollution and disruption of the environment and people’s lives are ignored then natural gas is cleaner than oil or coal, but it is still a fossil fuel that emits carbon dioxide when burned. And, it is far from “clean” energy if one considers the extraction, transportation (compression), and so on. Moreover, unlike oil and coal, natural gas is a very potent (25-30 times more potent than carbon dioxide) greenhouse gas. So, even before it is used/burned, gas releases from leaks, compressors, and other “normal” operations of the pipeline will be contributing to climate change and global warming. What are the effects of the contaminants contained in the mix? How will thinnest pipe proposed for our “low-density” region interact with the freeze-thaw, corrosive soils, hydrology, and even seismic activity here (creating more leaks which will go unfixed)? Will blasting this trench affect our wells and aquifers? How much would it cost to replace this pristine water and restore this resource? How long does this lightweight material last under our conditions? How will this pipeline affect our water (wells, wetlands, etc.), air we all breathe, and our environment (during and after construction)?

**Please study if there is a need for such a pipeline and any portion of the gas it would deliver:** Proponents purport that the NED pipeline will reduce the overall cost of energy (gas and electric rates). However, New Hampshire is already an exporter of energy. Those regions of the state having sufficient population to support the distribution of natural gas already have established distribution systems and sufficient gas for their needs now and into the future. Because of the low population density, it is not economically feasible for those elsewhere in the state to support the infrastructure required for natural gas distribution (to cities). If you find a need for gas during peak times (of electrical generation), can that need be filled in other ways?

**Will this pipeline violate your policy of NO ratepayer funding?** The proposal that this pipeline be funded in part by a tariff on electricity proposed by the New England Committee of Electricity (NESCOE), a “non-governmental organization”, clearly attempts to shift some of the burden of costs of construction to the backs of the citizens of New Hampshire. This is clearly contrary to FERC’s September 15, 1999 policy statement (Docket No. PL99-3-000) that pipeline expansions are not to be subsidized by existing customers. {NESCOE proposes that electric rates in six states be taxed to demonstrate to the federal government the need for the project to be subsidized by current users to justify the exercise of eminent domain.}

**How will the noise and disruption of the pipeline and compressor stations be mitigated?** We moved here for peace and tranquility - NOT to live in an industrial zone! For Temple, and for many other towns, conditions will only get worse after construction is complete and the pipeline is in operation. The noise from the operation of 41,000 HP compressors - like the one proposed for New Ipswich - will be a significant and highly disturbing factor to the peace and tranquility of both residents and wildlife of this region. These stations have been described as the equivalent of two or three diesel locomotive engines! How will Kinder-Morgan mitigate this sound pollution? How will the disturbance to wildlife and their habitats from all these pollution sources be remedied? For instance, “blow-downs” (gas releases from compressors) will also have

a devastating effect on the migration of birds and raptors, who utilize the “lead-line” of the Wapack Range for navigation during the annual migrations.

**Please study how this pipeline will affect the historic Wapack trail and what measures will be taken to ensure its uninterrupted use and enjoyment. •• And its effects on tourism to our (once) beautiful state.** The Wapack trail is over 75 years old and extends from Mount Watatic in Massachusetts to North Pack Monadnock in New Hampshire. My family has greatly enjoyed hiking, snowshoeing and skiing this wonderful trail. What will be done to ensure the historic integrity of this and many other historic sites in our region? Can alternative routes be found? Does the pipeline need to cross it 3 times?

**By any measure, the proposed project will seriously reduce our quality of life and the value of our home and that of many, many others. What will Kinder-Morgan do to restore this? What measures must they take to restore our “Quality of Life” and that of others in the affected states? How much will this cost?**

I will close with a statement from the Town of Sharon that we whole-heartedly support (although not wishing this travesty and devastation on anyone):

“In our opinion the proposed NED project’s original route through Massachusetts was a much better attempt to assign the burdens caused by the project to the residents of the state that would receive the majority of benefits. The decision to reroute the pipeline through New Hampshire potentially represents an unconstitutional taking from residents of New Hampshire for the benefit of residents of another state. Should FERC permit such an abuse of power, we will strongly support the seeking of redress that the U.S. Constitution provides related to takings, equal protection. and states’ rights. We assert that it is FERC’s responsibility to advise NED that it must file an application that more accurately matches the burdens imposed with the potential benefits to be received.” **What can be done to ensure that those that bear the benefits of such a project bear the costs as well? ... and those that don’t are released from its burdens and devastation?**

Respectfully,

Gary Nielsen & Connie Rinaldo

## 20150824-4102

Scoping Meeting Testimony

July 30,2015

Milford, NH...

I would like to express my grave concern regarding the negative environmental effects caused by the noise generated at and in the vicinity of compression stations.

**Compression Station Noise:** Noise levels associated with natural gas compressors vary with the size of the compressor and distance from the compressor; and change with shifts in wind direction and intensity. For these reasons accurate assessment of decibel levels is challenging. According to the Powder River Basin Resource Council in Wyoming, “Depending on the wind direction, the roar of a field compressor can be heard three to four miles from the site. Near the compressor stations, people need to shout to make themselves heard over the sound of the engines.” And this is under normal operation. Noise levels during blowdowns have been measured as high as 120 decibels(dbA). Industry standards require that noise levels in the vicinity of compression stations be no higher than 55 dbA. However the reasoning for setting the standard at that level is problematic.

**Evaluating Noise:** Noise levels vary during operation, so evaluating an “average” level of noise does not accurately document the noise emitted on an ongoing basis every day. And levels of noise during blow-downs far exceed the standard. Additionally, decibel level alone does not capture the potential negative effects of noise. Infrasound, sometimes referred to as low-frequency sound, is sound that is lower in frequency than 20 Hz (hertz) per second, the “normal” limit of human hearing. Low frequency sound is commonly emitted by gas compression stations. Samuel Matteson, professor of physics at the University of North

Texas and a specialist in acoustics, has stated that low-frequency sound transmits easily through the soil and can travel great distances. It is extremely difficult to protect oneself from low frequency sound as buildings are not designed to insulate from it and it is easily transmitted from the ground by sound waves originating underground or near the surface. Given these factors, the utilization of a maximum standard of 55 dbA is a flawed mechanism of measure and does not take into account the quality of noise emissions.

**Negative Effects of Noise:** There is a large body of research documenting negative health effects from high decibel noise as well as low frequency noise.

**High Decibel Noise Effects:** A European study conducted by Deepak Prasher of University College, London concluded a chronic nighttime exposure of 50 dbA was the noise threshold for at which there was a higher risk for cardiovascular problems. Prasher states “Many people become habituated to noise over time. The biological effects are imperceptible, so that even as you become accustomed to the noise, adverse physiological changes are nevertheless taking place, with potentially serious consequences to human health.”

Physician Louis Hagler, who coauthored a review on noise pollution in the March 2007 Southern Medical Journal concluded “Noise pollution contributes not only to cardiovascular disease, but also to hearing loss, sleep disruption, social handicaps, diminished productivity, impaired teaching and learning, absenteeism, increased drug use, and accidents. The public health repercussions of increasing noise pollution for future generations could be immense.”

In 1999 The World Health Organization published a report called “Guidelines for Community Noise” to standardize risk assessment and management of noise dangers ... Researchers found that “acute noise exposures [can lead] to temporary changes such as increased blood pressure, increased heart rate, [artery] constriction, hypertension, and ischemic heart disease.”

The Environmental Protection Agency website provides research articles outlining the dangers of acute noise, including high blood pressure, coronary disease, migraine headaches, and low-birth weight newborns. A number of studies of noise effects on children conclude that noise-exposed children have difficulties in concentrating in comparison with children from quieter schools. Children exposed to chronic environmental noise have been found to have poorer auditory discrimination and speech perception as well as poorer memory requiring high processing demands. Finally, chronically exposed children tend to have poorer reading ability and school performance on national standardized tests. I do not need to remind you that the proposed location of the New Ipswich compressor station is within 7 mile of the Temple Elementary School.

The World Health Organization has stated that “Noise is an underestimated threat that can cause a number of short and long-term health problems, such as sleep disturbance, cardiovascular effects, poorer work and school performance, hearing impairment. Their recommendations state that exposure over the following levels pose a danger: Indoor noise level at night: less than 30 dbA; outside levels less than 40 dbA; in classroom settings less than 35 dbA to allow good teaching and learning conditions.

While these findings are of significant concern and certainly substantiate justification for FERC to require noise dbA levels that align with WHO guidelines, of equal or greater concern are Low Frequency Sounds that are emitted by compression stations during normal operation

**Low Frequency Noise Effects:** Infrasound, sometimes referred to as low-frequency noise (LFN), is sound that is lower in frequency than 20 Hz (hertz) or cycles per second, the “normal” limit of human hearing. Psychologist Richard Wiseman of the University of Hertfordshire conducted an experiment with young adults which concluded that the presence of the low frequency tone resulted in a significant number (22%) of respondents reporting anxiety, uneasiness, extreme sorrow, nervous feelings of revulsion or fear, chills down the spine, and feelings of pressure on the chest, all this despite the fact that the sound cannot be heard. “There is no doubt that some humans exposed to infrasound experience abnormal ear, CNS. and resonance induced symptoms that are real and stressful.”

The World Health Organization advises that “Health effects due to low-frequency components in noise are estimated to be more severe than for community noises in general...The evidence on low-frequency noise is

sufficiently strong to warrant immediate concern.”

The effects of infrasound or low frequency noise are of particular concern because of its pervasiveness due to numerous sources, efficient propagation, and reduced efficiency of many structures (dwellings, walls, and hearing protection) to mitigate low frequency noise compared with other noise. Unlike higher frequency noise issues, LFN is very difficult to suppress. Closing doors and windows in an attempt to diminish the effects sometimes makes it worse because of the propagation characteristics and the low-pass filtering effect of structures. Individuals often become irrational and anxious as attempts to control LFN fail, serving only to increase the individual’s awareness of the noise, accelerating its negative effects.

**Recommendation:** Given the complexity of the impact of noise emissions associated with the compression station, I challenge FERC to require Kinder Morgan to mitigate all outdoor noise emissions in excess of 40 dbA to align with World Health Organization Guidelines. Additionally I challenge FERC to require Kinder Morgan to engage in an exhaustive study of LFN emissions and to submit a formal plan for mitigation of those emissions.

### References

- DeGagne et al., Incorporating Low Frequency Noise Legislation for the Energy Industry in Alberta, Canada, Journal of Low Frequency Noise, Vibration and Active Control, Volume 27, Number 2. September 2008, pp. 105-120(16)
- Earthworks: Oil and Gas Noise  
[https://www.earthworksaction.org/issues/detail/oil\\_and\\_gas\\_noise#sthash.awgY8SgR.dpuf](https://www.earthworksaction.org/issues/detail/oil_and_gas_noise#sthash.awgY8SgR.dpuf)
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- “Sounds like terror in the air” Sydney Morning Herald, 9 September 2003.
- Leventhall, G. et. A., A Review of Published research on Low Frequency Noise and Its Effects, May 2003
- Mead, Nathaniel M., Environ Health Perspective - Environews Forum, Noise pollution: the sound behind heart effects: 2007 Nov; 115(11): A536-A537.
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- World Health Organization, Guidelines for Community Noise, 1999
- WH 0 article <http://www.euro.who.int/en/health-topics/environment-and-health/noise/data-and-statistics>

Submitted by:

Jean Nigro  
Temple, NH

### 20150824-4103

Scoping Meeting Testimony

July 30, 2015

Milford, NH...

I would like to express my grave concern regarding the negative environmental effects caused by the noise generated at and in the vicinity of compression stations.

**Compression Station Noise:** Noise levels associated with natural gas compressors vary with the size of the compressor and distance from the compressor; and change with shifts in wind direction and intensity. For these reasons accurate assessment of decibel levels is challenging. According to the Powder River Basin Resource Council in Wyoming, “Depending on the wind direction, the roar of a field compressor can be heard three to four miles from the site. Near the compressor stations, people need to shout to make themselves heard over the sound of the engines.” And this is under normal operation. Noise levels during blowdowns have been measured as high as 120 decibels(dbA). Industry standards require that noise levels in the vicinity of compression stations be no higher than 55 dbA. However the reasoning for setting the standard at that

level is problematic.

**Evaluating Noise:** Noise levels vary during operation, so evaluating an “average” level of noise does not accurately document the noise emitted on an ongoing basis every day. And levels of noise during blow-downs far exceed the standard. Additionally, decibel level alone does not capture the potential negative effects of noise. Infrasound, sometimes referred to as low-frequency sound, is sound that is lower in frequency than 20 Hz (hertz) per second, the “normal” limit of human hearing. Low frequency sound is commonly emitted by gas compression stations. Samuel Matteson, professor of physics at the University of North Texas and a specialist in acoustics, has stated that lowfrequency sound transmits easily through the soil and can travel great distances. It is extremely difficult to protect oneself from low frequency sound as buildings are not designed to insulate from it and it is easily transmitted from the ground by sound waves originating underground or near the surface. Given these factors, the utilization of a maximum standard of 55 dbA is a flawed mechanism of measure and does not take into account the quality of noise emissions.

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A number of studies of noise effects on children conclude that noise-exposed children have difficulties in concentrating in comparison with children from quieter schools. Children exposed to chronic environmental noise have been found to have poorer auditory discrimination and speech perception as well as poorer memory requiring high processing demands. Finally, chronically exposed children tend to have poorer reading ability and school performance on national standardized tests. I do not need to remind you that the proposed location of the New Ipswich compressor station is within V7 mile of the Temple Elementary School.

The World Health Organization has stated that “Noise is an underestimated threat that can cause a number of short and long-term health problems, such as sleep disturbance, cardiovascular effects, poorer work and school performance, hearing impairment. Their recommendations state that exposure over the following levels pose a danger: Indoor noise level at night: less than 30 dbA; outside levels less than 40 dbA; in classroom settings less than 35 dbA to allow good teaching and learning conditions.

While these findings are of significant concern and certainly substantiate justification for FERC to require noise dbA levels that align with WHO guidelines, of equal or greater concern are Low Frequency Sounds that are emitted by compression stations during normal operation

**Low Frequency Noise Effects:** Infrasound, sometimes referred to as low-frequency noise (LFN), is sound that is lower in frequency than 20 Hz (hertz) or cycles per second, the “normal” limit of human hearing. Psychologist Richard Wiseman of the University of Hertfordshire conducted an experiment with young

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The World Health Organization advises that “Health effects due to low-frequency components in noise are estimated to be more severe than for community noises in general...The evidence on low-frequency noise is sufficiently strong to warrant immediate concern.”

The effects of infrasound or low frequency noise are of particular concern because of its pervasiveness due to numerous sources, efficient propagation, and reduced efficiency of many structures (dwellings, walls, and hearing protection) to mitigate low frequency noise compared with other noise. Unlike higher frequency noise issues, LFN is very difficult to suppress. Closing doors and windows in an attempt to diminish the effects sometimes makes it worse because of the propagation characteristics and the low-pass filtering effect of structures. Individuals often become irrational and anxious as attempts to control LFN fail, serving only to increase the individual’s awareness of the noise, accelerating its negative effects.

**Recommendation:** Given the complexity of the impact of noise emissions associated with the compression station, I challenge FERC to require Kinder Morgan to mitigate all outdoor noise emissions in excess of 40 dbA to align with World Health Organization Guidelines. Additionally I challenge FERC to require Kinder Morgan to engage in an exhaustive study of LFN emissions and to submit a formal plan for mitigation of those emissions.

#### References

- DeGagne et al., Incorporating Low Frequency Noise Legislation for the Energy Industry in Alberta, Canada, Journal of Low Frequency Noise, Vibration and Active Control, Volume 27, Number 2. September 2008, pp. 105-120(16)
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Submitted by:

Jean Nigro  
Temple, NH

**20150824-4104**

Date: 7-30-2015

To: Milford town officials,  
Members of the Federal Energy Regulatory Commission

I am presenting my objection to the NED pipeline based on 3 concerns:

Please look into ...

1. The extent of the land needed, required for the installation and maintenance of the pipeline.
2. The effect of this on the animals and vegetation on and adjacent to the pipeline.
3. The near and long term impact on the residents in terms of quality of life, usage of property and property values.

Please determine ...

The extent of the land needed is undefined since the requirement is for a 150 wide footprint that is 71 miles long. Kinder Morgan has claimed that wherever possible the required land will be within or adjacent to current electrical grid distribution right of ways. Being adjacent may still require the need for more land in a manner that appears to be by right of way with all of its negative impact to all the abutters that are within or near the footprint.

Please study ...

The restoration of vegetation as presented by Kinder Morgan is poorly undefined. The relatively shallow depth of the pipeline will impose restrictions on the type of vegetation that will be allowed to grow and will have long term needs for control of growth through methods that can be harmful to humans and wildlife.

Please look into ...

The installation of this pipeline will require many instances of blasting through granite with dynamite. The consequences of this blasting are a complete unknown. The noise and shock waves from these explosions will be immediately felt by residents near the pipeline route. It is unknown what other effects will result. Will the blasting release radon and/or arsenic into our homes and wells? Will it disrupt our septic systems and leach fields requiring expensive repair or replacement? No one can answer these questions and we won't know until afterward when it will be too late.

Please determine ...

The impact on residents affected by the pipeline is unknown cannot be measured by monetary means alone. The people that have chosen to live in towns like Milford have an affinity with the environment such as, the wildlife, trees and other vegetation. This pipeline would be a scar across the state that no amount of taxes can erase. There is the promise of how the pipeline will result in reduced fuel costs. In reality, this pipeline has but one purpose and this does not include the residents of the state of New Hampshire.

I have dedicated much of my time to serving the local community in various activities that include scouting, the Arrowhead District and food pantries. My family and I have relished the life style and close connection with the land that is offered by being a resident of Milford.

In Nashua last night scope meeting. I was among the seven hundred concern citizens. The part that concerned us is that FERC commissioners that make the final decision were not there or even now. So the written concerns from all that choose to, their voices isn't heard. It comes across that the energy is going to boil down into a one page summary and our concerns will be dismissed.

John Orthmann  
Effected property owner  
37 Comstock Dr.  
Milford, NH 03055

## **20150824-4105**

Noise Impacts. Federal guidelines establish a maximum day-night average noise level for compressor stations of 55 dB at the closest noise-sensitive area. Hopefully the New Ipswich compressor stations will comply with this nominal statutory requirement. However, averages can be misleading. Peak noise levels are a more relevant and important metric because the loudest noises at compressor stations occur sporadically such as during blow downs, not continually.

Peak noise levels of 100 dB have been measured in the vicinity of compressor stations. For comparison, the nominal requirement of 55 dB is roughly equivalent to the sound produced by a modern dishwasher. In contrast, 100 dB is about as loud as a jackhammer.

Noise alone is sufficient to cause health problems including hearing impairment, cardiovascular and other physiological effects, mental health effects, and sleep disturbance. Compressor stations operate 24 hours a day. Nighttime sleep disruption during blow downs is likely. Inadequate sleep is proven to cause many

health problems. Chronic sleep loss has serious consequences for health, performance, and safety.

KM's own measurements found that the selected noise sensitive areas near the compressor station site have estimated nighttime sound levels from 41 to 44 dB. A nighttime noise caused by blowdown of 100 dB would be jarring indeed (being perceived as roughly 90 times louder than the background noise) and is easily loud enough to disturb sleep in most people.

Also of concern is the low-frequency noise produced by compressor stations. Low-frequency noise (below 100 Hz) has been linked to numerous psychological, emotional, and physiological complaints. Low-frequency noise can be worse than noise at higher frequencies. It doesn't need to be considered "loud" to cause annoyance and irritation. Low-frequency noise is found to be more difficult to ignore than higher frequency noise.

Wildlife will also be adversely affected by loud noise. Laboratory experiments show reactions in some animals similar to those of humans after prolonged exposure to loud noise. Other studies show that anthropogenic noise can interfere with vocalization and communication in some species, leading one author to conclude that "The inability of creatures to successfully communicate or otherwise employ their auditory senses is detrimental to the long-term survival of these displaced creatures and the overall biological integrity of the environment. "

What are the studies on health effects due to noise from large, 41,000 HP compressor stations? Are there studies that focus on low frequency effects as well as peak noise (blowdown noise) ? What are the noise effects on echo locating bats? What are the studies on the effects of compressor station noise on local wildlife?

Colleen Pasco  
45 Mountain View Rd  
Temple, NH

## **20150824-4106**

Sean Radcliffe, Temple, NH

Kelly Collins from Greenville described the risks to the Greenville water supply due to the compressor station in New Ipswich, I will connect the dots for you,

The proposed site of the New Ipswich compressor station is on the SKAT land property; at the corner of New Ipswich, Temple and Greenville. The SKAT land is between Rt 45 and old Temple Road, uphill from either road. The land is a big, steep hill of granite, If they need the compressor station on level ground, it could mean a lot more blasting on the SKAT land, Residents with bedrock wells are at higher risk due to additional blasting for compressor station area,

More sensitive are those that are dependent on surface water, The KM maps show 1 small wetland on the map for the compressor station but that map doesn't show the large hydric soil area it will be sitting on, A few hundred feet from the compressor station site is a pond that is wet 12 months of the year. That pond is part of a series of larger ponds which is one of 3 main tributaries to the town of Greenville reservoir, There are nearby farms that irrigate from surface ponds. The area is in part of the Souhegan River watershed. Residents surrounding the SKAT land have dug wells, Our dug wells have extremely clean water because the land around us is extremely clean, The SKAT land is uphill from us, Every time there is a heavy rain or snow melt, water runs from the direction of SKAT land through our land, towards the tributaries of to the Greenville reservoir behind our houses, Any contaminating substances from the compressor station will percolate down-hill like a funnel and the local residents will be drinking and eating them.

Yesterday Kathleen Gauvin pointed out that heavy molecule substances such as radon, polonium and other radioactive isotopes could get into soil and groundwater, Those substances are heavy and will drop quickly in the adjacent lands and waters during blowdowns.

We are not paranoid, There are recent reports of people near frack wells and compressor stations that have poorer health than the average, Stop these projects until the harmful health effects are understood and the

public can be kept safe,

How many 41000 HP frack gas compressor stations are sited on hydric soil that are up hill from stratified drift aquifers and ponds less than 1000 feet away?

Are there studies looking for contamination to surface water and dug wells that are checking for seasonal effects? Is contamination greater in spring thaw due to contamination being trapped in the snow? Is the contamination greater in drier fall season when the stratified drift aquifers have naturally lower water levels and contamination could be concentrated,

Are there studies looking at health effects which are 5 years old, 10 years old? The contamination may take time to migrate off the hill,

**20150824-4108**

*{duplicate of 20150824-4097 above}*

**20150824-4109**

Hand written FERC Comment form: Pamela Shuel-Sargent, 199 Old New Ipswich Rd, Rindge, NH 03461, criticising Rindge Open House - lighting very dark, staff unable to answer questions,

**20150824-4110**

Hand written FERC Comment form: Pamela Shuel-Sargent, 199 Old New Ipswich Rd, Rindge, NH 03461, concerned that our politicians have accepted campaign money from gas industries and unions, not representing the citizens. Opposing pipeline.

**20150824-4111**

*{Privileged}*

**20150824-4112**

Hand written FERC Comment form: Pamela Shuel-Sargent, 199 Old New Ipswich Rd, Rindge, NH 03461, opposing. Who is going to pay for replacement wells?

**20150824-4113**

August 24,2015

David & Connie Roy 36 Dunvegan Road Tewksbury, MA 01876

Re: Tennessee Gas Pipeline Northeast Expansion Project - Scoping Comments

Dear Kimberly D. Bose,

We are writing to express our concern with and opposition to the proposed Tennessee Gas Pipeline North-east Expansion project (Docket PFI4-22-000).

After being residents of Tewksbury for 23 years, we are finding it difficult to digest that there is a proposed gas pipeline that would be cutting through our property. Our family will be directly affected by its potential consequences including the risk of gas leak-related explosion and contamination, as well as a decline in property values and an increase in insurance costs. We have a swimming pool (which would have to be removed) and a French Drain piping system which is connected to three houses. If the French Drain piping system is disrupted/broken it would cause water to back-up into our basements, damaging our heating & air conditioning equipment and personal belongings. Our property is also part of an eco-system with rare species that would be forced out of their habitats, which will be destroyed.

Also, according to a Town of Tewksbury Zoning Map (February 2015), our property is on a Groundwater Protection District. The purpose of this Groundwater Protection District is to:

- a. Promote the health, safety, and general welfare of the community by ensuring an adequate quality and quantity of drinking water for the residents, institutions, and businesses of the Town of Tewksbury
- b. Preserve and protect existing and potential sources of drinking water supplies
- c. Conserve the natural resources of the town
- d. Prevent temporary and permanent contamination of the environment.

The effort to meet Massachusetts' ongoing energy needs should not adversely impact residents' quality of life, nor come at the expense of open space benefitting the public good. The proposed pipeline merely perpetuates reliance on non-renewable resources for short-term gain while ignoring the long-term benefits of renewable solutions that are safer, less invasive and potentially less costly.

Massachusetts has a strong track record promoting renewable energy and energy efficiency programs. I urge you to fully prioritize further investment in and deployment of these solutions, and to take any actions as are necessary to disallow the Tennessee Pipeline Expansion project.

Sincerely,

David & Connie Roy

#### **20150824-4114**

Scoping Milford NH

7.30.2015

My name is Terry Silverman, **Chair of Planning Board, Town of Fitzwilliam**. Our town is a member of the NH Municipal Pipeline Coalition.

The problem many towns face in dealing with the FERC process regarding the NED project is illustrated by the Town of Fitzwilliam. Our current Masterplan, created under NH RSA 674: 1 by the Fitzwilliam Planning Board, was revised in 2012. It was also revised in previous years: 1981, 1995, and 2004. The Masterplan's vision statement "charges us to act as stewards of our natural resources. The town must balance issues of energy, conservation, protection of natural resources and economic development that maintains our rural character and sustains a viable community."

Fitzwilliam Conservation Commission's Open Space Plan's table of important resources ranks the following resources on a scale of 1-7:

1. water, 6.85
2. clean air 6.82
3. protection of wildlife habitat, 6.51
4. protection of wetlands, 6.43
5. peace and quiet from natural areas, 6.35
6. scenic qualities, 6.29
7. land and water for recreation, 6.28
8. historic features, 5.99

These values would be undermined by the construction, maintenance and infrastructure associated with the NED pipeline project.

Chapter 110 of the Land Use Code of the Town of Fitzwilliam governs Blasting. This would not be followed if the project goes forward due to preemption. Chapter 113 of our Code is our Groundwater Protection Overlay District. This would not protect the town if the project goes

forward. Chapter 137 covers our Rural Character, including our Night Skies Ordinance. This would not protect the town if the project goes forward.

The Town of Fitzwilliam was incorporated 253 years ago, and having lawfully adopted by vote the highest

and best zoning practices, we are unprotected from the affects of this project due to federal preemption. We are a rural community with some of the cleanest air and water in the world, and we strive to protect it.

I urge you to reject the NED pipeline project.

## **20150824-4115**

### **SOUHEGAN WATERSHED ASSOCIATION & SOUHEGAN RIVER LOCAL ADVISORY COMMITTEE**

website: [www.souheganriver.org](http://www.souheganriver.org) e-mail: [georgemay@comcast.net](mailto:georgemay@comcast.net)

TO: FERC EIS SCOPING SESSION 7/30/2015, Milford, NH

#### **THE SOUHEGAN RIVER IS SPECIAL AND DESERVES SPECIAL PROTECTION**

- The Souhegan River has two citizens group looking to improve and protect the river for now and into the future - the Souhegan Watershed Association and the Souhegan River Local Advisory Committee.
- SWA sponsors canoe/kayaking trips on the river all summer long.
- SWA has about 30 volunteers that collect river samples every two weeks during the summer to measure the water quality for the health of the river and for the health of swimmers.
- We sponsor cleanups along the river all season long.
- The Souhegan River is a protected NH river since designation in 2000; there is a local advisory committee to advise DES and corridor towns on protecting the river.
- Several years ago the Souhegan was chosen by the state legislature for a pilot project to study and protect instream flow for this and as a model for the other protected rivers in the state. This project is still in process with a final report to be submitted by DES shortly.
- The Souhegan was (and still is) one of the most important rivers in the recently halted Merrimack Watershed Salmon Restoration program run by USF&WS. The SWA (Souhegan Watershed Association) still continues to place classroom-raised salmon fry into the Souhegan in Milford in the springtime as part of our Adopt a Salmon Family program in local schools.
- We still hope for wild salmon to return to our river.
- The Merrimack Village Dam at the mouth of the Souhegan was removed a few years ago to allow fish to move upstream.
- A several year study was done to consider removal of the two unused dams in the center of Milford and recommended removal. The BOS voted not to remove them at this time but it is clear that will happen in the future.
- A huge amount of time, effort, and money has gone into gathering data and protecting and improving the river in recent years. This pipeline proposal is seen as a setback.

THEREFORE, WE RECOMMEND;

THE FOLLOWING ARE IN ORDER OF PREFERENCE TO PROTECT THE SOUHEGAN WATERSHED ENVIRONMENT:

#### **1. ALTERNATE ROUTES**

Clearly the least invasive environmental solution is for the pipeline to be removed from the Souhegan Watershed completely.

- KM has pipeline easements across northern MA that would do the job.

That means there is a better, less environmentally upsetting solution for this proposed route. That there are concerns for that route are more than mimicked here - and this would be an upset to a still pristine area.

- NH depends on tourism that could be affected. Our recreational programs will be upset.

- Just as people in this watershed are becoming more concerned about studying and protecting their area, this would be a bad signal to send. Most of the river crossings have been signed and many of the towns are putting signs on their brook crossings.
- That 75% of the affected landowners (including municipalities) have not given KM access to their property to survey (misguided or not) shows how deeply the mood is against the proposed route.

## 2. IF THE ROUTE CONTINUES THROUGH NH

We ask that the route through Amherst and Merrimack be changed. Once the route of the powerline reaches Rte 101A, it crosses the highway and Ponemah Bog and continues on through floodplains (that do flood) to Souhegan High School. After a short way it crosses the Horse Hill Nature Preserve in Merrimack. Both of these sections are a problem and should be avoided if possible.

- There is another utility, the railroad line running along Rte 101A. If the pipe ran along this corridor and then alongside Continental Blvd in South Merrimack, it would avoid not only the two problem areas but also it would avoid crossing the Merrimack Village District, something the MVD strongly objects to.
- A modified route should be thoroughly studied and a better way found.

## 3. IF THE PRESENT ROUTE IS CONSIDERED A. Ponemah Bog should be bypassed

There is no safe way to cross the bog and still preserve it. There is no way to mitigate for the loss of this property. This is an public area visited and walked by people interested in its unusual nature, butterflies, birds, and insects that exist there.

B. We ask that the route be changed to follow the powerline through the Souhegan High School property. The proposed route specifies a convoluted route that crosses the river four times in a short zig zag around the schools.

- “Oh, no. Don’t put it closer to the high school!” Well, if it’s not safe enough to go past the high school, it’s not safe enough to go anywhere - not within 25’ of a residence. And I’ve been told by their engineer that it is safe enough to cross the ball fields.
- We don’t want it to disturb the river.
- Digging up the ball fields (and perhaps improving them) is preferable to disturbing still undisturbed land and damaging the image of the river.
- The proposed route crosses the Amherst Canoeport and would bury the pipe in an area that may erode or move around in the future.
- This should require serious study before attempted - we’d like to protect the river as a natural resource forever.
- Serious mitigation should accompany this plan. Boating, swimming, fishing will be disturbed.

## C. BROOKS, TRIBUTARIES, WETLANDS

The proposed route crosses several wetlands in the Souhegan Watershed. This will change natural areas now enjoyed by hikers, dog walkers, and others.

- We ask that KM improve the area for people expected to traverse the area depending on how urban or natural each is now - picniC area, benches, and mitigating funds to improve hiking trails in other spots to replace this loss. Each crossing should be looked at and proposals made and scoped before construction.

## D. GREENVILLE RIVER CROSSING

This will be a difficult crossing in a steep, sensitive area. Utmost care must be used to prevent damage to the river and to the area surrounding the river. This crossing merits concern. Under Alternate 1, this problem disappears.

20150824-4116

**STATE OF NEW HAMPSHIRE  
Executive Council**

DAVID K WHEELER  
EXECUTIVE COUNCILOR  
DISTRICT FIVE

STATE HOUSE ROOM 207  
107 NORTH MAIN STREET  
CONCORD, NH 03301  
WWW.NH.GOV/COUNCIL  
(603) 271-3632

July 30, 2015

To whom it may concern:

Every town save one, effected by the proposed pipeline project, is in my district. I will summarize comments that I have received from some of 300,000 people I represent. Please hear them and listen when they detail their testimony tonight.

Every public works project has an environmental impact. Every other eminent domain project also has a substantial NH benefit. This Export pipeline does not benefit granite-staters, especially those who live in Export pipeline affected towns.

This project will steal over 1,500 acres of land from NH home owners. They will be required to give up their land, their forest, their crops, their privacy, their property values, their clean pristine well water, and the list goes on and on .

Air quality and water quality will be effected far beyond the 1,500 acres of the proposed taking, 10 to 20 fold or more.

Part of my duties as an Executive Councilor, is to appoint and serve on Highway commissions.

If this 71 mile taking were for a highway it would NEVER pass environmental protection muster. In fact the proposed circumferential highway project thru Hudson and Nashua was shut down. Why then should this project be allowed in the exact same towns?

A highway would NEVER, I mean NEVER, be built with the kind of citizen opposition that was in Nashua last night and here again tonight.

Will you listen, or will you recommend this project be forced upon us?

The only responsible environmental finding/recommendation for this project should be NO BUILD!

Respectfully submitted,

Councilor David K Wheeler  
Council district 5  
Milford, NH

20150824-4117

Hand written FERC Comment form: Karen Sullivan, 155 Old Wilton Road, New Ipswich, NH 03071, list of health problems reported by people living within 2 miles of compressor stations.

20150824-4118

**TOWN OF SALEM, NEW HAMPSHIRE**  
33 GEREMONTY DRIVE, SALEM, NH 03079  
(603) 890-2120 . FAX: (603) 890-2220

July 27, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission

888 First Street, NE, Room 1 A  
Washington, DC 20426

Comments of the Town of Salem, NH

RE: Tennessee Gas Pipeline Company, L.L.C. (“TOP”)

Docket No. PF14-22-000: Proposed Northeast Energy Direct (“NED”)

Dear Ms. Bose:

The Town of Salem, NH was notified in 2014 by Kinder Morgan (KM) that KM was planning to construct a third natural gas line that would be located within the existing right-of-way where two existing gas lines are located where possible. KM indicated that there would be locations where installing the third gas line next to the existing two would not be feasible and would require the taking of additional property.

More recently in 2015, KM indicated they had changed their original route through the Commonwealth of Massachusetts to a new route that passes partially through Massachusetts and partially (-71 miles) through the State of New Hampshire, before returning to Massachusetts to terminate at the gas Hub in Dracut, Massachusetts. This new route includes approximately two (2) miles through the Town of Salem, NH as part of the Haverhill Lateral. KM also determined that they would replace the one existing lines and replace them with a new 20” gas line.

As the duly elected Board of Selectmen responsible for directing the municipal government of the Town of Salem in line with the wishes of its residents, we have strong reservations with the NED project as proposed. Specifically, it is the judgment of the Selectmen that the proposed route through Salem is poorly chosen with numerous adverse effects on our community and must be changed if this pipeline is to pass through the Town at all. The reasons for this judgment are set out below.

### **I. Character of the Town**

The possibility of expanding the current right-of-way for the proposed natural gas pipeline through conservation property, over important natural resources, through existing residential neighborhoods, and far outside the borders of our Town’s existing industrial/commercial-zoned areas, conflicts with our most recent Master Plan, and with the desires of a majority of its residents.

The current pipeline route as proposed by the Tennessee Gas Pipeline Company and Kinder Morgan would:

1. Disturb and permanently diminish the quality of life in existing residential neighborhoods because of significant construction through neighborhoods that, because of permanent clear-cutting and pipeline maintenance, and because of the potential of the seizure of privately owned residential land through eminent domain.
2. Unnecessarily risk to wetlands surrounding one of the Town’s most precious surface waterway -Worlds End Pond, which is a pristine piece of the Town’s conservation property.

It is worth noting that New Hampshire is the second most heavily forested state in the United States (behind Maine). The people of Salem, as in many other New Hampshire communities, live here in part because the heavily forested environment is integral to the character of the town. The extensive tree cutting required by pipeline construction is therefore particularly disruptive especially in the residential areas-and degrades the NH flavor of semi-rural character we seek to preserve.

While the Town of Salem is not opposed to new commercial and industrial development in order to broaden the community’s tax base, it should not be done at the expense of our natural resources, conservation properties and existing residential neighborhoods. Please see enclosed Exhibit A for an overview of the proposed line location.

### **II. Worlds End Pond:**

Worlds End Pond is a one hundred thirty (130) acre body of water which flows southwest and joins the Spicket River. Its bottom is covered with a very deep layer of decaying vegetable matter.

Around World's End Pond are three parcels that the Rockingham Planning Commission rated a high priority for the Town to purchase to preserve for conservation. That recommendation is based on the soils and wildlife on the property. The properties have been identified as prime wetlands. Please refer to Exhibit B & C for maps of the area surrounding World End Pond.

### **III. Public Safety Concerns:**

The Town of Salem shares all of the concerns other impacted communities have regarding a high pressure gas transmission pipeline passing through the community. These concerns are made more acute by the proposed route's passage through residential neighborhoods. In particular, we are concerned with its proposed bisecting of neighborhoods including Bounty Court, Hunters Run, and Theresa Avenue. Residents of these neighborhoods are concerned with potential safety risks related both to pipeline construction and with the potential for a pipeline incident that could isolate and trap residents and/or restrict access to them by emergency vehicle and services.

It is difficult to see how the concerns of these residents could be addressed with the currently proposed pipeline route.

We will defer our more general concerns with public safety, e.g. training and equipment for first responders, communications between Salem first responders and KM concerning potential incidents, incident response, etc., to a later date.

### **IV. Conclusion:**

The Town of Salem, through its Board of Selectmen, strongly opposes the currently proposed route through the Town of Salem, NH for the NED pipeline. With the possibility of needing to impact property outside of the existing natural gas ROW, the proposed route is disruptive to the character of the town and the quality of life for its residents, threatens unacceptable harm to ecologically sensitive areas, and represents apparently irresolvable safety concerns for at least some residents on or near the proposed route. Based on the lack of any specific information provided to the Town by KM during their planning process, it does not appear that KM has explored alternative routes that would be less disruptive and have a lesser impact on the environment.

The Salem Board of Selectmen is strongly in favor of increasing our energy supply in both availability and pricing to benefit more businesses in coming to the town and region, but believes that the Kinder Morgan project is too excessive for the Town of Salem and the region. When Kinder Morgan is ready to rethink its selection of a route through the Town of Salem, the Board of Selectmen would ask that Kinder Morgan engage the Town early in the planning process. The currently proposed, unsuitable route has generated much concern and uncertainty among the residents of Salem. It would be preferable to engage early with the representatives of the Town and present a much more detailed project, rather than put together another, unsuitable route and set off additional concerns and uncertainty among Salem residents.

Thank you for considering the concerns of Salem, New Hampshire.

Sincerely,

James S. Keller, Chair

Patrick M. Hargreaves, Vice Chair

Everett P. McBride, Jr., Secretary

Stephen F. Campbell, Selectman

Michael J. Lyons, Selectman

**20150824-4119**

756 Brookline Road

Mason, NH 03048

30 July 2015

RE: Docket PF14-22

Thank you for coming here to listen our concerns about the proposed Kinder Morgan pipeline. Our environment is very important to us here in NH. It provides more than ambiance. It is our life support This is important stuff.

So Kinder Morgan produced a nearly 7000-page report on the environment, which they released on July 24th so that we'd have plenty of time to review it before these scoping sessions.

It seems that in their report there are a lot of TBDs, most of which are in one field of one table. Discounting those still leaves nearly 3000 TBDs.

When I was in school, if I submitted a report with 3000 TBDs, I know what kind of grade I'd receive.

I think Kinder Morgan deserves A FAILING GRADE on this report.

And speaking of schools, the people in the town of Temple, NH, are concerned that their school will be one-half mile +/- from one of Kinder Morgan's compressor stations.

Now RICHARD WHEATLEY, a spokesman for Kinder Morgan, said in an interview reported in the June 10,2015 issue of THE RECORDER (published in Greenfield, Massachusetts):

“Compressor stations do not ‘exhaust’ or ‘release’ methane gas during normal operations.”

My understanding is that it's not all that unusual for a compressor station to emit methane. Guess those stations are not operating “normally?”

During a phone conversation with SARAH MCKINLEY, an outreach specialist for FERC, stated:

“Compressor stations are just big chemical plants. There is no pollution. I don't know what you are worried about. I have worked gas pipelines for over 30 years and never heard the term ‘blowdown.’ You have been sold a bill of goods. You need to get off YouTube.”

I think some people at Kinder Morgan and FERC need to do their HOMEWORK! Conversations like that undermine the credibility of those organizations. They do a severe disservice to the concerned citizen.

The following statements were extracted from that same report in Greenfield's THE RECORDER:

- During ventings known as blow-downs” large quantities of methane are released to the atmosphere.
- Compressor stations also leak methane via valves and gaskets that weaken and leak from corrosion and thermal stress.
- Compressor stations release huge amounts of toxins. These toxins include benzene, toluene, sulfuric oxide, and formaldehyde.
- Citizens near compressor stations in PA, TX, LA and other states have suffered from nose bleeds, rashes, headaches, sore throats, dizziness, and nausea
- “Blow-downs” can last for two hours .... Blow-downs are needed if a gas pipeline is taken offline for maintenance in the event of emergencies, or to accommodate fluctuating demand.”

Furthermore, nature and the environment do not recognize our state or town boundaries. I insist that FERC DO THE MATH to determine the cumulative effect of the 20-some pipelines under expansion or construction in the region, and the consequences the use of the pipelines' contents will have on our environment. Since MONEY is the only language portions of our society seem to understand, FERC should DO THE MATH to determine the true cost of this project - the cost to the homeowner whose property happens to be above a natural gas deposit, the cost to someone whose property is in the way of a pipeline, or the cost to our environment. And consider as well the benefits of clean sustainable energy alternatives.

Thank you,

Douglas Whitbeck

20150824-4120

Dr. Susan R. Williams  
PO Box 244, 242 Old Country Road, New Ipswich, NH 03071  
Docket # PF14-22

To the Federal Energy Regulatory Commission Scoping Meeting, 30 July 2015

Milford Town Hall, 6:30 pm

I am Dr. Susan R. Williams, Professor Emeritus of History at Fitchburg State University. I have lived in New Ipswich for twenty-six years and have served the town in many ways, including as a member and then chair of the New Ipswich ZBA. I am currently **president of the New Ipswich Historical Society** and, as such, **am requesting consulting party status** for that organization during the project area survey. This pipeline violates our Zoning Ordinance--which protects steep slopes and wetlands; it jeopardizes our drinking water and air quality by threatening our wells and surface waters, and the proposed compressor station threatens our rural sense of security by making us a potential threat to terrorists.

My focus tonight, however, is the impact on Cultural Resources in New Ipswich. I have reviewed "Resource Report 4: Cultural Resources," included in the current version of the 6571-page Draft Environmental Report submitted by Tennessee Gas last week. The report states that "Field surveys are ongoing" for the New Hampshire portion of the pipeline. Strangely, the document lists NO resources in New Ipswich. I assume that the Section 106 review, conducted in concert with the Advisory Council on Historic Preservation, will remedy this omission. There are important cultural resources in New Ipswich that are at risk if this project is approved. Let me offer a brief list:

- **Native American resources:** the Abenaki presence is evident throughout this region, including New Ipswich, where (among other things) there is a known burial ground-in the path of the pipeline.
- **Architectural resources:** the New Ipswich Center Village Historic District has been included in the National Register of Historic Places since 1992. This district includes some 144 buildings, structures, and sites, all of which are 1.5-2 miles from the proposed compressor station. The District's proximity to the compressor station raises issues about sensitive resources outside of the one-mile barrier, when exposed to air, noise, light pollution, and blasting. I urge FERC to take this into consideration. What will be done to protect these sensitive historical resources from environmental damage caused by the compressor station and pipeline construction?
- **Religious Commemorative Site:** The town is also the site of a highly significant religious commemorative site, dating from the 1840s and in continuous use from that time as a focus of traditional association with the group's historic identity. This particular site lies in the direct path of the pipeline.
- **Historic landscape resources:** New Ipswich has other important cultural landscapes in the pipeline's path, including remnants of old mills, stonewalls, colonial roads, and agricultural sites with rich historical integrity dating back to the early settlement period. Several of these agricultural sites also offer significant evidence about the history of Finnish settlement in New Ipswich, dating from the late 19th century. Finnish-Americans remain the strongest and most cohesive ethnic group in New Ipswich today. It is important to preserve and protect evidence of their contributions to the history of the town.

I urge you to carefully consider the impact of the NED Pipeline on these resources as you make your determination about the Tennessee Gas application. Mitigation is not an option where cultural landscapes and structures or traditional cultural properties are concerned. Once they are disturbed, they are lost forever, along with their power to reinforce local, regional, and national identity.

Respectfully submitted,

Dr. Susan Williams  
Emeritus Professor of History and President, New Ipswich Historical Society

**20150824-4121**

Federal Energy Regulatory Commission Scoping Meeting

Thursday, July 30, 2015

Milford Town Hall

One Union Square

Milford, New Hampshire 03055

My name is Tim Winship and I live on Cutter Rd. in Temple, New Hampshire about a mile north of the compressor station proposed for New Ipswich. I've been operating a vegetable and berry farm using organic methods for the last 29 years. I'm asking FERC to require that Kinder Morgan and Tennessee Gas be required to pay for soil tests on our farm prior to the construction of the compressor station to establish a baseline presence or absence of certain pollutants known to be emitted by compressor stations, and to then have soil tests done on an annual basis to monitor these same pollutants. In the event that our soils are found to be accumulating toxins that are traceable to the compressor station then I ask that Kinder Morgan and Tennessee Gas be required to devise a way to prevent further accumulation and compensate us for any income that may be lost as a result of such accumulation. I also ask that if the pollution of our soil renders it unfit for growing safe food then Kinder Morgan and Tennessee Gas be required to purchase our farm at its fair market value prior to the existence of the compressor station. If our farm is healthy before the existence of the compressor station and unhealthy as a result of the construction and operation of the compressor station the party responsible for destroying a business and a way of life must bear the financial cost

In addition, I suspect that the executives at Kinder Morgan and Tennessee Gas have little or no conception of how much we care about this region and the places we call home. They are profoundly mistaken if they think that they can take our property, tear through our forests, wetlands, and waterways, and pollute our air for the sake of profiting from a completely unneeded pipeline. We are not in the least fooled by their false propaganda about the alleged need for this. Better alternatives exist to serve New England's energy requirements. If commonsense prevails, and it must and it will, Kinder Morgan and Tennessee Gas will never lay so much as a single section of pipe in New Hampshire for this project.

Thank you.

Tim Winship

New Field Farm

258 Cutter Rd.

Temple, NH 03084

**20150824-5009**

M.linehan, Pittsfield, MA.

I am in full support of this project. It is well known that MA & all of New England is at the very end of the gas pipeline. Our energy costs are the highest in the U.S. and as coal departs more gas will be consumed for electricity. We are at a huge competitive disadvantage with these costs. The pipeline will follow an already established energy route 90% or so. Aging pipelines already in place will begin failing. They are 40+ years old and leaks are common. This new line may well help in a lot of replacement. Strange no one insists the old pipeline be dug up and most all folks agree energy costs here are too high. Renewables are a big piece of our future. Sadly Not fully able to handle our needs for quite some time. I cannot wait for that. In fact my family & I need to work, eat and live in the City of Pittsfield. I insist you make sure the pipeline company does this project responsibly and at the highest standard and mitigates as many concerns that folks have as possible. Lets not forget this is in the company's economic favor as well. Economic & standard of living logic dictates the need. A responsible well run project is a win..win for us all.

Thank You.

M.L.

## 20150824-5012

Emily Norton, West Townsend, MA.

History is filled with examples of perceived needs resulting in shortsighted decisions that caused more harm than good.

According to FERC, “need” is determined by very limited criteria, primarily the number of contracts a pipeline company is able to negotiate. Once FERC concludes a need for a pipeline, it approves the pipeline construction despite the fact that the pipeline will forsake other critical needs.

I ask you to use wiser criteria to determine “need”.

- We need a clean, safe drinking water supply.
- We need a habitable climate that will continue to support earth’s ecosystems and agriculture for our food supply.
- We need freedom from our addiction to fossil fuels.

These are true needs, necessary for the survival of human civilization. We can not survive without a habitable climate, an adequate food supply and clean water.

Whether you like it or not, the decisions that you of FERC make to approve more and more fossil fuel infrastructure are also decisions that you make to endanger our water and food supply and exacerbate climate change. If you approve this pipeline proposal, your decision will threaten the survival of our children and grandchildren.

- We need FERC to acknowledge the gravity of the decision you will make.
- We need FERC to admit that its definition of “need” is outdated and short-sighted at best and dangerous at worst.
- We need FERC to update its definition of “need”.
- We need FERC to remember you are human beings first and cogs of a dysfunctional system second.
- We need FERC to find the courage to say “no” to a project that is wrong for the people.
- I can’t believe that I need to ask you, people of FERC, to value human survival needs above the profits of a pipeline company.

Yes, we need energy. But we need to DECREASE our use of fossil fuels while we INCREASE the use of green, renewable energy sources.

We need FERC to be a part of the solution, not part of the problem.

Emily Norton  
West Townsend, MA

## 20150824-5013

Emily Norton, West Townsend, MA.

There’s a story about the early aviators who tried to design the first flying machines. Many of them copied the way birds flap their wings. They fashioned their machines like bicycles so they could pedal faster and make their flying machines’ wings work harder. Those brave aeronauts pedaled off cliffs, launching themselves into midair. They were the first people to feel the thrill of flying. The only problem was that their designs did not follow the laws of physics. In reality those aeronauts were falling to their deaths. As they watched the ground come closer and closer, they pedaled faster and faster. Pedaling faster didn’t work because they were not obeying the natural laws that would allow them to remain aloft.

The FERC fiasco reminds me of those early aviators. Just as those daredevils found their brief power of flight exhilarating, so the FERC decision-makers enjoy tremendous power to permit fossil fuel infrastructure through every nook and cranny of our nation. Just as those early aeronauts made their decisions contrary to the laws of physics, so the FERC decision-makers have ignored the laws of sustainability and the approach-

ing climate catastrophe. Just as the first pilots pedaled furiously as the ground got closer, so FERC decision-makers are rubber-stamping pipeline projects as fast as they can.

However, that's where the similarity in stories ends. Those first pilots who drove off cliffs plunged to their deaths. The only people at risk were the aviators themselves. FERC pilots have billions of passengers whose survival depends on the decisions FERC makes. The FERC pilots refuse to make decisions that could move us towards sustainability. The FERC pilots, like the early aeronauts, are just pedaling faster, carrying themselves and the rest of the human population to their demise.

Not your job? Just doing what FERC guidelines state? Sorry. That excuse just doesn't work anymore. We know what must be done to halt climate change. We know we need to decrease our use of fossil fuels. We know the laws of sustainability. The decision-makers of FERC are obligated to follow those laws. Indeed, every human being is obligated to do so.

FERC decision-makers, we have just experienced the hottest year ever. Do not pedal faster. Do not head us towards a crash. Our survival is in your hands.

SCOPING REQUEST: Please consider this project's lack of sustainability in your determination whether to approve it or not. How can a project that is not sustainable ever be considered to be of "public convenience and necessity"?

Emily Norton  
West Townsend, MA

#### **20150824-5015**

Shaun Bennett. Ph.D., Philadelphia, PA.

Dear Secretary Bose:

August 21, 2015

The plan to construct a gas pipeline through Richmond, NH is flawed. It has not been widely presented and few of the land owners along its wide corridor have been notified of the proposal, possibly to limit the criticism it deserves. I am one of those un-notified land owners, with property along the shore of Sandy Lake and along Bullock and Lang Roads in Richmond (Map 405, lots 20, 22 and 25).

Sandy Lake is a rare, valuable, vulnerable water body. It is pristine because its watershed is undisturbed save for Sandy Pond Rd. and a transmission line that is the proposed pipeline's path. The Lake's shoreline is undeveloped, with almost no buildings, and no year-round residences. Undisturbed water bodies are very uncommon in Southern New Hampshire. This is a precious natural resource.

The Lake is unusually deep, 15 meters (50 feet), providing a large hypolimnion region and a longer "residence time" for water (and any contaminants) than in the typically shallower lakes of the region which "flush" more rapidly. The Lake's fauna includes fish, water birds (e.g., kingfishers and great blue herons, ducks, geese), raptors (e.g., osprey) and nighthawks, reptiles (turtles and snakes), amphibia (breeding green frogs, bull frogs, american toads, spring peepers, and the densest population of eastern spotted newts ever reported in the scientific literature, as well as red backed salamanders and two lined salamanders). Mammals include occasional beavers and otters, and a substantial bat population (a threatened group that could be adversely affected). Historically the brooks of Sandy Lake had an annual run of alewives that reproduce upstream of the proposed pipeline. The run's status is uncertain, at best it is endangered and disturbances in the watershed and streams could cause its extinction.

Trucks will damage roads on the western shoreline and along the northern shore. Pipeline construction will require many large, heavy vehicles over a long period with consequent degradation as these few roads provide the only access to long stretches pipeline route. Repairs will introduce sediments and noxious chemical agents from repair vehicles and from the needed new pavement. Assignment of the repairs' cost is an additional issue.

Most of Sandy Lake's watershed is to the north. There is virtually no runoff coming from the east or west. The southern watershed limit is a hundred meters or so from the shoreline with this zone constituting less

than 10 percent of the watershed and contributing a correspondingly small proportion of water.

In other words, nearly all water entering the Lake comes from the area impacted by the pipeline. Actions affecting water quality in this zone have a maximum effect on the quality of Sandy Lake and its ecosystem. The wide margins of the corridor insure that it will affect nearly all of the watershed.

The most obvious impacts, forest clearing and excavation of soil and bedrock leading to erosion are damaging. More devastating will be herbicidal control of vegetation. Construction and maintenance of a pipeline corridor using chemical vegetation control will be disastrous to Sandy Lake, regardless of the toxicity of the chemical agents used.

The most common herbicide uses glyphosate, determined by the World Health Organization's International Agency for Research on Cancer to be a likely human carcinogen. The children's summer camp, Wiyaka, has used the Lake for swimming, boating, and, in the past, even drinking water. Introduction of a harmful chemical would be irresponsible in the extreme.

Herbicides are, by definition, toxic. They kill plants. (Some herbicides may be less toxic to humans.) Sandy Lake is comprised of an ecosystem based on plants at its most basic trophic level. Any herbicide that enters the Lake will inevitably have a deleterious effect on plant life. The prolonged residence time of water (and substances in it such as herbicides) in Sandy Lake insures maximum negative effect.

There is a more insidious effect of herbicide use in a watershed: Research conducted in the Hubbard Brook Experimental Forest in northern New Hampshire under the US Forest Service and collaborating universities including the University of New Hampshire, Dartmouth, Cornell, Yale and others over 6 decades shows the essential role of living plants in retaining plant nutrients within terrestrial ecosystems like the Sandy Lake watershed. Research led by Professors Gene Likens and F. Herbert Bormann and including contributions from dozens of others show that when a forested ecosystem is cut and prevented from re-growing through the use of herbicides, enormous amounts of nutrient materials are dissolved in rain water and lost from the ecosystem in runoff. The runoff water may appear normal, but the dissolved content may exceed acceptable levels for potable water.

Plant nutrients that sustain terrestrial ecosystems' growth can be thought of as fertilizers. Large amounts entering an aquatic ecosystem will fertilize it as well. Increased growth of aquatic plants including undesirable and noxious species result. Organisms at higher trophic levels -- plankton, invertebrates and fish -- will be adversely affected by the disruption of the plants on which they depend. The biomass will eventually die and may overwhelm the ecosystem's capacity to decompose it aerobically, resulting in foul anaerobic decomposition. Aquatic organisms that normally obtain oxygen from water can no longer do so and they die as well. Note that this chain of events is unrelated to which herbicide is used and how expertly it is applied.

Could this happen in Sandy Lake? Initially vegetation on the transmission line that is the pipeline's path through the watershed was controlled by herbicide. This caused growths of a previously absent vascular plant known as bladderwort or *Utricularia* in the Lake. The plants grew in large mats at the water surface (up to several square meters in area and half a meter thick). They were unpleasant and potentially dangerous to swimmers who could become entangled. After a few years during which this plant growth increased, the maintenance of the transmission line was changed to mechanical vegetation control and the *Utricularia* disappeared.

To summarize, Sandy Lake is a rare and threatened habitat: a deep, undeveloped, pristine aquatic ecosystem. The Lake supports wildlife populations including threatened organisms as well as public recreation and a children's summer camp. The planned pipeline will pass through the watershed that is critical to Sandy Lake's health and will inevitably have an adverse impact on the Lake. Herbicidal control of vegetation will dramatically exacerbate the harm done by the pipeline regardless of the type of herbicide and the care with which it is applied.

It can only be concluded that routing the pipeline through the Sandy Lake watershed is the result of ignorance and/or a lack of concern.

Shaun Bennett, Ph.D.  
435 West Johnson St.  
Philadelphia, PA 19144

**20150824-5017**

Harry Collins, Averill Park, NY.

I am concerned about the NED Gas Pipeline because I live within one mile of the proposed Nassau compressor station. I know of the environmental and health effects of such a project and ask that FERC deny this proposal.

**20150824-5018**

David PILL, Pittsfield, MA.

RE: PF14-22-000

Kinder Morgan Pipeline through Berkshire County Mass.

Thank you for allowing this comment.

IO am OK with the pipeline. I am NOT good with it – just OK. I realize that there is some amount of disruption involved, but if we did not allow things to be built based on their disruption, we would not have railroads, highways, airports, water systems, sewers, etc.

That many of the people on the pipeline route within Berkshire County are not on the route – the truth is that that it is designed to be away from populated areas, so that is by design – obvious.

But we all use the by-products of that gas. We use electricity, we work in places heated with that gas (about 85% of the county's population IS served by Berkshire Gas – so these folks DO shop, work, get medical care, etc. from it).

We have closed down VT Yankee, Mt Tom, Salem Power and other power stations throughout the region. Demand continues to rise – that electricity will NOT be all generated by solar or wind. In fact, try to put up a turbine, and you will see similar mobilization in this region. I would love to see more of both – but my neighbors do not want this pipeline today as they tell you about the future of renewables, and tomorrow – they will fight any project generated by the renewables.

I watched the meeting held at Taconic High School in Pittsfield. I could not attend due to family commitments. Many of the people commenting either moved here from large cities or now are mad that the house they built on a green field may be near some attribute of this pipeline. Lock the doors, they are here – no one else can come. Well, it does not work that way. What if all the states along the Mississippi said no East-West railroads? What would this country be?

Dicken Crane – nice guy, but his family just sold their multi-billion dollar company to venture capitalists who have been parceling it off piece by piece after reducing employment 50%. His Dad cared about the community – he, his siblings, and his cousins are just mad that the currency paper they produced is going to benefit others. If they could have made a buck on this pipeline – you'd have heard not a peep. His compost business will be sharing space with a pipe yard, big deal. The cows will still graze next door.

In fact, that is the crux of this:

1. The pipeline will be well underground (Cheshire Lake by the way is man-made, and under today's laws, would still be a swamp). So once the pipeline is complete, there will be a nice open wildlife corridor for those moose to traverse. Also to snowshoe, and for other wildlife. New England a century ago had no trees. The 700 acre property my family farmed in Becket had no trees in 1930, and today is nothing but woodlands – and no farming.
2. I have googled, searched, and otherwise looked – but could not find one shred of scientific study showing that the fracking chemicals actually wind up in the gas. Yes, they wind up in the ground if not handled correctly, and have polluted wells – but not a ton. The real answer to fracking is to regulate, and inspect the

process and require bonds, absolute liability, etc. to ensure the chemicals are properly handled. Better leak detection in the pipeline, smaller releases – or recycling the gas into another storage facility near vents for re-injection in to the pipe may be wise as well.

There have not been issues in this area except 40 years ago. I have made plenty of mistakes in the previous 40 years and would like the opportunity to move beyond them, learn from them and be held to account on them. But to say no – you cannot do X because in 1970 something bad happened without accounting for better materials, practices, and other technological advances is asinine.

I do not love this project, barely like it – but I do support it and believe the histrionics of a billionaire farmer, a lawyer who is unhappy that the already degraded property he lives on (he borders the abandoned and heavily polluted US Gypsum site in Cheshire) isn't in line for a big pay day. You see, one problem of small towns – is that you can talk, but after a while, if folks know you – they figure out your motives.

My motive is to ensure that we are not left behind economically. We are at the end of every system – and we need the resources to compete. If this gas gets sold to the highest bidder in Europe, I will work hard to shut that operation down. But in the meantime, it needs to feed homes, power plants, and businesses here in New England.

Thank you for reading,  
Respectfully Submitted,  
David Pill  
Pittsfield, Massachusetts

#### **20150824-5024**

Melissa, Richmond, NH.

To Whom this may concern,

I am a concerned NH resident of pipeline project for many reasons, too many to list. If you should like for me to spell them out, please contact me and I will send pages of literature or speak on the recollection of my studied knowledge of this project. When I considered how I would like to present my thoughts and reasons against the invasion of the pipeline in NH territory, I first decided I could compose a list of pros and cons for NH residents. However I could not find or list a pro. All I can summarize are cons. Therefore I do not feel there need to further defend our wishes to not allow this pipeline in the state of NH and hope the appropriate parties involved can come to the same conclusion. If the state of MA and so forth should feel the need to keep this project alive, that's your business, your soil, your residents. I gather they feel as we do and did not want this on their soil. Again, no pros for us, no pipeline for them. Pretty simple, huh?

Thank you for your attention to this matter,

Melissa Frye  
603-762-2067

#### **20150824-5026**

Matthew Goldsmith, Boston, MA.

I am writing to you to request a delay in the decision timeline for the Northeast Energy Direct Project.

MA Attorney General Maura Healey has initiated a study of the long term energy needs of the Commonwealth and surrounding New England states set to be completed in October. However, the FERC approval process is underway and residents are being rushed through information sessions and public comment periods before the results of this study are even available for them to review. Because the stakes are so high, I request a moratorium to allow for a genuine, transparent and scientific investigation of all alternatives to this pipeline. There is much data indicating that through increasing installation of solar energy, energy-efficient improvements, repairing of costly leaking gas pipes and LNG storage, this pipeline would be unnecessary. In addition, I would request you to initiate an investigation into the health and safety issues related to gas

pipelines and compressor stations that have already been documented elsewhere in the U.S. I also point to the recent article below where the previous chairperson of the MA Department of Public Utilities indicates that the pipeline is not needed: <http://www.recorder.com/home/18260496-95/former-dpu-chair-says-pipeline-not-needed>

It is against the best interests of all MA and New England residents not to give this process the thorough and investigative process it deserves before making a decision to irreparably impact our region and our citizens. I urge you to take action to delay this pipeline approval until all alternatives can be thoroughly and transparently vetted.

Sincerely,

Matthew Goldsmith  
111 Atlantic Ave Apt 405  
Boston, MA 02110

#### **20150824-5041**

Joseph L Belanger Jr, New Ipswich, NH.

I WOULD LIKE TO EXPRESS MY OPPOSITION TO THIS PROJECT FOR REASONS OF THE UNNECESSARY IMPACT IT WILL HAVE ON MY FAMILY, NEIGHBORHOOD, TOWN, STATE, AND COUNTRY. MY FAMILY LIVES WITHIN 1/2 MILE OF THE MID STATION #4, ALSO WITHIN 1/4 MILE OF THE LINE IF INSTALLED. I AM 62 YRS. MY WIFE OF 42 YRS. + HAVE LIVED WITHIN 1 MILE RADIUS OUR ENTIRE LIVES. IF THIS UNNECESSARY PROJECT GO THROUGH AND THERE IS AN ACCIDENT (KINDER/MORGAN NOT THE BEST SAFETY RECORD) MY FAMILY COULD BE DESTROYED PHYSICALLY, AND FINANCIALLY. I ASK YOU HONESTLY WOULD YOU LIKE SOMETHING AS UNNECESSARY AS THIS GOING THROUGH YOUR NEIGHBORHOOD AND THREATENING YOUR FAMILY I THINK NOT. THERE IS NO GAIN FOR THE PEOPLE OF N.H., NEW ENGLAND, OR THE UNITED STATES. THE GAS IS GOING TO CANADA TO BE EXPORTED TO FOREIGN COUNTRIES FOR PROFIT OF KINDER/MORGAN. 70% TO CANADA TO AVOID EXPORT TAXES (NAFTA

) AND HOW IS THIS GOOD FOR OUR COUNTRY? YOU HEARD THE TERM NEED NOT GREED THIS IS TOTAL GREED FOR KINDER MORGAN WE THE PEOPLE HAVE NOTHING TO GAIN. I HOPE YOU LOOK INTO YOUR HEART WHEN YOU MAKE YOUR DECISION FOR THIS UNNECESSARY PROJECT AND REMEMBER THAT YOU HAVE TO LIVE WITH IT THE REST OF YOUR LIFE IF ONE PERSON, CHILD, RESCUE WORKER GETS INJURED OR DIES FROM THE DECISION YOU MADE FOR A PROJECT AS UNNECESSARY AS THIS. NOTICE I KEEP USING THE WORD UNNECESSARY. WE DO NOT WANT THIS PROJECT IN OUR NEIGHBORHOOD, TOWN, STATE OR COUNTRY. RESPECTFULLY. JOSEPH L BELANGER Jr.

#### **20150824-5047**

William Buckley, Dracut, MA.

We are William & Nancy Buckley from East Dracut Massachusetts, and are writing to you in reference to the Northeast Energy Direct Project pipeline project.

We purchased our house in Dracut over 30 years ago. Our area of Dracut is a quiet, beautiful location. Our house is located within a 1/2 mile radius of the proposed compressor station, which puts us in the "INCINERATION" zone. It is also very close to where the pipeline route will destroy many of our neighbors' backyards. How can you allow such a station to be built so close to residential and commercial properties? In addition, it appears that one of our Fire Stations on Jones Avenue is within this "INCINERATION" zone, and our only Police Station is right on the edge. They are first responders! What happens in the event of a catastrophic event?

Living next to a risk as great as this so that a large corporation can profit is unacceptable. No matter what

Kinder Morgan says about its' safety measures, it is still an unacceptable risk. Technical failures, natural disasters, or acts of terrorism are all uncontrollable causes of events that could cause a pipeline or compressor station explosion killing hundreds.

We are deeply concerned about the effects on our health, safety and property value.

In addition to the destruction it would cause in our neighborhood, the pipeline would cut through pristine lands, including at least 15 miles of conservation trust lands. We are opposed to any project that undermines the great legacy of conservation that the majority of Massachusetts residents hold dear. Many experts are saying that this gas is not needed in this area, and will probably be used for export to foreign buyers. The town of Dracut will receive no direct benefit from this pipeline project.

We are both retiring in 2015, and hope to live out our retirement years in the same beautiful location we have enjoyed for the last 30 years.

Please withdraw all support for this project, and do anything within your power to ensure that this pipeline is not built!

Thank you for your attention to this issue.

#### **20150824-5048**

JOSEPH L BELANGER JR., NEW IPSWICH, NH.

I WOULD TO EXPRESS MY OPPOSITION TO THIS DOCKET. MY CONCERN IS THE EFFECT IT WILL HAVE ON THE WILD ANIMALS AND VEGETATION. WE LIVE WITHIN 1/2 MILE OF THE PROPOSED MID STATION 4. WE (MY WIFE OF 42 YRS AND OUR FAMILY) HAVE LIVED HERE THE PAST 32 YRS. WE HAVE BEARS,MOOSE,WILD TURKEYS, AT ONE TIME 27 DEER GRAZING IN OUR FROUNT YARD,BIRDS WAKE US IN THE MORNING AND WE LOVE IT. ALSO THERE IS A MIGRATING PATH OF SOME 12000+ FALCONS AND THIS STATION IS RIGHT IN THERE PATH WHAT WILL THEY DO ? REROUTE NOT THAT EASY ASK THE NATIONAL AUDUBON SOCIETY. I FEEL SORRY FOR YOU IF HAVE NO EXPERIENCED THIS WOUNDER OF NATURE. IF THIS UNNECESSARY PROJECT GETS APPROVED WE WILL MOST LIKELY NOT SEE ANY OF THESE ANIMALS AGAIN BECAUSE OF THE NOISY, LIGHTS, AND AIR POLUTION. THE FOOD THEY EAT AND WATER THEY DRINK MAY BE POLUTIED, WILL BE POLUTIED BY THIS STATION. THIS SAME POLUTION WILL EFFECT ME AND MY FAMILY WE DO NOT NEED UNNECESSARY HEALTH PROBLEMS CAUSED FROM A UNNECESSARY PROJECT LIKE THIS. WITH 70% OF THE GAS GOING TO CANADA TO AVOID TAXES (NAFTA)TO SHIP TO FORGIN COUNTRIES FOR CORP. GAIN AND LITTLE OR NO GAIN TO ME,NEW IPSWICH,NEW HAMPSHIRE,NEW ENGLAND,OR THE UNITED STATES, HOW CAN THIS BE IN THE BEST INTREST OF THE COUNTRY YOU REPRESENT. REMEMBER YOU MAKE THIS DESISSION YOU HAVE TO LIVE WITH WHAT EVER HAPPENS FOREVER. \$\$\$\$\$\$KINDER/MORGAN\$\$\$\$\$\$

#### **20150824-5052**

Stella M Walling, Rindge, NH.

Please look for alternative route and advise in detail of alternative routes found. If not found, please advise in detail why alternative routes not found.

Please determine exactly who the final end user will be of this gas product. If in the U.S, how much and to which states, if outside the U.S, how much and where?

The resource reports published to date are most incomplete. Please offer complete reports without any "TBD"'s or "unknowns". If not, please advise why this is not important.

Please provide a report of all contaminated wells in the U.S. caused by gas pipelines over the past 5 year.

Please advise how long this pipeline will be in service and for what purpose.

Please advise what surface rights landowners whose land will be taken will have.

How will it be explained that any land appraisal is supportive and reliable? How are the appraisal costs calculated and by whom?

Please explain in detail how the construction of this pipeline falls into the current plan by The United Nations Framework Convention for Climate Change to reduce fossil fuels (agreed to by 195 countries including the US).

Please advise what alternatives to fossil fuels have been considered, if any. If not, why not?

Please explain in detail what resources homeowners will have should land taken not be brought back to pre-construction standards.

Please explain in detail who will pay for safety and health management oversight for the duration of the pipeline.

Further comments sent via hard copy in triplicate as required.

Thank you, Stella Walling

August 23, 2015

**20150824-5053**

Nancy Steeves, Pepperell, MA.

From the beginning my family and I have been opposed to the Northeast Pipeline. Natural gas pipeline is not the way of the future but clearly a step back. The New England states consumed a total of 889 billion cubic feet of natural gas in 2013. The data of the U.S. Energy Info. Admin. also shows that New England's natural gas inflow capacity is currently 1,709 billion cubic feet. So why despite a natural gas inflow capacity that is nearly twice the region's annual demand, does ISO New England persist to claim that we must expand our gas pipeline infrastructure to keep electricity prices down and avoid the threat of rolling blackouts? In the winter the prices are always higher for gas relative to market practice than pipeline constraints.

The short of it is the pipeline is unnecessary and would be a hardship on towns and private property owners who live here to be close to nature - undisturbed.

**20150824-5055**

JOSEPH L BELANGER Jr., NEW IPSWICH, NH.

I WOULD LIKE TO EXPRESS MY OPPOSITION TO THIS DOCKET. MY FAMILY (WIFE OF 42 YRS. 3 DAUGHTERS & I) LIVE WITHIN 1/2 MILE OF THE PROPOSED MID STATION 4, AND WITHIN 1/4 MILE OF THE LINE ITSELF IF APPROVED. WE HAVE FRESH WATER FROM A WELL THAT SUPPLIES US WITH DRINKING WATER BETTER THAN BOTTLE WATER, AND HAVE FOR 22 YEARS. IF THIS PROJECT GETS APPROVED WE WILL LOSE THAT LUXURY AND ALSO THE WHOLE TOWN OF GREENVILLE FOR THEIR RESERVOIR GETS ALL ITS WATER FROM BROOKS AND SPRINGS FROM THE AREA WITHIN 1/2 MILE OF MID STATION #4. ALSO ALL OUR NEIGHBORS, YOU SEE WE DO NOT HAVE CITY WATER SUPPLY WE ALL RELY ON OUR OWN WELLS, SOME AS SHALLOW AS 25 FEET DEEP SOME 200+ FEET DEEP. THIS TYPE OF UNNECESSARY PROJECT CAN AND WILL DISTURB OUR WATER SUPPLIES, THEN WHAT DO WE DO? THIS PROJECT IS UNNECESSARY IT HAS NOTHING TO GIVE TO THE PEOPLE OF NEW IPSWICH, NEW HAMPSHIRE, OR THE UNITED STATES, ONLY KINDER/MORGAN \$\$\$\$\$\$. WITH 70%+ OF THE GAS GOING TO CANADA TO AVOID EXPORT TAX (NAFTA) THE ONLY ONE GAINING FROM THIS IS KINDER/MORGAN \$\$\$\$\$\$. PLEASE DO YOUR JOB AND LOOK OUT FOR US THE PEOPLE YOU REPRESENT NOT BIG CORPORATE. WE NEED YOU. RESPECTFULLY.

**20150824-5056**

Cassandra, Ashfield, MA.

I vote NO to the proposed Kinder Morgan pipeline across Massachusetts. The state and nation as a whole

should focus efforts and resources on renewable energies and conservation efforts, which I understand have been far from exhausted. NO. No pipeline.

**20150824-5060**

JOSEPH L BELANGER JR., NEW IPSWICH, NH.

I WOULD LIKE TO EXPRESS MY CONCERN ON THIS UNNECESSARY DOCKET. MY FAMILY AND I LIVE WITHIN THE 1/2 MILE OF MID STATION #4. THE UNHEALTHY AIR THAT WILL BE LET INTO THE AIR ME AND MY FAMILY WILL BREATHE, MY NEIGHBORS, THE WILDLIFE, AND VEGETATION THAT WE ALL RELY ON WILL BE GONE. OUR AIR SMELLS LIKE FLOWERS AND NATURAL HEALTHY SMELLS. OUR AIR DOES NOT SMELL OF CHEMICALS, HOW DO I KNOW I LIVE HERE WITH THE ANIMALS THAT LIKE FRESH AIR, THEY WILL BE THE FIRST TO LEAVE. THE UNKNOWN CHEMICALS THE MID STATION #4 WILL PUT IN THE AIR IS ONLY KNOWN BY KINDER/MORGAN AND IS CONFIDENTIAL. I WOULD HATE TO FIND OUT A FAMILY MEMBER OR FRIEND BECAME SICK BECAUSE OF THIS UNNECESSARY PROJECT. UNNECESSARY 70%+ WILL BE DEL. TO CANADA TO BE EXPORTED TO FOREIGN COUNTRIES, NOT FOR OUR GOOD. WHY CANADA TO AVOID EXPORT TAXES (NAFTA) AND KINDER/MORGAN CAN MAKE MORE PROFIT. HOPEFULLY WHEN YOU AND THE OTHER FERC REPRESENTATIVES MAKE YOUR DECISION ON THIS PROJECT YOU WILL THINK OF THE FATHERS, MOTHERS, SONS, DAUGHTERS, THAT WILL BE BREATHING THIS AIR YOU APPROVED OF, FOR YOU ALONE WILL HAVE TO LIVE WITH THIS IF SOMEONE DOES GET SICK, BECAUSE IT IS UNNECESSARY. RESPECTFULLY.

**20150824-5066**

JOSEPH L BELANGER JR, NEW IPSWICH, NH.

I WOULD LIKE TO EXPRESS MY OPPOSITION TO THIS UNNECESSARY DOCKET. ON NOISE. MY FAMILY AND I LIVE WITHIN 1/2 MILE OF THE PROPOSED MID STATION #4. WE LIKE QUITE AND IT IS FOR THE MOST PART. WE HEAR WHAT WE WANT TO HEAR, OUR FAMILY CONVERSATION, BIRDS SINGING, WE HAVE A 300 FT. DRIVEWAY AND WE CAN TELL IF SOMEONE PULLS IN. WE CAN HEAR EMERGENCY FIRE ALARMS FROM THREE TOWNS (WE HAVE VOLUNTEER FIRE DEPARTMENTS AND THAT IS IMPORTANT). WE DO NOT HEAR THE CONSTANT SOUND OF ANYTHING LIKE THE SOUNDS THE THREE TURBINES & COMPRESSORS AT THE MID STATION #4 IF APPROVED. IT WILL SCARE WILDLIFE AWAY, WE LIKE WILDLIFE. I GUESS WE JUST LIKE QUITE DON'T YOU. IF YOU APPROVE THIS UNNECESSARY PROJECT WE WILL LOSE THAT. BUT KINDER/MORGAN WILL GAIN LOTS OF PROFIT AT OUR EXPENSE. THEY ARE PUTTING A UNNECESSARY PIPELINE THROUGH SOUTHERN NEW HAMPSHIRE TO PIPE GAS 70%+ TO CANADA TO AVOID EXPORT TAXES (NAFTA) SOO THEY CAN MAKE MORE PROFIT, AND WE PAY FOR THE PROJECT THROUGH HIGHER ELECTRIC TARIFFS. THIS PROJECT IS NOT OF ANY VALUE TO THE PEOPLE OR THE UNITED STATES, ONLY KINDER/MORGAN. RESPECTFULLY.

**20150824-5068**

JOSEPH L BELANGER JR, NEW IPSWICH, NH.

I WOULD LIKE TO EXPRESS MY OPPOSITION TO THIS UNNECESSARY DOCKET. ON LIGHTING. MY FAMILY AND I LIVE WITHIN 1/2 MILE OF THE PROPOSED MID STATION #4. AT NIGHT WE CAN SIT ON OUR DECK AND WE CAN SEE STARS YOU CANT BELIEVE, IF THIS UNNECESSARY PROJECT IS APPROVED WE WILL NO LONGER BE ABLE TO SEE THE STARS AT ALL. YOU SEE IT HAS TO BE DARK TO SEE STARS. I LIKE IT DARK TO SLEEP. WE DON'T NEED SHADES IN OUR WINDOWS TO SLEEP AT NIGHT IT'S DARK. THIS PROJECT IS ONLY GOOD FOR KINDER/MORGAN AND THEIR PROFITS, THEY SLEEP GOOD AT NIGHT AS LONG THEY MAKE MORE MONEY AT OTHER PEOPLES EXPENSE. THAT'S RIGHT 70%+ OF THE GAS GOES TO CANADA

TO AVOID EXPORT TAXES (NAFTA) AND SHIP TO FOREIGN COUNTRIES FOR LARGER PROFITS. PLEASE SEE THIS IS NOT GOOD FOR THE UNITED STATES WHEN MAKING YOUR DECISION ON THIS UNNECESSARY PROJECT. RESPECTFULLY.

**20150824-5071**

JOSEPH L BELANGER JR, NEW IPSWICH, NH.

I WOULD LIKE TO EXPRESS MY OPPOSITION TO THIS UNNECESSARY DOCKET. COST BURDEN. IF THIS UNNECESSARY PROJECT IS APPROVED THE COST BURDEN IT COULD HAVE ON MY FAMILY COULD PUT US INTO BANKRUPTCY. SEE WE LIVE WITHIN 1/2 MILE OF THE PROPOSED MID STATION #4 AND WITHIN 1/4 MILE OF THE PIPELINE IT SELF, OUR PROPERTY WOULD BE ALMOST WORTHLESS IF NOT, WOULD BUY IT??? ALSO NEW ELECTRIC TARRIFFS WOULD PUT ON OUR ELECTRIC BILLS TO MAKE US PAY FOR THE PIPELINE OVER YEARS, AND KINDER/MORGAN MAKES MORE PROFIT\$\$\$\$. WE GET NOTHING. EVEN THE GAS 70%+ GOES TO CANADA (NAFTA) NO TAX TO BE SHIPPED TO FORGIN COUNTRIES FOR MORE PROFIT FOR KINDER/MORGAN\$\$\$. WHERE DO WE GAIN ? WE DONT!!! LETS TALK FIRE OUR TOWNS HAVE VOLINTEER FIRE DEPARTMENTS WE GET AID FROM NEIGHBORING TOWNS TO FIGHT A HOUSE FIRE (NO TOWN WATER--NO FIRE HYDRANTS)WHAT WOULD THE TOWN DO IF A FIRE EVER HAPPENED(KINDER/MORGAN NOT THE BEST RECORD). WE NEED MORE EQUIPMENT-MORE TAXES ANOTHER BURDEN. PLEASE ASK YOURSELF WHO IS THIS REAL- LY GOING TO HELP NOT ME AND YOU ONLY KINDER/MORGAN. RESPECTFULLY.

**20150824-5073**

Lisa M Zimmerman, Nassau, NY.

FERC Environmental impact statement

In regards to the proposed Northeast Energy direct pipeline Docket # PF 14-22-000

Comments presented by:

Dr. Lisa Dietrich Zimmerman DVM

80 Rice Road

Nassau, NY 12123

I am a practicing veterinarian duly licensed by the state of NY to practice veterinary medicine. I took a Hippocratic Oath to uphold the statement to protect both the health and welfare of the animals and people they serve. In that oath, we are required to prevent and relieve animal suffering, conserve animal resources, promote public health and advance medical knowledge. This also requires me to protect the health, safety and welfare in regards to the environment of those animals. I have major concerns regarding the NED project that proposes to put a gas pipeline and compressor station close to homes, farms and water supply to ~ 20,000 people and their animals in my towns of Schodack, Nassau and Stephentown, NY.

1. Environmental concerns:

a. Effects on the Schodack Aquifer, a large aquifer extending across Northern Columbia and southern Rensselaer counties. This is a direct quote from the USGS by Richard Reynolds in his US Geological Survey Report # 97-639 from 1999 of the Schodack aquifer which the NED is proposed to cross:

“This development, coupled with the generally high permeability of these deposits and a typically shallow depth to the water table, makes these aquifers vulnerable to contamination from point sources such as landfills, rock –salt stockpiles, hydrocarbon- fuel storage, and other industrial facilities with a potential for contaminant leakage. ...

b. There must be continual monitoring both before, during and after the construction and operation of the pipeline and compressor station of chemicals that could potentially contaminate the very water we are drinking. These chemicals have been cited in a report by the Madison county board of health in regards to the

Sheds compressor station. This monitoring should be performed at least monthly to determine the potential contamination of the aquifer before people ingest chemicals in their drinking water and continued for the life of the pipeline or until it has been established with certainty that the pipeline and compressor stations with not leak or emit any chemicals into the surrounding atmosphere over a course of at least 10 years. After this time, the chemical testing should be at least quarterly. If chemicals are detected in significant levels, the compressor station and pipeline must be shut down until EPA has done an environmental review, the contamination eliminated and the facility deemed safe for surrounding residents.

c. Gas pipelines have the potential to leak. Radioactive radon has been found in the fracked gas. The construction process also has the potential to lead to increased radon in houses of homeowners living within several thousand feet of the proposed pipeline due to drilling through shale deposits. Free monitoring and remediation of excess radon should be given to all landowners within 1 mile of the constructed pipeline.

d. At no time, shall ANY natural gas storage be allowed in the Schodack and Nassau Aquifers since this will directly contaminate wells in these areas.

I ask you to take all these health concerns seriously to protect the health and welfare of people and animals living in Rensselaer county.

Sincerely, Dr. Lisa Dietrich Zimmerman

## 20150824-5075

Lisa M Zimmerman, Nassau, NY.

Dear FERC,

I am continuing my statement in regards to the environmental effects of the NED pipeline and compressor station in Rensselaer county.

RE: Docket # PF14-22-000.

I have serious concerns in regards to the proposed compressor station on Clark's Chapel Road.

- a. Compressor Stations that have been previously studied have been shown emit large amounts of toxic chemicals mixed in with the methane extracted by the fracking process.
- b. These chemicals include and are listed on the MSDS as required by OSHA in any business as being carcinogenic or toxic in nature.

Formaldehyde- grade III health effects- cancer, organ damage and even death.

Toluene- grade II health effects- neuro toxin and toxic to bone marrow, blood and internal organs.

Benzene – grade II health effects- carcinogenic, neurotoxin

See MSDS sheets of these chemicals that can be labeled as carcinogens and have neurological, hepatic and renal effects.

c. If this compressor station is approved, there must be continual monthly monitoring by KM/TGP before and after construction of areas within a mile around the compressor station to detect these dangerous chemicals in the soil and water of surrounding landowners. This same concern has been adopted by the NYS medical association and NYSVMS- veterinary medical society.

d. These chemicals must be identified and withheld to the same safety standards that OSHA requires for any business operating within the state of NY. We must use hoods and safety equipment – goggles, gloves and protective clothing to handle formaldehyde and toluene in our business. Why should Kinder Morgan get a pass exposing residents to these known toxins?

Noise, light and air quality effects

1. The area surrounding the compressor station will be directly impacted by the industrial sized compressor station.

a. FERC allows noise to be 55 Dcb at the nearest house or business according to their “An Interstate Natural Gas Facility on My Land? What do I need to know” booklet. This is unacceptable to

neighboring homeowners. It must be no higher than 40 dcb at the nearest homes.

b. There is considerable light emitted at night by the compressor station that could affect local insect populations, migratory birds and bats. This needs to be studied to mitigate the effects on the surrounding area for both human and animals. Bald eagles have been sighted on the proposed compressor station property and Rice road. Eagle, bat and migratory bird habitats need to be studied to see if there are nesting sites, caves or feeding grounds in the area. 24 hour stadium lighting and loud noise must not be allowed so that insects and bats will not be affected.

c. The compressor station may also be a potential source of terrorism for bombing or sabotage of the large generators causing a massive explosion. There must be more protection around the compressor and metering stations and these should be manned and guarded 24/7/365.

d. Solutions should include:

- moving the compressor station to another less populated area- this cannot be within a mile of 20 homes or less.
- sizing down with a total cap of no more than 10,000 HP gas turbines
- requiring a large sound proof 50 foot high barrier around the compressor station,
- requiring all lighting to be no more than 10 feet off the ground and on motion sensors as to not allow continual lighting
- Providing 24 hour armed guards to a locked facility around the compressor station.

Kinder Morgan promises jobs so guards could be some of the fulltime jobs to protect metering and compressor stations not just temporary construction jobs.

#### Public Safety Concerns

1. The proposed NED pipeline will parallel 2 other older natural gas pipelines from Wright to Lape road in Schodack. It is known that age of pipelines can affect the integrity of the pipe due to age related corrosion. The pipelines located in Schodack were built in the 50's and the other in the 70's. If there ever was an explosion of one of these pipelines, the other 2 may be impacted. This could potentially create an explosion and firebomb of exponential proportions. Many people live in this area could be seriously injured or killed. We had a very long, cold winter here in 2015 where the frost line exceeded 4 feet. A large pipeline exploded in Minnesota due to frost heaves on May 26, 2014.

2. Potential solutions:

- a. Stop the NED pipeline construction- this should be a number one solution.
- b. Move the proposed pipeline out of Albany and Rensselaer counties- second best solution since these areas are too populated for this huge pipeline and compressor station.
- c. Require Kinder Morgan and Tennessee gas pipeline companies to replace the existing pipelines with new pipes from Wright to Lape Road.
- d. Decrease the pressure of the NED from 1460 psi to 740 psi and the diameter from 36" to 30" to make an explosion less dangerous.
- e. Require the pipeline to be buried at least 4 feet below the ground not 3 feet like it is proposed.

Sincerely, Dr. Lisa Dietrich Zimmerman

**20150824-5077**

Lisa M Zimmerman, Nassau, NY.

Dear FERC,

These are my final comments in regards to the scoping process and concerns I have in regards to the NED pipeline proposal PF14-22-000.

Socioeconomic Concerns

## Proving the Public Convenience and Necessity

It is well known that the production of Marcellus shale fracked natural gas far exceeds the capacity for use in the northeast. There is enormous pressure from both the natural gas industry and Wall Street investment firms who financed the gas companies who extract fracked NG to export this gas out of the United States. European, South American and Asian prices can exceed US prices by 2-3 times our current natural gas prices. This LNG exportation also has the potential to use a limited resource that is produced in the US for foreign investment to some countries of which are not our free trade allies. Kinder Morgan wants to transport up to 2.2 billion cubic feet/ day of natural gas through the NED when new England capacity is ~ .6 billion cubic feet per day . There are multiple LNG export stations proposed for the east coast including those in Goldsboro, NS by Peridae Energy and in New Brunswick, Canada. There are also applications to reverse the current flow of gas from Canada to New England to supply these proposed export stations. How will the domestic natural gas prices be affected if supply diminishes over time? If the gas is used for export will we become dependent on the Middle East again for fossil fuels? Will this decrease the move to renewable energy seen to be the way of the future for power generation? Will the greater northeast be even more deficient in natural gas than it is already in the winter months? Will New England and New York state unfairly be required to fund this construction through taxes on our electric rates? All these economic effects must be studied before the NED is approved. The NED will benefit a large 131 billion \$ company, Kinder Morgan and not the state of New York and certainly not Rensselaer county. We get no gas supplied to our county from this pipeline. It is wrong to take our land by eminent domain to line the pockets of a large private corporation.

I asked you to deny the Certificate of Public Convenience and Necessity. If the project moves forward then please do not close the scoping comment period until 60 days after Kinder Morgan files new complete resource reports. We need more time to review this and our legislators and senators agree.

If the NED project is not denied, then require Kinder Morgan to pay for the decreased value of homes adjacent to or within a mile of the pipeline and 2 miles of the compressor station (at least 30% of our current home and land values). We should not have to bear the financial burden of a company that wants to make billions of dollars from taking our land without just compensation.

Thank you,

Dr. Lisa Dietrich Zimmerman

### **20150824-5079**

JOSEPH L BELANGER JR, NEW IPSWICH, NH.

I WOULD LIKE TO EXPRESS MY OPPOSITION TO THIS UNNECESSARY DOCKET. EMINENT DOMAIN. MY UNDERSTANDING OF EMINENT DOMAIN IS TAKING OF LAND FOR PUBLIC USE AND BEST INTEREST. NOT FOR CORPORATE USE AND PROFIT. IF YOU CAN EXPLAIN HOW THIS UNNECESSARY PROJECT IS NOT FOR CORPORATE USE & PROFIT WHEN 70%+ OF THE GAS IS GOING TO FOREIGN COUNTRIES. THE REASON FOR THIS ROUTE AND NOT A MORE DIRECT ROUTE TO A CLOSER AND MORE DIRECT DISTRIBUTION PORT IS TO AVOID PAYING EXPORT TAXES HERE IN THE UNITED STATES. GOING TO CANADA THEY (KINDER/MORGAN) WILL AVOID PAYING EXPORT TAXES (NAFTA) THEREFORE MAKING MORE CORPORATE PROFIT AND HOW IS THIS PUBLIC USE??? I DON'T KNOW ANY AMERICAN WHO WOULD NOT GIVE AND HAVE GIVEN MORE THAN THEIR LAND FOR THE GOOD OF THEIR FELLOW MAN AND COUNTRY, NOT FOR CORPORATE PROFIT. IF THIS WAS FOR THE GOOD OF FELLOW MAN AND COUNTRY EVERYONE WOULD BE GLAD TO GIVE UP THEIR LAND JUST ASK THEM, DON'T TAKE IT FOR CORPORATE GAIN. ASK YOURSELF IS THIS FOR PUBLIC USE??? RESPECTFULLY.

**20150824-5081**

JOSEPH L BELANGER JR, NEW IPSWICH, NH.

I WOULD LIKE TO EXPRESS MY OPPOSITION TO THIS UNNECESSARY DOCKET. PROVEN NOT NECESSARY. MY FAMILY AND I LIVE 1/2 MILE FROM THE PROPOSED MID STATION #4 AND 1/4 MILE FROM THE PIPELINE IF APPROVED. IT HAS NOT BEEN PROVEN THIS PROJECT IS NECESSARY FOR THE GOOD OF THE PEOPLE OF NEW HAMPSHIRE,OR THE UNITED STATES, IF MORE THAN 70% OF THE GAS IS GOING TO BE EXPORTED TO FOREIGN COUNTRIES. HOW IS THAT NECESSARY FOR THE PEOPLE OF THE UNITED STATES??? THE ONLY PEOPLE THIS PROJECT IS NECESSARY FOR IS KINDER/MORGAN. FERC-FEDERAL ENERGY REGULATOR COMMISSION, NOT FORIGN ENERGY REGULATOR COMMISSION. PLEASE ASK YOURSELF IS THIS REALLY NECESSARY FOR THE PEOPLE OF THE UNITED STATES, ARE THERE OTHER WAYS TO ACHIEVE THE SAME GOALS. THERE ARE PEOPLE AND LIVES COUNTING ON YOUR DISSCISSION,NOT MONEY. RESPECTFULLY.

**20150824-5084**

Jason L Caetano, New Ipswich, NH.

I am opposed to having the natural gas pipeline and Compressor Station in New Ipswich because:

- 1.) I could be required to pay additional tariffs on my electric bill
- 2.) The presence of the pipeline and compressor station would have severe negative impact on my property value
- 3.) My taxes are likely to increase
- 4.) I would be responsible to pay for quarterly tests of my well
- 5.) Pipeline explosions DO happen.
- 6.) Tens of thousands of tons of cancer-causing toxins

Thank you,

Jason

**20150824-5101**

**Chesterfield Conservation Commission Position in Opposition to the NED (Pipeline) Project**

Energy company Kinder Morgan has proposed running a natural gas pipeline through roughly 20 towns in southern New Hampshire, entering Winchester from Massachusetts and re-entering Massachusetts from Pelham. This proposal is known formally as the North Energy Direct (NED) Project. The conservation commissions in many of these towns have formally expressed their opposition. The conservation commission in neighboring Winchester, a pipeline town, has prepared a statement opposing the pipeline, which will be sent to the Federal Energy Resources Commission (FERC), the final permitting body. Winchester's statement is attached. The Chesterfield Conservation Commission wishes to go on record as supporting their position.

We agree with their statement that a 36" underground pipe and resulting cleared right-of-way, with the necessary construction and maintenance disruption, will cause significant damage to forests, wetlands and important wildlife habitat along the route. The Winchester Conservation Commission has identified specific environmental damage from the project, and we would like to raise two further objections.

**This project will bring little benefit to our state related to energy needs.**

In fact, not only is this gas going to pass through New Hampshire and go back into Massachusetts to a terminal in Dracut, but as recently as 2012 New Hampshire produced enough electricity that half was exported (Source: US Energy Information Agency as reported in the Keene Sentinel, Feb. 19, 2015, page A8.) There is clearly no impending electricity shortage in New Hampshire, particularly since the largest producer of electricity in New Hampshire, the Seabrook Nuclear Power Plant, is currently licensed until 2030.

In fact, Kinder Morgan, on their Home Page, has expressed a willingness to export this power: "... (5 proposed LNG export projects in northern Maine and Atlantic Canada) ... could find capacity on the NED Project useful to serve their LNG export facilities." (Source: Kinder Morgan Home Page, NED Project.)

**There are alternatives being considered which would meet energy needs in the region.**

Until late 2014 this pipeline was planned to go directly through Massachusetts from the Connecticut River to Dracut. It was only political opposition from Massachusetts communities which led Kinder Morgan to propose the southern New Hampshire route. It had nothing to do with energy needs in New Hampshire, nor is it the less costly method of increasing regional electricity supply.

In addition to Kinder Morgan's own all-Massachusetts alternative for NED, just mentioned, there is also a proposed pipeline project called Access Northeast which would carry natural gas directly to the Boston area for conversion to electricity. National Grid and Eversource Energy, representing 70% of the customers in the region, including New Hampshire, have signed on to this project, and the major electricity importer in the region is Massachusetts. A recent additional project to bring electricity into New Hampshire is the so-called Northern Pass, which would deliver Quebec hydropower on lines over new and existing power line corridors.

The environmental concerns identified by the Winchester Conservation Commission, together with these two issues above, make it difficult to justify the NED (pipeline) Project as currently proposed. The Chesterfield Conservation Commission joins the Winchester Conservation Commission in being opposed to this project being located in New Hampshire

**20150824-5107**

**FERC Fiddles While Kinder Morgan's Pants Are On Fire**

At a recent scoping meeting hosted by FERC, I asked Mr. Eric Tomasi, FERC's NED project manager, if he had any response to the multitude of lies told to the public by Kinder Morgan. Mr. Tomasi asked that I file any comments regarding Kinder Morgan's misbehavior with FERC so that they are documented. I replied that I had already done so many times.

Mr. Tomasi, the list below provides you with just some of the comments that I have filed with FERC beginning in October of last year. All of these comments include examples of Kinder Morgan's deceit, misdirection and outright lies.

***1. Why Kinder Morgan Isn't More Forthcoming***

<http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=13657158>

***2. Kinder Morgan Continues to Torture the Truth***

<http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=13733951>

***3. The Damage Caused By Kinder Morgan's Deliberate Misinformation***

<http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=13789971>

***4. How FERC Has Failed the Public on the Northeast Energy Direct (NED) Project***

<http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=13941948>

***5. Fix FERC First, Chapter 3: FERC Allows The Public To Be Misled***

<http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=13820763>

And if FERC is interested in locating filings from other commenters who also complain about Kinder Morgan's lies and misinformation, I suggest the following: Make use of your own eLibrary search capability in the NED docket using search terms such as "**deceptive**", "**mislead**" and "**misinform**". These three searches will all return multiple comments on Kinder Morgan's deceit.

In a recent FERC filing titled "**Open House**" meetings - perverted from "**obligation to inform**" into

**“opportunity to sell”** (<https://elibrary.ferc.gov/IDMWS/common/opennat.asp?fileID=13960811>), another commenter has searched your eLibrary using the search term “Open House” and has located 36 separate comments that report Kinder Morgan’s attempts to mislead the public.

Mr. Tomasi, the information that you requested has long been available in FERC’s own repository. But the public is simply not at all sure that you read this information; or that having read it, that you believe it; or that believing it, that you have the slightest inclination to put a stop to it and to remediate the damage that these lies have caused to the public.

Kinder Morgan does not want there to be an informed public. An informed public asks hard questions and doesn’t accept vague, misleading answers. Kinder Morgan much prefers a more complacent, ill-informed public. If FERC is unwilling or unable to control the misinformation that this pipeline company spreads or to apply some type of sanction to it, why would Kinder Morgan not continue to lie to the public? Their pants are on fire, but they don’t even seem to notice.

How about it, FERC? Do you have any control over the orgy of misinformation that Kinder Morgan supplies? And do you have any intention of remediating the damage that it has already done to the public? Or are we as completely on our own in trying to defend ourselves against Kinder Morgan as we appear to be?

Nick Miller Groton, MA

## **20150824-5110**

Filer: Susan Wyatt

Docket(s): PF14-22-000

Lead Applicant: Tennessee Gas Pipeline Company, L.L.C.

Filing Type: Procedural Motion

Description: Information submitted request for protective restriction for Conservation area of Sprague Brook Wildlife for TGPL the Northeast Direct Pipeline on 8/24/15

Docket No. PF14-22-000

Thank you for the opportunity to comment on the proposed Northeast Energy Direct Project (NED). These evaluations are in response to the Richmond/Winchester wetlands and town water supply re-routing reports for the NED project, and include analyses about project impacts as well as specific information and analyses that we request be included in the Environmental Impact Statement for the project.

Silvio O. Conte US Fishing and Wildlife Refuge has proposed Sprague Brook US Fish and Wildlife Refuge; as a natural habitat for native fish spawning and wetlands preservation. Residences of Richmond and Winchester NH respectfully requests that FERC take into consideration the environmental impact of NED on the ecology of this critical area. The proposed NED pipeline route will disturb the environmental balance of the proposed (8,434 acre) Sprague Brook Refuse land and water resource. Proposed Sprague Brook US Fish and Wildlife Refuse lays along the border of Richmond and Winchester NH this critical habitat is within the Quabbin to Cardigan core area and supporting landscape. This area is identified as ecologically significant by TNC (The Nature Conservancy) for it’s high ranking floodplain forests, marsh and shrub wetlands and peat-lands supporting: mammals, endangered bird species both migrating/song birds and Terns, Rails, Heron, Bittern and rare freshwater aquatic life. The US Fish and Wildlife have been for the past 7 years or more, reintroducing Atlantic Salmon into Sprague and Roaring Brooks area and native trout.

Besides avoidance of critical habitat and the rare species and valuable ecosystems found within it; Sprague Brook is a source of the drinking water supply for Winchester NH, which overlays this productive aquifer. This critical habitats provide public benefits that go well beyond providing habitat for wildlife species these include: protection of drinking water supplies, forest soils, and recreation including hunting and fishing and the backbone of the tourism/recreation and forest products industries in Richmond and Winchester NH. A growing body of studies demonstrate the economic value of public investment in lands and the ecosystems provides proven community enrichments. We respectfully request that FERC include in the scope process

consideration for Sprague Brook this critical habitat in evaluating the proposed pipeline route.

**20150824-5117**

Angela Leak, Mason, NH.  
Dear Committee Member,

I am writing to you in opposition to the proposed NED natural gas pipeline project. As a citizen of Southern New Hampshire, this project offers no benefit, other than to Kinder Morgan. I understand myself and my neighbors to be in a Davis vs. Goliath situation, but I feel compelled to voice my objection nonetheless.

The NED pipeline project is unnecessary. Any additional energy needs could be managed by expansion and upgrading of existing infrastructure.

The NED pipeline project does not benefit New Hampshire. There is no chance my town will receive any of the natural gas that will be flowing underground. The vast majority will be exported to European markets thus ultimately driving up the price of the energy here in New England. Even parts of the state that have the infrastructure to take advantage of the gas will end up paying more for it than they are at present.

Job creation will be almost entirely temporary. Once the pipeline is built, the job is done. As of now, the survey trucks I see driving through my area have Texas plates – so much for local job creation.

The NED pipeline project is harmful. Wetlands, aquifers that supply our wells and protected habitats will be jeopardized by drilling and blasting, even before millions of gallons of gas starts flowing, and inevitably leaking into the environment. Kinder Morgan's safety record is abysmal and they are not planning to bury the pipe beneath the frost line. It is only a matter of time before a leak or explosion causes irreparable damage.

The NED pipeline is a violation of our rights as citizens. Overwhelming opposition to the project has been the theme throughout every affected town along its proposed route. The specter of eminent domain hangs over all of our heads as we still don't know the exact route the project will take. No private company should be allowed to take our land without our consent and without any benefit to the landowner.

Please consider not only my opinion, but the opinion of the literally THOUSANDS of letters you have received from people opposing this project before you make a decision to approve the NED project. New Hampshire does not want or need this pipeline. I sincerely hope you will come to the same conclusion.

**20150824-5118**

August 24, 2015

David & Connie Roy 36 Dunvegan Road Tewksbury, MA 01876

Re: Tennessee Gas Pipeline Northeast Expansion Project - Scoping Comments

Dear Kimberly D. Bose,

We are writing to express our concern with and opposition to the proposed Tennessee Gas Pipeline Northeast Expansion project (Docket PFI4-22-000).

After being residents of Tewksbury for 23 years, we are finding it difficult to digest that there is a proposed gas pipeline that would be cutting through our property. Our family will be directly affected by its potential consequences including the risk of gas leak-related explosion and contamination, as well as a decline in property values and an increase in insurance costs. We have a swimming pool (which would have to be removed) and a French Drain piping system which is connected to three houses. If the French Drain piping system is disrupted/broken it would cause water to back-up into our basements, damaging our heating & air conditioning equipment and personal belongings. Our property is also part of an eco-system with rare species that would be forced out of their habitats, which will be destroyed.

Also, according to a Town of Tewksbury Zoning Map (February 2015), our property is on a Groundwater Protection District. The purpose of this Groundwater Protection District is to:

- a. Promote the health, safety, and general welfare of the community by ensuring an adequate quality and quantity of drinking water for the residents, institutions, and businesses of the Town of Tewksbury
- b. Preserve and protect existing and potential sources of drinking water supplies
- c. Conserve the natural resources of the town
- d. Prevent temporary and permanent contamination of the environment.

The effort to meet Massachusetts' ongoing energy needs should not adversely impact residents' quality of life, nor come at the expense of open space benefitting the public good. The proposed pipeline merely perpetuates reliance on non-renewable resources for short-term gain while ignoring the long-term benefits of renewable solutions that are safer, less invasive and potentially less costly.

Massachusetts has a strong track record promoting renewable energy and energy efficiency programs. I urge you to fully prioritize further investment in and deployment of these solutions, and to take any actions as are necessary to disallow the Tennessee Pipeline Expansion project.

Sincerely,

David & Connie Roy

## **20150824-5127**

Emily Norton, West Townsend, MA.

Tragedy of the Commons? Tragedy of Private Property?

In 1968 Garrett Hardin, professor of human ecology at the University of California, Santa Barbara, authored "The Tragedy of the Commons" which was published in the journal *Science* (Hardin, G. 1968. The tragedy of the commons. *Science*, 162:1243-1248). In the essay Hardin argued that human nature dooms us to destroy the resources we hold in common. His reasoning went something like this. Imagine life in New England in the 1800's. Each family has a herd of cows. The town common is a place where people bring their animals to graze. Each family naturally wants to maximize its benefit from the common. By adding another cow to the common, the family that owns that cow reaps all the benefits of grazing on the common. Any damage done to the common as a result of that added cow must be shared by all families. So, for that one family the benefits outweigh the costs. For all the other families there are just added costs. The problem, though, is that ALL families act on that same reasoning. Every family adds a cow to the common. Then every family adds another cow and another. In a very short period of time the common gets over-grazed and destroyed. Then all families lose. The same reasoning applies to dumping wastes into a common.

According to Hardin, the only way to prevent that tragedy of destroying the commons is through laws. Hardin said that prohibiting certain actions could easily be legislated. But Hardin was very concerned about regulation of non-prohibited actions. He actually predicted the issues we have with FERC today. In his essay Hardin said "The result is administrative law, which is rightly feared for an ancient reason – Quis custodiet ipsos custodes? – Who shall watch the watchers themselves? [...] Bureau administrators, trying to evaluate the morality of acts in the total system, are singularly liable to corruption, producing a government by men, not laws. [...] The great challenge facing us now is to invent the corrective feedbacks that are needed to keep custodians honest. We must find ways to legitimate the needed authority of both the custodians and the corrective feedbacks."

How does Hardin's essay relate to NED and FERC?

1. Kinder Morgan wants to reap monetary benefits by building its pipeline through the "common", but it is not stopping there. The proposed project would not only harm public lands, shared water supplies, and the air. The project would also invade private properties, stealing the American dream from hundreds of citizens. Kinder Morgan reaps all the benefits. We pay all the costs – contaminated wells, noise and light pollution at compressor stations, loss of safety. We literally are asked to pay the monetary costs of building the pipeline through a tariff on our electric bills. In addition, all people will suffer the consequences of the

increased use of fossil fuels that result from the building of yet another pipeline. We will all suffer from the exacerbation of climate change. That is the tragedy.

2. According to Hardin, the only way to avert that tragedy is through government regulation. FERC, the “custodian” responsible for regulating fossil fuel infrastructure, is increasingly criticized for being in the pockets of the gas industry.

Was Garrett Hardin correct? Can we prevent this tragedy of the commons? Are the custodians of administrative law honest or have they become corrupted?

Emily Norton  
West Townsend, MA

**20150824-5136**

*{11 pages}* skip to end of 20150824-5136

Re: Scoping Notice; Tennessee Gas Pipeline Company, L.L.C.,  
Docket No. PF14-22-000 Northeast Energy Direct Project

**Introduction.** These comments are submitted on behalf of the **Nassau-Burden Lake Citizens Against the NED Pipeline and Compressor Station** for purposes of scoping in relation to the proposed Northeast Direct Pipeline. Our comments relate to Rensselaer County, in particular Schodack, Burden Lake, Nassau and the Rensselaer Plateau.

To its credit, FERC’s May 15, 2015 letter to Kinder-Morgan requested a considerable amount of important information. Despite a July 24, 2015 submission by the applicant of more than 6500 pages of resource reports, much of that information remains outstanding. The missing information is essential to a full understanding of the implications of the pipeline. It is our firm belief, therefore, that scoping should stay open for at least two more months. Beyond this, it should stay open for a reasonable period of time after the applicant completes the blanks in its resource reports. It is impossible to identify all the environmental issues that should be explored in a project this large, particularly when it has had a major route change, so many new pages of resource report and so many items left to be determined.

Before addressing purely local concerns, we would briefly take issue with the fundamental underlying premise purporting to justify the pipeline; i.e. that there is a capacity problem negatively affecting the New England states. While high demand days have caused price spikes and have led power producers to resort to alternatives such as briefly increasing their use of coal, oil and LNG, adequate electric generation has never been in doubt. As to price spikes, these occurred at the same time in Pennsylvania, the source of the natural gas that purportedly would spare us this problem, strongly suggesting that lack of pipeline capacity was not the problem. In truth, increasing our reliance on a single energy source will produce the very price volatility sought to be avoided.

More importantly, full utilization of existing pipeline capacity is inconsistent with New England’s existing and proposed greenhouse gas ‘budgets’. Exporting additional fossil fuels will simply add to the world’s climate woes. This has been recognized in President Obama’s recent tightening of EPA’s emission regulations, which will accommodate a large transition from coal power directly to renewables like wind and solar, skipping over natural gas altogether. The argument that more natural gas is necessary to balance intermittent solar and wind is a false one. With New England currently using natural gas for 41% of its energy, that balance has already been achieved. Simply put, additional use of natural gas will necessarily place the New England states in violation of federal and state limits on emissions long before any benefit is seen for the large additional cost on ratepayers. The EIS should address how New England will meet its emissions budgets if it uses the additional natural gas being provided.

**Pipe and Compressor Downsizing.** Late in the scoping period, the applicant announced a downsizing of its pipe from 36 inches to 30 inches and its compressor station at Nassau from 90,000hp to 41,000hp. However, in its letter of July 24, 2015 to FERC stating the intention to reduce the size, Tennessee Gas Pipeline said, “Tennessee will continue to evaluate the needs of the market and reserves the right to amend the Project scope and construction schedule as needed to most effectively meet the demand needs of the market com-

mitments supporting the Project.” Accordingly, there is no assurance that the pipe will ultimately be downsized. Such a reservation of rights leaves the public with no knowledge of the ultimate size of the project, whether smaller or larger. We do not believe that it is possible to properly evaluate the environmental impact of the proposal when as fundamental a factor is left unstated. Our comments will relate to the pipe and compressor station as initially proposed.

**Hudson River and estuary crossing.** The Hudson River is a Superfund site for two hundred miles from Fort Edward south to NYC. The crossing at Coeyman’s Landing and Schodack is just 20 miles south of the Troy dam, where General Electric has performed an expensive dredging and cleanup operation of PCB deposits in the sediments to prevent their further downstream migration. The river is over 1100 feet wide at the proposed crossing point at Papscanee Island, which lies between the Hudson and an estuary marsh. The island is 1600 feet wide at that point. On the east side of the route would cross the estuary marsh at the mouth of the Moordener Kill creek. The estuary marsh is a significant feeding area for the protected Atlantic Sturgeon.

The EIS should establish whether Kinder-Morgan’s (KM) river crossing method will disturb and resuspend PCB deposits at the crossing site. FERC should study the effect on downstream communities such as Rhinebeck and the City of Poughkeepsie which use the Hudson River for drinking water. Additionally, the Town of Bethlehem uses wells adjacent to the Hudson at its Clapper Road treatment facility, in very close proximity to the proposed pipeline crossing. The Hudson is an estuary river which changes its direction of flow four times per day. The danger to the public water supply requires a hard look.

KM has indicated that it generally attempts to use dry stream crossing methods. If Horizontal Direct Drilling (HDD) will be used, the EIS should explain how KM will address inadvertent return of drilling material or fluid seepage and its potential to disturb PCB-laden sediment layers. How will they protect the drinking water, benthic invertebrates, aquatic plants and fish-spawning habitat in the river and estuary marsh?

Mr. Andrew Kahnle testified at the FERC scoping hearing in Castleton on July 14, 2015 regarding the effect of the river crossing on the Hudson and its fisheries. Mr. Kahnle is a retired fishery scientist with over thirty years experience in management of the Hudson River fisheries. He stated that the reach of river containing the proposed pipeline crossing is used as a spawning and nursery area by the shortnose sturgeon, American shad, striped bass and as a feeding area for Atlantic Sturgeon. Both the shortnosed sturgeon and Atlantic sturgeon are Federally listed endangered species. The marsh and stream complex to the east of the river is an important spawning and nursery area for many Hudson River fishes. This tidal complex has been designated as a significant fish and wildlife habitat by the New York State Department of State. This formal designation means that activities such as pipeline construction requires special scrutiny to avoid environmental damage. The applicant’s environmental reports are silent on construction techniques for crossing the river. If excavation and backfilling are used, construction should not occur at times of the year when the area is used for fish migration, spawning, rearing of young or feeding. Turbidity must be controlled with turbidity curtains or settling.

The bottom sediments of the Hudson and its tidal marshes contain many contaminants. Before excavation, the applicant must test sediments across the entire width of the proposed trench. If contaminants are detected, contaminant and contaminated sediments must be contained during construction.

The river and marsh bottoms also support a rich variety of natural invertebrates, which are important food for fishes. Construction will disturb or eliminate these organisms and this loss will impact fish especially the endangered short-nosed sturgeon. Finally, the NED Pipeline is just one of several pipeline and power cables being proposed for the Hudson River. Given the importance of the Hudson to endangered short-nosed sturgeon and Atlantic sturgeon, FERC should ask the National Marine Fishery Service for a biological opinion evaluating the cumulative impacts of all of the proposed projects for these endangered fish species.

**Papscanee Island.** The proposed pipeline follows an existing pipeline right-of-way where it exits on the east shore of the Hudson River and crosses Papscanee Island. The home of the Staats family is on the property and they have been asked to sell another 75 feet. The home, which dates to 1696, has been in the same

family for 11 generations. It is one of the oldest continually occupied residences in the State. The Federal Highway Administration has identified Papscanee Island as “a historic property eligible for listing in the National Register of Historic Places as an historic district for its association with events of significance to the broad patterns of upper Hudson Valley history, particularly with regard to the Mohican people, and containing sites important to history and prehistory. The land was once the central site of the Mohican tribe and continues to be of considerable cultural significance to the tribe, as it is their ancestral home.” There is a very significant archaeological site on the island called Goldkrest, where pre-European longhouse remains have been found. It is our understanding that the Tribal Historic Preservation Officer of the Stockbridge-Munsee Community Band of Mohican Indians has been contacted for the required consultation under Section 106 of the National Historic Preservation Act.

Although a significant portion of the island is protected by the Open Space Institute and the Staats family, the scenic and historical integrity of much of Papscanee Island has been lost. It has been partially covered in dredge spoil to make way for a deep water channel in the Hudson River. It is in fact no longer an island but is attached to the shore on the north end. The east shore of the island is hemmed in by a railroad right-of-way. The northern tip of the island in the neighborhood beyond the Goldkrest site is industrial. Now the NED would take another 75 feet from the remaining intact portion of the island. Each incursion seems to beget the next. The cumulative effect must be evaluated. The EIS should consider avoiding the island altogether, rather than let it die a death of a thousand cuts.

#### **Nassau compressor station (Market Path Mid Station 1).**

We note that on May 15, 2015, FERC notified the applicant of a number of items that were required for its resource reports. Many – if not most – of those items remain outstanding. Among these was the requirement that the applicant specify the location and details for new compressor stations including plot plans identifying the proposed units, buildings, piping and other equipment. Instead the applicant provided bare compliance with no level of detail. We do not know anything about the height, layout, lighting, security features, fencing or visibility of the proposed structure.

The proposed 90,000hp compressor station is just 2800 feet from the southern tip of Burden Lake in an area that is otherwise extremely quiet. Portions of the lake are within the half-mile buffer from the compressor. Once sound reaches the lake, there is no topographical barrier to attenuate the noise or prevent its travel over the water. Residents of Burden Lake report that on calm winter nights they can easily hear low frequency noise from Amtrak trains from the tracks 12 miles to the west.

The extremely loud sounds produced by blow downs will be carried far further than in other locations, particularly since the prevailing winds are from the south and run directly toward the lake. As pointed out in NYSDEC’s SGEIS on the Oil, Gas and Solution Mining Regulatory Program in New York State, even a six decibel increase in sound pressure can be annoying against existing rural background levels of only thirty decibels. (See Final SGEIS, May 2015, Vol. 1, page 6-301.) FERC should study the effect on the sound impact of the topography, prevailing winds and quiet background.

Tennessee Gas Pipeline discussed existing noise levels at the proposed Nassau compressor station in its Resource Report Vol. I, RR9, p. 9-39. It found daytime sound levels of 49 decibels and nighttime levels of 43.8 decibels, with an ambient level of 51.2 decibels. These levels are far higher than readings taken by a member of the Town of Nassau Natural Resources Committee, which found levels of 26 to 30 decibels. On the day that measurements were taken by Tennessee, the present owner of the land on which the station would be located was operating a drill rig and the owner of the nearest NSA was operating a tractor. Testing was at the side of the road. The noise levels therefore were not indicative of typical levels. They were artificially high. The applicant should be required to retest at night, at a more appropriate time of the year and not at roadside.

The most important feature of compressor stations that FERC needs to consider in much more than its customary depth is the reasonably foreseeable significant adverse health impacts of gas pipeline infrastructure(detailed below).

The American Medical Association adopted Resolution 519 at its June, 2015 annual meeting in Chicago. Plainly unsatisfied with current regulatory agency health impact assessment protocols, the AMA determined to support legislation requiring FERC, among other agencies, to conduct comprehensive health impact assessments in keeping with formal protocols of the public health profession.

The attached Memorandum by Dr. David O. Carpenter, State University of New York School of Public Health, presents several key examples of the way in which FERC health impact assessment protocols fall far short of professional standards. We are formally requesting that FERC supplement its review of compressor station impacts by seeking the assistance of the U.S. Dept. of Health and Human Services.

Excessive exposure to low frequency noise (LFN) can cause a systemic pathology known as vibroacoustic disease (VAD). VAD has been observed in several populations exposed to environmental LFN such as those produced by compressor stations. In both human and animal models, LFN exposure causes thickening of cardiovascular structures. Depression, increased irritability and aggressiveness, a tendency for isolation and decreased cognitive skills are all part of the clinical picture of VAD. LFN is a demonstrated genotoxic agent. The occurrence of malignancies among LFN-exposed humans, and of metaplastic and displastic appearances in LFN-exposed animals, clearly corroborates the mutagenic outcome of LFN exposure. (Noise Health. 2004 Apr-Jun;6(23):3-20). FERC should consider noise control measures to eliminate exposure to the high volume noise as well as LFN that travels easily over water as well as locate the compressor far from populated, rural areas.

The sound from the compressor station could be mitigated by employing a number of smaller stations with electric motors instead of natural gas engines, installing silencers and mufflers, erecting sound containment structures, moving the facility to a less sensitive location, or, preferably eliminating it altogether. The EIS should study the feasibility of the alternative of electric compressors.

The Clean Air Act, which was last amended in 1990, requires EPA to set National Ambient Air Quality Standards (40 CFR part 50) for pollutants considered harmful to public health and the environment.

The Clean Air Act identifies two types of national ambient air quality standards. Primary standards provide public health protection, including protecting the health of “sensitive” populations such as asthmatics, children, and the elderly. Secondary standards provide public welfare protection, including protection against decreased visibility and damage to animals, crops, vegetation, and buildings.

The construction and operation of the proposed projects will result in result in significant emissions of various air pollutants, including NO<sub>x</sub>, VOCs, carbon monoxide, particulate matter, sulfur dioxide, and GHGs, particularly methane. These pollutants affect air quality—and therefore human health—in a variety of ways. NO<sub>x</sub> is a precursor of both ozone and fine particulate matter (“PM<sub>2.5</sub>”). VOCs are also an ozone precursor. Fine particulate matter is linked to increased heart attacks, aggravated asthma and decreased lung function, and for people with heart or lung diseases, premature death. Ozone exposure can lead to coughing, chest pain, and throat irritation. It also worsens bronchitis, emphysema, and asthma, and can reduce lung function. The EPA has listed Rensselaer County as a nonattainment area for ozone pollution. [http://www.epa.gov/oaqps001/greenbk/anayo\\_ny.html](http://www.epa.gov/oaqps001/greenbk/anayo_ny.html)

The most common hazardous air pollutants associated with natural gas development are n-hexane and the “BTEX compounds” benzene, toluene, ethylbenzene, and xylenes. Benzene is a known human carcinogen, and formaldehyde, which is also emitted from natural gas operations, is a probable human carcinogen. Methane is a potent GHG, which the Intergovernmental Panel on Climate Change (“IPCC”) estimates to have 34 times the global warming potential (“GWP”) of carbon dioxide (“CO<sub>2</sub>”) over a 100-year period.

The estimated emissions from construction may exceed the tons-per-year threshold for major sources for multiple of the pollutants emitted, including NO<sub>x</sub>, VOCs, CO, and PM. If it is determined during analysis that the project exceeds the limits for attainment status for VOCs and NO<sub>x</sub>’s, additional air pollution measures must be taken to meet or exceed the general conformity requirements. Moreover, the Draft EIS must include the potential health effects to workers and members of the community who live nearby and who may be at risk of exposure to harmful air pollutants.

When unfavorable meteorological conditions exist, both wet and dry pollutants from the compressor station are going to fall-out into Burden Lake with a potential for adverse impacts on water quality and the aquatic habitat in Burden Lake. FERC should undertake all necessary meteorological and air quality modeling studies to determine potential impacts and must identify how they will require Kinder-Morgan to take appropriate steps to prevent negative water quality and aquatic habitat impacts from occurring in Burden Lake and the Valatie Kill and the surrounding watersheds.

The cleaning operations for pipelines remove hazardous components from the unrefined natural gas. The resulting waste should not be stored onsite, but should be removed immediately.

Aside from hosting a nesting population of bald eagles, golden eagles and numerous osprey, Burden Lake is a regular stopover for migratory waterfowl in the spring and fall. These include large numbers of Canada geese, bufflehead ducks, mergansers, loons, wild swans, and mallards, etc. FERC should study the impact of the compressor station on resident and migratory birds.

In addition to exposure to pollutants while swimming in the lake, many residents use lake water for cooking, bathing and showering. Experimental studies have demonstrated that VOCs can be efficiently transferred from water to air, especially in showers where the water is heated and there is a large water air interface. VOCs released to the air can equilibrate with the air in the bathroom and eventually with the rest of the house. (Agency for Toxic Substances and Disease Registry, 4770 Buford Hwy NE, Atlanta, GA 30341; Public Health Assessment Guidance Manual (2005 Update); Appendix G: Calculating Exposure Doses).

Burden Lake hosts a children's summer camp operated by the Rensselaer Boys and Girls Club. For the last nine years, it has hosted Wounded Warriors events for recreation and recovery of severely disabled veterans. It is inconceivable that we would subject these veterans, many of whom may be suffering from post-traumatic stress syndrome or traumatic brain injury, to constant, sudden and extreme noises or to force them to find another host site after forging a strong community connection here for so many years in an ideal site.

The rates of asthma in children exposed to toxic emissions have been demonstrated in the literature. Given the number of children attending Camp Adventure and Camp Schodack, both in close proximity to the proposed compressor site, the EIS should address the impact on these children, the associated cost of medical treatments for asthma attacks, and the long range health impacts of steroidal treatment of asthma. Mitigation would include air quality testing conducted by the NYSDOH before any construction, during construction, and during normal operations as well as blow downs. All mitigation methods to contain emissions should be required.

Dr. Carpenter has described the process by which methane gas reacts with sunlight to produce formaldehyde. This is a carcinogen. It causes nose bleeds, particularly in children. Given the number of children using the area for recreational purposes, the EIS should address the impact to them of exposure to this toxin. Nitrous oxide and VOCs produce ground level ozone that has been estimated to reduce crop growth by 30%. The EIS should study the economic and environmental impact of this on the farms in this community.

In addition to the health matters raised above, the EIS should address the work of Susan Nagel at the Institute for Health and Environment at SUNY and examine the risk of exposure to VOCs from the compressor station and the impact on reproductive health, endocrine system, breast cancer, developmental delays, changes in immune function, impaired sperm quantity and quality, fertility problems, and miscarriages. (Estrogen and Androgen Receptor Activities of Hydraulic Fracturing Chemicals and Surface and Ground Water in a Drilling-Dense Region, Christopher D. Kassotis, Donald E. Tillitt, J. Wade Davis, Annette M. Hormann, and Susan C. Nagel, *Endocrinology* 2014 155:3, 897-907.) The EIS should address the impact of emissions on asthmatics and people with respiratory illness during the construction and operation phases of the project. The EIS should consider the higher background levels of radon in Rensselaer County and the impact of potential contamination at compressor stations handling gas from Marcellus Shale, known to have a particularly high radon content. Creation of a "public health registry" related to exposures and health effects. Biomonitoring for VOCs should be provided for humans and domestic and wild animals (Recommended by the Institute for Health and Environment at the State University of New York at Albany, Susan

Nagel, December 5, 2014)

The EIS should address the need for a statewide network of reporting exposures and health effects in residents around the compressor station before construction and after operation. Our region is served by volunteer fire, rescue and ambulance service. The nearest burn units are in Westchester County and Syracuse. Risks of the sort presented by a compressor station in industry are normally served by professionals. The EIS should address how emergency services would be provided. As was done with the Constitution Pipeline, the applicant should be required to install Class 2 design pipe in all Class 1 locations, install the pipeline deeper than required for Class 1 locations with a minimum depth of 36 inches in normal soils and 24 inches in consolidated rock, inspection of 100 percent of mainline pipeline welds, hydrostatic testing of the entire pipeline at a level suitable for Class 3 locations, and spacing of mainline valves (MLVs) at closer intervals to meet Class 2 requirements in all areas.

Pipeline compressor stations typically employ stadium type lighting for security purposes, despite the fact that these stations are generally hidden from view by the topography and are unattended. Lighting of the sort contemplated would pollute the night sky, preventing any view of the stars from Burden Lake and unnecessarily interfering with activities of night animals such as bats and owls.

As pointed out in the report of the Nassau's Natural Resource Committee:

“There are very few full-time outdoor lights that are operated in the community surrounding the compressor station study corridor within Nassau. There is one street light (with a notably dim bulb), located at the intersection of Clarks Chapel Road and Center Nassau Road. There are two “farm-light” fixtures in the area, one attached to a residence on Clarks Chapel Road east of County Route 15, and one on a barn on Slivko Road near Clarks Chapel Road. Otherwise, the area is lighted only intermittently by household lighting, and by passing cars which are infrequent during night-time hours. The area can be characterized as experiencing dark-sky conditions, with stars and planets readily observable on average nights with skies clear of clouds. Astronomical conditions are readily observed and appreciated in the community. Obtrusive lighting is rare, and dark conditions are encouraged by the community as reported by the Town of Nassau Comprehensive Plan (pg. 634).”

The EIS should consider the impact of 24-hour lighting on the circadian rhythm of individuals exposed to the light pollution. Exposure to light at night can disrupt circadian clock mechanisms causing sleep disturbances. Studies have demonstrated that disruptions in circadian clock mechanisms are associated with weight gain in humans. (The Effects of Light at Night on Circadian Clocks and Metabolism; Laura K. Fonken and Randy J. Nelson) The global increase in the prevalence of obesity and metabolic disorders coincides with the increase of exposure to light at night and shift work. These converging lines of evidence indicate that exposure to light at night may cause metabolic changes in mammals. Disruption of the sleep cycle in children can have a severe impact on learning. There should be a full examination of the ecological consequences of artificial night lighting.

FERC should study the compressor lighting impacts and determine if there is a reason why security lights could not use motion detectors or why night vision security cameras could not be employed as a mitigation measure. There is no reason why the facility cannot meet Dark Sky guidelines for shielding of glare.

A 1998 Phase 1A survey of the Totem Lodge area east of Burden Lake found remnants of a potential prehistoric archaeological site. referred to as the Totem Lodge Prehistoric site. It is identified as New York State Museum (NYSM) Site 4584. A phase 1B survey also found several prehistoric sites.

The proposed compressor station is 9,000 feet from Eastfield Village, a collection of colonial buildings in an historically authentic setting, used for educational and study purposes at 104 Mud Pond Road in East Nassau. The constant sound would be incongruous with the site's mission and purpose.

The applicant has offered no reason why the compressor station must be in the one-mile section identified, rather than in an industrial zone. Within that mile, the sole reason offered for the ultimate selection is that the landowner was willing to sell. That is an inadequate reason for not selecting the environmentally most suitable site in light of the applicant's right to the use of eminent domain proceedings.

This pipeline follows the route of a high power electric right-of-way, making the use of electric compressor station motors feasible. These release far fewer VOCs into the air and run more quietly. This alternative must be fully explored.

Compressor emissions would be unacceptably high for an area immediately adjacent to a highly settled recreational lake and an organic farm. It is widely known that there are simple and economical methods to reduce such emissions, but there is no indication that Tennessee Gas Pipeline would employ them. Among the methods recommended by the EPA are:

1. Keep compressors pressurized when off-line.
2. Connect blowdown vent lines to the fuel gas system and recovering all, or a portion, of the vented gas to the fuel gas system.
3. Install static seals on compressor rod packing.
4. Install ejectors on compressor blowdown vent lines.
5. Require low or no-bleed controllers.

Regardless of where the compressor is located, the applicant should be required to employ all of the above methods.

**Pipeline, M.P 40.3 to M.P. 44.** The pipeline would run just north of the former Dewey Loeffel landfill, a Superfund site which has produced contamination in Nassau Lake. FERC should study the compound effect on the affected lands and the waters of Nassau Lake of a potential leak from the pipeline flowing through the landfill area.

The EIS should study the effect of creating a preferential path for underground flow of water, from the perspective of connecting currently separate aquifers, one or more of which may be contaminated, to dewatering aquifers relied upon for potable water. It should be determined if the pipeline will connect the aquifer surrounding Dewey Loeffel to other aquifers.

The pipeline would be immediately on the other side of the existing electric transmission right-of-way from the proposed Troy Sand & Gravel hard rock quarry at MP 43.6. The quarry proposal is being litigated but, if finally approved, will use blasting. FERC should evaluate the effect of blasting on pipeline welds.

The pipeline would be less than 660 feet from two places of public assembly: the Nassau Sportsman's Club on Boyce Road and a church at the intersection of North Nassau Road and County Route 18.

The proposed northern route of the NED through the Town of Nassau will intersect numerous headwater streams and wetland areas of the Valatie Kill and the Tsatsawassa Creek. These two streams are protected C(t) streams. In the most recent rule changes to the Clean Water Act the EPA and the US Army Corps of Engineers have indicated that they intend to extend protection to the headwater segments of protected streams.

The proposed route of the NED will also cross over a major unconsolidated aquifer in the Town of Nassau and Stephentown. The aquifer roughly follows the Tsatsawassa Creek as it meanders through Dunham Hollow, both above and below State Route 43. This aquifer and its re-charge zones provide the water supply for many homes in the Town of Nassau and the Village of East Nassau. Protection of this aquifer is critical to the Town and is afforded such protection in Town law. Wells should be tested before construction and periodically during operation for the detection of VOCs.

Appendix K, p. K-91, Table 2.2-9 of the Resource Report indicates that the Hudson River, the Valatie Kill (at MP 40.8) and the Tackawasick Creek (at MP 45.32) would be used as source water for hydrostatic pressure testing. The Tsatsawassa/Tackawasick is a protected aquifer and trout stream. The Valatie Kill is a trout stream that is contaminated by discharges from the Dewey Loeffel Toxic Landfill Federal Superfund site. The use of water from the Valatie Kill has the significant potential of contaminating even larger areas of surrounding towns.

A 1996 study of the Hudson River showed that at that time it contained 113 non-indigenous species of vertebrates, vascular plants, and large invertebrates, not including algae and small invertebrates. (Exotic species

in the Hudson River basin: a history of invasions and introductions, EL Mills, DL Strayer, MD, Scheuerell, JT Carlton - Estuaries, 1996;

[http://dSPACE.gcswwd.com/bitstream/handle/123456789/111/Mills\\_et\\_al\\_Estuaries&Coasts\\_1996.pdf?sequence=1](http://dSPACE.gcswwd.com/bitstream/handle/123456789/111/Mills_et_al_Estuaries&Coasts_1996.pdf?sequence=1)). We would submit that there is no safe place to discharge this water.

**Rensselaer Plateau.** The pipeline would bisect the 118,000 acre Rensselaer Plateau, one of the largest and most ecologically intact native habitats in New York State.

The pipeline would isolate and fragment wildlife on either side of the line, defeating the goals of the Rensselaer Plateau Alliance's conservation plan. The RPA's Forest Legacy Grant proposal was recently ranked #5 nationally by the U.S. Forest Service Legacy Program. Running the pipeline adjacent to existing electric power easements exacerbates the problem of fragmentation of habitat by widening the existing gap separating contiguous habitats. The impact on the Plateau's animal and plant life should be closely studied. Consideration should be given to burying the pipeline deep enough to permit reforestation. The applicant should be required to provide "travel lanes" or corridors sufficiently wide for animal movement where the habitat is fragmented. If the pipeline must cross the Rensselaer Plateau and cut across its many trail systems, the applicant should offer a dedicated multi-use east-west trail on the right-of-way.

New York State has identified the Rensselaer Plateau as an important area for protection due to its diversity and bird breeding features and the Audubon Society has designated the Rensselaer Forest Tract as an important bird breeding area. The Audubon Society specifically cites the high diversity and abundance of forest breeders on the Plateau, including many at-risk species. Many birds are experiencing declining population numbers in the Northeast due in part to loss of large blocks of forest. The Plateau has also been the focus of conservation efforts by the Rensselaer Land Trust and The Nature Conservancy. We are concerned about the impact the pipeline and its supporting infrastructure will have on breeding bird populations in the Rensselaer Plateau area as well as the areas surrounding Burden Lake and the Valatie Kill watersheds. FERC should consult with and seek input from the NYS Chapter of the Audubon Society, the Rensselaer Land Trust and the New York Chapter of the Nature Conservancy on the impact the proposed NED project would have on the Rensselaer Plateau and the areas surrounding the Burden Lake and Valatie Kill watersheds. We would direct your attention to Dr. David M. Hunt's comments (Submittal 20150820-4024) regarding the Plateau and the three pipeline reports referenced therein.

The Plateau is characterized by steep topography. Construction across such areas creates a potential for flash flooding, affecting lakes and streams at lower elevations. Glass Lake and Crooked Lake are particularly vulnerable to flows from higher elevations in high volume storm events. Historically, the Glass Lake Dam has been overtopped twice and came dangerously close during Hurricane Irene. The dams along Wynantskill Creek are not capable of withstanding additional loads. Catastrophic collapse would threaten communities as far away as the City of Troy.

FERC should consult with and seek input from the Rensselaer Plateau Alliance, the Town of Nassau and the Town of Stephentown on the proposed route of the NED on the Rensselaer Plateau as it relates to impacts on streams, wetlands and groundwater quality and quantity. FERC should address this issue in the EIS they are preparing and delineate how these headwater streams, wetlands and groundwater aquifers will be afforded protection both during the initial construction and post construction phase.

**Stream Crossings.** Depending on the size, timing, duration and methods employed, stream crossings can have significant impacts on aquatic ecosystems by altering stream morphology, process and function including in-stream habitat both upstream and downstream of the crossing location, as well as at the crossing location itself. We recommend that the pipeline route avoid alteration of stream hydrology, sediment transport, and morphology by eliminating crossing streams of any size, including ephemeral streams, wherever possible.

Where avoidance is not feasible, measures to reduce impacts should include site specific evaluations of construction activities. For example, stream crossings should be located downstream from all confluences to reduce the total number of stream crossings and the impacts on stream morphology at these convergent loca-

tions. We recommend that the FERC include in the draft EIS appropriate measures to reduce both short-term and long-term impacts to stream morphology and hydrology. This is particularly important given the importance of small headwater streams that serve as spawning reaches and thermal refuges for coldwater fish, including native and wild trout.

The Resource Report describes the proposed methods that will be used for stream crossings, including: open cut, flume, dam-and-pump, conventional bore and horizontal directional drilling (HDD). While each of these methods is explained, the report fails to explain under what circumstances each method will be used, what information will be gathered during surveys and related analysis to inform which stream crossing method should be used, what criteria and type of evaluation process will be used by the applicant to determine which crossing method is appropriate, and when, during the planning process, a decision will be made on which method is appropriate.

We recommend that the draft EIS identify each stream crossing by mile post, as well as the proposed method for each stream crossing. We recommend that the open cut crossing method not be used in any circumstances on any streams within watersheds that support native and wild trout. We strongly recommend that the applicant use HDD, direct bore or Direct Pipe™ methods to cross sensitive streams where feasible.

HDD, direct bore and Direct Pipe™ methods are preferred for stream crossings because they have the advantages of minimizing land disturbance, avoiding the need for dewatering the stream, leaving the immediate stream bed and banks intact, and reducing erosion, sedimentation and project-induced watercourse instabilities. Further, the Direct Pipe™ method is favorable for stream crossings over other methods, including HDD and open trench, because it is suitable for unconsolidated sand, gravel, and cobbles (such as river bottoms), virtually eliminates the risk of blowouts associated with HDD, and does not disturb the channel bed as compared to dry crossing methods. Because the Direct Pipe™ method presents the least amount of risk to stream systems, it should be evaluated for proposed crossings of native and wild trout streams.

The draft EIS should evaluate whether the use of HDD, direct bore and Direct Pipe™ methods for each stream crossing is feasible, and where these methods are determined not to be feasible, provide a justification. Where HDD, direct bore or Direct Pipe™ methods are proposed, the draft EIS should describe the typical work area required and protective measures that will be used to limit runoff of sediment and other fluids into streams, as well as describe a contingency plan if the HDD, direct bore or Direct Pipe™ method fails and results in sediment and/or drilling fluid entering a stream.

If the dry crossing method is proposed, the Applicant should identify which type of dry crossing— whether dam and pump, flume, cofferdam, or dry open cut— will be used. Each type of dry crossing method has unique and individual impacts. In order for the Commission to identify the impacts of each stream crossing on stream hydrology and aquatic habitat and to propose appropriate mitigation measures, the specific type of dry crossing method proposed for each stream crossing must be identified in the draft EIS.

Field reconnaissance by pipeline personnel is necessary for the identification of stream crossings since many ephemeral and some perennial streams are not visible on topographical maps. Information that must be gathered during surveys and included in a draft EIS, in order to determine which type of crossing method should be used for each stream, what impacts may result, and what mitigation measures are needed, includes at a minimum:

- Geotechnical feasibility studies to determine if HDD, Direct Pipe™ or other conventional bore method is appropriate and feasible for each stream crossing;
- Proximity to the nearest confluence up and downstream;
- Stream discharge, channel gradient, channel sinuosity, stream substrate, cross-sectional surveys, channel debris and sediment storage, and stream order;
- Geomorphological data, including complete fluvial geomorphic characterization of the stream's hydraulic geometry, plan form, and profile, and information about bed and bank stability, scour depth and depth of pools; and

- A scour depth analysis either based upon measured pool depth or calculated scour for observed bed materials and design discharge, to determine the potential for vertical or lateral adjustment of each stream.

This information is necessary for a site-specific review of the proposed method and will provide an opportunity for interested parties to provide specific recommendations on mitigation measures appropriate for each specific stream crossing.

The EIS should describe the typical work area required and protective measures that will be used to limit runoff of sediment and other fluids into streams, as well as describe a contingency plan if the HDD, direct bore or Direct Pipe™ method fails and results in sediment and/or drilling fluid entering a stream.

**Effect of Compressor on Property Values.** In other pipeline applications, FERC has found that there is no peer-reviewed literature supporting the proposition that pipelines reduce property values in any significant way. However, a review of the existing literature shows that no such study even mentions compressor stations. Unlike pipelines, compressors can be seen, heard and smelled. Compressors of the size contemplated for Nassau are in fact indistinguishable from heavy industrial uses. There is a significant body of peer-reviewed literature that demonstrates large reductions in property values of residences located near such uses. FERC is relying, therefore, on the wrong body of literature with respect to compressors. (See, *Undesirable Facilities And Property Values: A Summary Of Empirical Studies*, Stephen Farber, Graduate School of Public and International Affairs, University of Pittsburgh, Pittsburgh, PA 15260, USA; Received 10 September 1996; accepted 13 March 1997.)

The EIS must consider the economic consequences of declining property values, the impact on mortgage agreements and the ability to secure reverse mortgages for seniors in the community. A complete economic analysis would consider this among other negative externalities such as increased health costs, environmental costs and additional costs to local government for fire, police and highway maintenance.

**Additional Mitigation.** FERC should consider the following matters and related mitigation measures:

- The No Action Alternative. The natural gas transported by the NED would add to total carbon emissions loads in direct contravention of the EPA's Energy Plan. It is unnecessary to relieve constraints on electric capacity since existing shortfalls are easily met with LNG purchases. These shortfalls could be eliminated entirely by repairing leaks in the current system, adding renewable sources of energy such as wind, water and solar and increasing energy efficiencies in general. Electric use has been flat since 2008 and the world is adding more capacity for renewables each year than coal, natural gas and oil combined. The NED and other northeast pipelines are likely to be obsolete and unused before they reach the end of their useful lives, leaving ratepayers to pick up the bill and leaving a trail of environmental destruction.
- Alternative routes. There is a southern route that follows a pre-existing pipeline. It is approximately 3 miles long and crosses from the Town of Schodack under Route 203 south of the Village of Nassau approximately 1800 feet north of Sweets Crossing Road, then travels easterly under Hanley Road, Malden Bridge Road and Jefferson Hill Road, where it intersects Mashodack Road, then ESA, crossing Middle Road and into Columbia County. This route has fewer elevation changes and avoids the Rensselaer Plateau. It is 3.6 miles shorter and involves only 10 acres of additional ROW instead of 24 to 40 acres. It is only 10% forested rather than 90%. It has only 7 sites of concern (1 classified stream, 5 unclassified streams, 5 wetlands) compared to 19 such sites (4 classified streams, 6 unclassified streams, 2 small ponds, 8 wetlands). Subsurface archaeological sites on the southern route are already disturbed. 1.5 miles of the northern route passes through a groundwater aquifer; .7 miles of the southern route passes through an aquifer. A route along the New York Thruway (Berkshire Spur) and the Massachusetts Turnpike is far preferable to either the northern or southern routes.

The applicant's analysis rejecting the Mass Pike Route (I-90) is conclusory, with no underlying detail. The treatment of the topic in the resource reports suggests that the true underlying reason is that the expense of installation would be greater. For example, it counts the number of major and minor water crossings. However, it fails to distinguish among these on the basis of their quality. On a trip down the

Mass Pike, one sees numerous small water bodies that are simply man-made detention ponds with little ecological significance. Their function and effectiveness would not change with a crossing. In contrast, the applicant's chosen route includes estuary marshes that are significant breeding grounds for threatened and endangered species. These cannot be equated. The EIS should explore the kind and quality of each water crossing on each route. The same is true of the applicant's other statements regarding the route. If there are conflicting, existing utilities, what are they and where? If there is development close to the route, what is it and how would it be affected? Are there industrial areas that can house compressor stations without residential conflict?

Thank you for the opportunity to comment.

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UNIVERSITY AT ALBANY  
State University of New York

**Institute for Health and the Environment**  
WHO Collaborating Center in Environmental Health

9 July 2015

The American Medical Association has Resolved to support legislation requiring comprehensive health impact assessments as an integral part of regulatory review of gas pipeline proposals. This position reflects the fact that significant adverse health impacts may be overlooked by current regulatory review.

In brief, the typical regulatory agency approach is to estimate the total short-term and long-term emissions directly sent into air or water by the project under consideration. Estimated total emissions are then compared with Federal or State standards for "acceptable" emissions. If the estimated levels fall below critical thresholds, the project is assessed as having a non-significant health impact.

A more complete and informative look at environmental impacts is called a comprehensive health impact assessment, and was outlined as a set of research protocols by the Centers for Disease Control and Prevention, and by the National Academy of Sciences.

Listed below are three examples of impacts which are not currently included in reviews by agencies such as New York State Department of Environmental Conservation or the Federal Energy Regulatory Commission:

1. Emission spikes. Regulatory agencies measure emissions in terms of averages taken over numerous short (for example, one hour or less) or long-term intervals (for example one or more days). Recent studies have found that these averages don't reveal the occurrence of very high levels of "peak" emissions which may occur at irregular intervals. These peaks may have serious adverse health impacts that are not captured by averaging over longer periods of time. A comprehensive assessment performed according to public health professional standards would capture information on peak emissions and their consequent health implications.
2. Dynamic evolution of emissions. Regulatory agencies take a very local and static view of toxic emissions, assessing them in isolation from each other and only at the time and place immediately adjacent to their source. Many if not most standards are based on single chemical emission, while under most circumstances it is a mixture of different chemicals that are emitted. In addition, it is well established that any single emission can disperse widely, evolve and combine with other emissions and atmospheric conditions, and become reabsorbed into distant water and soil. Only a comprehensive health assessment can properly evaluate the full range of emission impacts.
3. Downstream and upstream impacts. Regulatory agencies restrict their assessment of impacts to the operations of the project in question. But pipeline impacts extend far beyond pipeline operations. Pipelines are a "midstream" structure, placed between the start-point of gas well production sites and the endpoint of residential consumption. Adding a pipeline has the impact of expanding both production and consumption. And many studies have reported that the endpoint use of pipeline-provided gas in residential stoves has adverse impacts on respiratory function. Only a comprehensive health assessment would, correctly, view this as a pipeline impact.

These examples are not exhaustive. The issue of vulnerable sub-populations (such as people with pre-exist-

ing asthmatic conditions) is not routinely addressed by regulatory agencies, but is a key part of comprehensive health impact assessments. The complete list of differences between regulatory versus public health impact reviews is long and complex.

Nonetheless, the conclusion is quite clear to the American Medical Association: current regulatory procedures do not adequately protect public health and safety.

Yours sincerely,

David O. Carpenter, M.D.  
Director, Institute for Health and the Environment  
University at Albany

*{end of 20150824-5136}*

**20150824-5177**

**Plainfield Conservation Commission**

Town Office  
304 Main St.  
Plainfield, MA 01070

August 21, 2015

To: Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission

Subject: Comments on environmental Issues regarding the Northeast Energy Direct Project, Docket PF 14-22-000

We, the members of the Plainfield Conservation Commission, hereby request that FERC address the following issues in its preparation of an Environmental Impact Statement (EIS) regarding the “Northeast Energy Direct” project of the Tennessee Gas Pipeline, Inc. Submission of the following issues does not imply agreement with the current scheduling of scoping sessions in July and August, 2015. Given the incomplete nature of Kinder Morgan’s Resource Reports to date, we request that scheduling of scoping sessions be delayed until final, revised and complete editions of the reports have been issued and examined by all concerned. The following concerns presented by the Plainfield Conservation Commission apply not only to Plainfield, but to all towns through which the pipeline may pass and should be addressed relative to all such areas.

1. We request that impacts to habitat, wetlands, waterways, and protected open space should be avoided. Measures to avoid or mitigate impacts should be specified in detail for every aspect of construction and for each specific site along the route, including staging areas, temporary workspaces, temporary and permanent access routes, temporary contractor yards, pipe yards, cathodic protection and grounding bed sites, and mainline valves. To construct an “in-kind mitigation wetland resource”, detailed assessments of each wetland resource area need to be conducted, taking into account the functions and values relative to topography, hydrology, vegetation and soils.
2. The numerous unspoiled streams whose headwaters originate in Plainfield are tributaries to the National Wild and Scenic Westfield River to the south. Therefore, we request that all of the wetlands, waterways vernal pools (certified and certifiable), floodplains and all jurisdictional areas under the Mass. Wetlands Protection Act within 200 ft. of the disturbed areas along the route be detailed in the EIS, including those missing from the March and July, 2015 Resource Reports, together with mitigation strategies as outlined in (1).
3. We request that NHESP “Priority Habitats of Rare Species”, NHESP “Estimated Habitats of Rare Species” and BIOMAP II “Core Habitats” and “Critical Natural Landscapes” be studied so as to avoid habitat fragmentation and all other impacts on the biota. In the case of unavoidable impacts, means of minimization by all possible measures should be specified in detail.
4. The project route passes through rough topography and ledge which will necessitate careful attention to downstream impacts of blasting and erosion on streams and wetlands. Therefore, we request

that details of both pre- and post-construction erosion and sedimentation control procedures be described, including the restoration and post-construction monitoring for each specific site along the route.

5. Because Plainfield is relatively free of non-native invasive plants, we request that detailed procedures regarding the prevention of their introduction by construction equipment be included. Similar concerns apply to instances where soils may be trucked in for pipeline fill and bedding material.

6. In Plainfield, the large amounts of water used to pressure test segments of the pipeline would have to come from local surface waters. These withdrawals could have a serious impact. We request that the EIS include alternatives. If it becomes necessary to obtain water from another watershed and to discharge it into one of the town's watersheds, a detailed methodology for the prevention of the introduction non-native aquatic species and damage caused by hydrostatic testing in wetlands near the ROW should be included.

7. The proposed compressor station to be located nearby in the town of Windsor will periodically release airborne hazardous and carcinogenic chemicals which may spread to streams in Plainfield through drift or entrainment in rain or snow. Therefore, we request that baseline studies of stream biota be conducted to establish the potential impact of each chemical.

8. The proposed "Class 1", thin-walled pipes to be used through Plainfield are inadequate to provide the long-term protection needed to safeguard wetlands and vital ecological systems. The most robust pipes by regulation (i.e., "Class 4") that provide optimal protection must be installed through wetland resource areas as defined in the Massachusetts Wetlands Protection Act.

Respectfully Submitted,

Judith Williams, Chairperson

Erik Burcroff

John Nelson Jr.

Alice M. Schertle

Edward Stockman, Wetlands Scientist

#### **20150824-5197**

Richard P Murray, Nassau, NY.

The Tennessee GAs Pipeline Company has recently submitted documents totaling about 6,500 pages for inclusion in the scoping process. Many of these documents do not give specific details, but list those details as TBD or proprietary in nature. How can anyone prepare comments on those types of ambiguities?

Please extend the August 31 deadline for Scoping comments until Kinder Morgan and the Tennessee Gas Pipeline Company supplies those documents.

Note: Kinder Morgan has refused to supply the Town of Nassau, NY a site plan for the proposed compressor station on Clarks Chapel Road. The layout of the compressor station on the site - come on. They are stonewalling you and the public.

#### **20150824-5199**

Thank you for listening to our comments at the FERC Scoping meeting in Lunenburg, MA earlier this month.

What follows are the longer written comments I edited to fit into the 3 minute time slot.

Thank you for this opportunity to share concerns about the proposed Northeast Energy Direct (NED) project directly with you.

When I first learned of the project 18 months ago, I couldn't understand why Kinder Morgan would want to take land my family has protected for more than 100 years and also cut indiscriminately through a community I have worked for three decades to help make a great place to live. I soon learned that the issues

surrounding this massive infrastructure project were much bigger than my own backyards and hometowns. I found a huge corporation who has not diversified for the 21st century but rather is still following a mid-20th century business model to maximize profits at the expense of not only our communities but even our earth. After the proposed project moved north to NH, I stayed actively involved because I believe strongly that any pre-emption of a community's right to decide its future and of property owners right to manage their land should rarely be used and limited to projects that are truly NEEDED by the PEOPLE and not for one company's desire for increased profits.

Since then I've learned that, unfortunately, our current system provides a huge advantage to the power of money over the power of the people. There is indeed a built-in imbalance in the FERC process. Kinder Morgan not only has full-time personnel with experience in this complex regulatory process, they've hired lobbyists, and PR professionals who can spend their entire work day advocating on behalf of their interests - painting a picture of clear need when the truth is much more murky. No wonder it seems like the process is on a fast track to approval and people are led to believe this is a "done deal."

This is why we need FERC to protect our interests. We are learning about the process for this particular project and studying the larger issues of the energy industry and need for natural gas on nights and weekends. We have put aside other hobbies and even other responsibilities to become immersed in this energy debate. It's been even harder for some of our affected people and communities: older people who are not comfortable using the on-line information and places where there is no or very limited high speed internet access. We need your help to make our citizen voices and concerns heard.

Over the last 18 months I've spent studying this proposed project, two other things have become quite apparent:

1. It is unclear how much more gas pipeline capacity, if any, MA or New England really needs.
2. There are many corporations anxious to supply lots of natural gas to MA, New England and even the world.

**In order to provide the best solution to what may or may not be a problem, FERC needs to combine the various proposals from Kinder Morgan, Spectra Energy, Iroquois, and Portland Natural Gas into one regional Environmental Impact Statement and one coordinated FERC process. NEPA review should require nothing less. Added together these proposals could more than double the gas supply to New England at a time when the MA Global Warming Solutions Act (GWSA) and the federal Clean Power Plan (CPP) are demanding that we greatly reduce our consumptions of fossil fuels.**

In its Resource Reports, Kinder Morgan admits that other projects could also meet the needs of New England:

*"...without the proposed Project, other natural gas transmission companies will be required to increase their capacity and construct new facilities to meet the existing and growing demand for the additional transportation capacity. Such action will only result in the transference of environmental impacts from one project to another but will not eliminate such impacts in their entirety."*

Since Kinder Morgan acknowledges that the alleged need met by NED could be met by the competing projects, it makes sense that all the projects be analyzed together to see which one, if any, or which combinations of projects, would satisfy any demand with least impact to the environment and affected land owners.

The FERC review for these combined projects needs to determine:

1. What amount of gas, if any, is needed to meet the threshold of public convenience and necessity which could result in takings of private property by eminent domain?
2. What is the best way to meet that need by minimizing project impacts?

In undertaking this review, we'd expect that the project would follow a process through FERC that would be open and transparent, not just for the potential environmental impacts, alternatives and mitigation measures but also for the needs analysis critical to understanding and quantifying both the NO BUILD alternative as well as various alternatives by different gas transmission companies.

MA Attorney General Maura Healey is already undertaking a study to determine electric reliability needs including what gas capacity we need for electricity generation through 2030. The results of that study, expected in October, will provide answers to whether or not new pipeline capacity is needed to serve the electric generation market. That's part of the answer. There are other questions about need that need clear answers: What amount of the gas contracted through the various LDC proposals is currently replacing expiring volumes already under contract? How much is for future demand? How much is to arbitrage? How can the two offshore LNG "energy bridges" help meet LDC needs?

The No Action alternative should address the feasibility of increased use of LNG imports to cover any limited shortfalls and contrast the relative environmental impacts of construction of pipelines to this alternative. It should also consider whether further investments by LDC's in fixing leaks in the distribution systems and providing increased incentives for people with older gas furnaces and appliances to upgrade to more efficient ones would negate the need for any new pipeline while at the same time help met the state's obligation under the GWSA.

Kinder Morgan acknowledges that natural gas is a bridge fuel providing a reliable energy supply while alternative energy sources are developed. Connecticut and Massachusetts have released the Draft Clean Power RFP which seeks proposals for solar, hydroelectric and wind power to be delivered to those states. The RFP is scheduled to be released later this summer or early fall, with proposals due in November. The EIS for a regional gas transmission study should acknowledge the specific projects proposed in response to the RFP and fully consider their timing and future presence in assessing the need for increased natural gas in evaluating the No Action Alternative. Similarly, the Governor of Massachusetts has announced that the state seeks to contract for an additional 2,400 megawatts of hydroelectric power by 2020. The No Action Alternative must also evaluate whether the import of the 2400 MW of additional hydroelectric power by 2020 fully meets or greatly reduces the need for the project in the No Action Alternative.

In comparing and contrasting the NED project and other natural gas transmission projects with the reduced need alternatives, the relative impacts of increased natural gas use on greenhouse gas emissions must be considered. The EIS should specifically address consistency with the GWSA and federal CPP. It should compare and contrast the proposed projects with increased reliance on renewable energy sources, increased efficiency incentives, the use of new battery storage technologies and other ways which may be more consistent with GWSA and CPP. If increased natural gas is primarily a bridge fuel as Kinder Morgan indicates, then the NED project and others should be considered a potential temporary solution, especially since the Massachusetts Global Warming Solutions Act and the Clean Power Plan call for drastic reductions in the use of fossil fuels over the next 5-30 years. The temporary nature of increased need, if in fact additional pipeline capacity is needed at all, must be taken into account in comparing the permanent loss of critical forested habitat associated with the NED project to other short-term solutions, such as increased use of currently underutilized LNG imports using existing infrastructure.

The role of export in any proposed pipeline projects needs to explicitly explained. People bearing the impacts and loss of property need to know where the gas is going. If export is identified as a "need" for increasing pipeline capacity to and through New England, an alternative that needs to be considered is serving the export market by sending gas on existing pipelines south to existing export facilities on the Gulf and Mid Atlantic Coasts.

FERC needs to ensure that information is shared with citizens as widely, clearly and substantially complete as possible. From the first pre-filing notice in September 2014 it seems that Kinder Morgan was sending out information on a half-baked idea and the project was a moving target. Where in March there were just two upgraded meter stations, the July Resource Reports listed eleven meter stations that need to be modified. Many are in communities which have had no notice about this project. In addition, Kinder Morgan's route selection criteria and analysis seems severely flawed. In a table comparing alternative routes for the "Fitchburg" lateral, impacts in roadways bordering forests were considered the same as cutting down mature forests.

Those late July Resource Reports dumped more than 6500 pages of information just 5 weeks before the end of the FERC Scoping Period with many new project changes. Based on previous information released by Kinder Morgan, we know we have to look at it carefully at it all. In order to give us time to review this information and make our voices heard, FERC should extend this current Scoping Period by at least another month.

However, the best thing FERC can do for the citizens of New England is to take a step back and look at the larger picture of natural gas capacity in New England by combining the various proposals as I suggested earlier. This consolidated review would help you ensure reliable, efficient and sustainable energy for consumers as called for in your mission. Thank you.

Thank you again for the opportunity to comment.

Carolyn Sellars

## **20150824-5242**

Virginia Hastings, Northfield MA, MA.

NED Tennessee Gas project does not qualify as public use because it depletes a national resource and contributes to climate change.

Only 30% is slated for New England, at best.

Isn't this what we did to the Native Americans, took their land and gave them some trinkets!

The NED pipeline the way it is proposed, is clearly not needed in Massachusetts, please give our attorney general Maura Healey a change to provide you with the data about potential needs, renewable and incentives through 2030.

People want the scoping session restarted as we received the 6500+ pages a few days before the scoping session in July and there were over 10,000 TBD's...clearly we do not have all the material.

This renders the scoping period null and void.

Most people spoke articulately and passionately at the July 29th FERC meeting, in Greenfield, MA. and talked about the obvious concerns ...the pipeline's potential issues... air, water, earth, vegetation, inhabitants, wildlife, history, safety, fire, police, terrorism, etc. Each of these issues has been clearly documented as potential problems. Some Springfield labor union people also stressed the need for jobs, certainly valid. We can all harp on all the negative issues that are well documented but we all know this pipeline would be a very poor decision for everyone (except the 1%ers), but especially for climate change.

We are at a CRITICAL TIPPING POINT!

CLIMATE CHANGE IS EXPENSIVE!

A better stance would be to move towards the right solution...

We are transitioning to a fossil free fuel future,

and we will need some gas to help with this transition.

1. WAIT for the DATA ABOUT ENERGY USE! A COMPREHENSIVE REPORT THAT SHOWS ALL THE PLUSES AND MINUSES of the energy we will need through 2030. Thank you Maura Healey, Attorney General MA.!
2. INCENTIVES... CONSERVATION, INSULATION, SOLAR, WIND, and NEW BATTERY RESEARCH.

Conservation is easy and cheap, but people need daily reminders about – how and why to do it.

Isn't Massachusetts the leader in tech research? Put our college kids onto a race to create energy storage batteries!

Extend generous energy efficiency measures and incentives to businesses and schools.

3. HAVE A TIERED RATE SYSTEM FOR ELECTRICITY... for example...

1st TIER 400KWh @ a certain rate. Second TIER above 400KWh a higher rate, etc. so that people have an incentive to reduce their energy use.

4. FIX LEAKS IN EXISTING GAS PIPES, now! This would provide LOTS of labor union jobs.
5. JOB CREATION THROUGH INSULATION, SOLAR, and ENERGY EFFICIENCY MEASURES.
6. SOME COUNTRIES AND STATES HAVE BANNED FRACKED GAS,

how about ours!

7. United States needs to be a leader,  
we need to set the pace for our planet, NOW!

8. No NEW PIPELINES...ONLY REPAIR OR  
EXPAND THE EXISTING PIPELINES.

LOOK TO THE FUTURE! OUR SUSTAINABLE FUTURE IS FOR EVERYONE. DO NOT GIVE INTO  
THE CORPORATE BULLIES,

AS HAS BEEN DONE FOR TOO MANY YEARS!

Seems like common sense...but maybe not so common these days...

We need a fossil free fuel future!

There aren't any more fossils to provide fuel! It is finite.

But there is sun and ingenuity!

Virginia Hastings, 30 North Lane Northfield, MA 01360

**20150824-5278**

Kelly E Finan, Hop Bottom, PA.

To Whom it May Concern:

I oppose the Tennessee Gas Pipeline Company's Northeast Energy Direct (NED) Project. While the pipeline does not cut through my property directly, it will impact the values and the last uses of the properties of my neighbors and friends. I've witnessed FERC public hearings in which property owners plead to have their land spared from a pipeline path and even propose alternate routes which are ignored by the FERC completely. My friend Cathy Holleran is already faced with an unwelcome pipeline on her property and the NED project will only widen the corridor and cause her property, which is a producing stand of maple trees, further damage. It's outrageous that these kind folks who want only to be left alone to enjoy their property are being forced to submit to the will of a profiting corporation. NO MEANS NO.

Furthermore, I do not support any part of the infrastructure linked to natural gas extraction by hydraulic fracturing. Multiple sound studies have linked natural gas extraction to low birth weights, infant and childhood disease and death, and increased hospitalization. These studies took place in my home county of Susquehanna County, PA. I am not willing to be a lab rat for the profit of a gas company whose current practices are so harmful to both people and the environment.

Sincerely,

Kelly Finan

**20150824-5283**

**MEMORANDUM**

TO: U.S. Senator Jeanne Shaheen (via [contact@jeannshaheen.org](mailto:contact@jeannshaheen.org) and first class mail)

U.S. Senator Kelly Ayotte (first class mail)

U.S. Representative Ann McLane Kuster (via [NH.Energy@Mail.House.Gov](mailto:NH.Energy@Mail.House.Gov))

U.S. Representative Frank Guinta (via [info@teamguinta.com](mailto:info@teamguinta.com) and first class mail)

Federal Energy Regulatory Commission (FERC) (via eComment)  
NH Governor Maggie Hassan (via governorhassan@nh.gov )  
NH Executive Council (via gcweb@nh.gov; cvanostern@nh.gov; david.wheeler@nh.gov)  
NH Senator Andy Sanborn (via andy.sanborn@leg.state.nh.us)  
NH Public Utilities Commission (via executive.director@puc.nh.gov)  
NH Energy Site Evaluation Committee (via martin.honigberg@puc.nh.gov; timothy.drew@des.nh.gov)  
Fitzwilliam Board of Selectmen (via fitzwilliamnh@fitzwilliam-nh.gov)  
MA Governor Charlie Baker (via info@charliebakerma.com)  
MA Energy Facilities Siting Board (via Stephen.August@state.ma.us and dpu.efiling@state.ma.us)

FROM: Robert T. Ford, Esq., Upper Gap Mountain Road, Fitzwilliam, NH

RE: Deny Kinder Morgan (KM) NED Pipeline Proposal PF14-22 and Supporting Local Gas Purchasing Contracts in NH and MA

DATE: August 24, 2015

I am writing to state that my family is completely opposed to the proposed NED pipeline and any proposed underlying NH or MA state gas purchasing contracts which may be used as a basis to justify it. We have repeatedly refused to give consent to allow a survey or access of our land and reiterate that refusal again here. We ask for your support in rejecting the pipeline in Fitzwilliam and the Monadnock Region for the following reasons and because little or no positive benefit to Fitzwilliam (or the Monadnock Region) can be demonstrated in exchange for the permanent environmental damage, violation of conservation protections, ongoing health and safety risks, lost quality of life, permanent municipal and landowner costs, and other burdens being imposed on the towns and the residents of this area.

The following are just a few of the reasons why NED as currently proposed should be stopped and any underlying gas purchasing contracts should be rejected.

A. Breach of the Public Trust and Charitable Trust Doctrines: NED proposes to cross and damage several valuable conservation properties or conservation easements/restrictions held by municipalities, state agencies, federal governments, and private nonprofit organizations in MA and NH (such as the Forest Society and the Monadnock Conservancy), as well as in other states. These lands are protected in perpetuity for the benefit of people and wildlife and are held in public trust for conservation purposes (known as the Public Trust Doctrine). *Illinois Cent. R.R. v. Illinois*, 146 U.S. 387 (1892); *Gould v. Greylock Reservation Comm.*, 350 Mass. 410 (1966); *Op. Att’y Gen.*, June 6, 1973. NED violates the Public Trust Doctrine by crossing and converting conservation lands to an inconsistent use (which is prohibited and actionable by the citizens) and which erodes the public’s confidence in government, conservation permanence, and the benefits of environmental protection and conservation for everyone. Furthermore, many (if not all) of these conservation lands being crossed are supported by federal funds/grants, federal tax dollars (including ongoing IRS charitable tax deductions), charitable donations, state funds/grants, and state tax dollars (including ongoing state charitable tax deductions). The use of government tax dollars, grants, and IRS/DOR charitable tax deduction benefits require that the conservation of land associated with these financial incentives continue as conservation land in perpetuity, many of these requirements are codified in federal, IRS, and state regulations. See *IRS Regulations*, 26 CFR § 1.170(A)-14. Similarly, under the Charitable Trust Doctrine, gifts or partial gifts of land or interests in land for conservation purposes can be enforced by the intended beneficiaries, including the general public, and cannot be undone by a vote or act of the Legislature. *Opinion of the Justices*, 368 Mass. 979 (1975). The environmental destruction promised by the pipeline violates that conservation protection and voids the purpose of any government funding/grants and IRS tax deductions awarded creating a need to reimburse or refund the government grant programs and IRS for the loss of the conservation benefits they originally underwrote. **FERC should explain how it intends to reimburse or compensate donors, taxpayers, land trusts, charities, government agencies, and the IRS for lost conservation benefits (and those which were paid for), lost conservation funding, and lost conservation tax deduction incentives, credits, and lost tax revenue due to the destruction promised by pipeline and breach of the**

**Public Trust and Charitable Trust Doctrines.** Even more damaging for our state's future and environmental health, breach of the Public Trust and Charitable Trust Doctrines completely erodes public confidence in government and faith in any future conservation initiatives. Such damage to public confidence and trust in government cannot be cured by any compensation or mitigation offered by KM or any entity for that matter. As some know, our farm was formerly owned by Jane Fiske who was a major force behind saving Gap Mountain with other Fitzwilliam and Troy residents and she donated a substantial part of our land to the Forest Society's Gap Mountain Reservation which we abut. Like her, we would like to contribute additional conservation land to the Forest Society's Gap Mountain Reservation, the Monadnock Conservancy, or the Town to preserve this property's historical and environmental significance, but sadly that effort is in jeopardy with the level of destruction promising to impact and devalue our area as well as the undoing of existing conservation protections contemplated by NED. **As a result, if not stopped the pipeline should be rerouted and located in, on, under, or along existing hardscape and previously disturbed hardscape infrastructure (such as Route 12, other major highways such as the I-90/MA Turnpike alternative, or within or along other existing pipeline corridors), and NOT in undisturbed virgin wetlands/forested areas adjacent to above-ground electric power lines.**

B. Breach of Due Process, Lack of Fairness in FERC Scoping Hearings, Segmentation, and Failure to Include Reasonably Foreseeable Pipelines Required by NEPA: As several state and federal legislators have repeatedly urged FERC, the current scoping period should be suspended in order for citizens and municipalities to evaluate the new information recently provided by KM and to provide meaningful feedback. The 79 volumes of their recent report have 6,571 pages of maps, tables and technical drawings, and contain significant gaps in information like a Horizontal Directional Drill Plan that consists of four pages containing one sentence, and over 10,000 instances of meaningless "TBD" in tables that should be completed with valid information. At the state and local government levels, such omissions would be a direct and unilateral basis for denial, even at a pre-filing stage. The same standard should apply here. Also absent is any information about the cumulative impact and overlap between the NED, KM's CT Expansion, other laterals currently being considered in NH and MA, and future compressor stations that would be reasonably required for new service areas and laterals contemplated as a result of NED. All reasonably related and anticipated projects as a predictable result of NED should be combined into one NEPA filing to avoid the growing evidence of segmentation as the Court said in *Delaware Riverkeeper v. FERC* and for the purpose of enabling citizens and governments to understand the full scope of NED, its overall environmental impact, and to understand other reasonably foreseeable and anticipated consequences for our region. 44 ELR 20126, No. 13-1015 (2014). **This is especially true where new gas purchasing contracts designed to justify NED are currently being advanced with NH and MA PUC's for new service areas in our region (such as Liberty Utilities and Berkshire Gas are currently doing). It is therefore reasonably foreseeable in the not too distant future that new laterals and new compression stations will be directly connected to NED, which would not exist without NED approval, and new environmental destruction will be required as a result of NED, such as in Troy, NH, Jaffrey, NH, Marlborough, NH, Swanzey, NH, and Keene, NH, to name just a few.**

As the Court held in *Riverkeeper*, FERC "fail[ed] to assess the additive effect of the Project together with the effects of existing or reasonably foreseeable gas development activities in the Project area, including . . . compressor stations, and other infrastructure. . . [and was] inadequate in considering the combined environmental impacts of related existing and reasonably foreseeable pipelines within the Commission's Jurisdiction [emphasis added]." As the Court instructed, NEPA is "in large measure, an attempt by Congress to instill in the environmental decision making process a more comprehensive approach so that long term and cumulative effects of small and unrelated decisions could be recognized, evaluated and either avoided, mitigated, or accepted as the price to be paid for the major federal action under consideration. *NRDC v. Callaway*, 524 F.2d 79, 88 (2d Cir. 1975)." Thus, an agency like FERC when reviewing NED must consider all "connected actions," "cumulative actions," and "similar actions." 40 C.F.R. § 1508.25(a). Cumulative actions are defined as "the impact on the environment which results from the incremental impact of the ac-

tion when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.” 40 C.F.R. §1508.7. The Court explained that “a meaningful cumulative impact analysis must identify (1) the area in which the effects of the proposed project will be felt; (2) the impacts that are expected in that area from the proposed project; (3) other actions – past, present, and proposed, and reasonably foreseeable – that have had or are expected to have impacts to the same area; (4) the impacts or expected impacts from these other actions; and (5) the overall impact that can be expected if the individual impacts are allowed to accumulate [emphasis added].” *Grand Canyon Trust v. FAA*, 290 F.3d 339, 345 (D.C. Cir. 2002).

As a result, and as other commenters have opined, FERC’s draft EIS fails to consider the reasonably foreseeable cumulative impacts of NED for our region and environment based on existing evidence supporting reasonably predictable laterals, compression stations, and environmental destruction directly connected to and as a direct result of NED. The absence of such information violates NEPA and deprives our region of, among many other things, a meaningful understanding of the full price to be paid for this major federal action being considered.

To comply with NEPA, as the Court held in *Grand Canyon*, the EIS should be revised to include “other actions – past, present, and proposed, and reasonably foreseeable – that have had or are expected to have impacts the same area; the impacts or expected impacts from these other actions; and the overall impact that can be expected if the individual impacts are allowed to accumulate.”

C. Wetlands and Drinking Water Aquifer: NED impacts a major wetland resource area and drinking water aquifer supply source located along the western and southern sides of my land abutting the electric power line corridor and which is associated with the Bowkerville Pond watershed and related aquifers. These wetland resource areas and aquifers should be avoided by the pipeline due to potential contamination and damage to underground aquifers and water flow due to pipeline construction and inevitable gas leaks. **To preserve wetland resource areas, values, functions and drinking water aquifers, if not stopped the pipeline should be rerouted and located in, on, under, or along existing hardscape and previously disturbed hardscape infrastructure (such as Route 12 and other major highways such as the I-90/MA Turnpike alternative, or within or along other existing pipeline corridors), and NOT in undisturbed virgin wetlands/forested areas adjacent to above-ground power lines.**

D. Substation Public Safety Hazard: NED directly abuts and passes within a few feet of the PSNH high voltage substation in Fitzwilliam. PSNH has acknowledged at recent Selectmen meetings that the substation has recently suffered structural failures and other failures of the high voltage transformer units. Such failures in close proximity to the pipeline would result in catastrophic destruction for our neighborhood and Town. Further, should a compromise in the pipeline integrity occur due to locating it near high voltage power lines and a high voltage substation (as is known to happen due to the electromagnetic fields generated), its location just a few feet from the substation would be equally as catastrophic. **Locating a volatile high pressure gas pipeline so close to a high voltage substation is a recipe for disaster. As a result, and to protect public safety, if not stopped the pipeline should avoid the substation area and should be rerouted and located in, on, under, or along existing hardscape and previously disturbed hardscape infrastructure (such as Route 12 and other major highways such as the I-90/MA Turnpike alternative, or within or along other existing gas pipeline corridors).**

E. Health Concerns: As recently cited in the Greenfield Recorder and other news media, KM has a long record of health and safety violations, felony convictions for deaths due to gas line negligence, gas pipeline leaks, and has demonstrated a knowing disregard for local health, safety, and environmental regulations that caused unreasonable risk to the public and the contamination of drinking water resources and private wells. This is unacceptable and should unilaterally serve to disqualify KM from filing any FERC or local applications. As we know, all residences in the Gap Mountain area use private drinking wells from underground aquifers or shallow wells and it is known in the industry that locating gas lines along or near high voltage

transmission lines (not to mention near a high voltage substation) and the electromagnetic fields they generate cause accelerated corrosion of the gas line coating resulting in gas leaks contaminating the ground water, among other health and environmental harms. Our drinking water also serves agricultural purposes and supports our livestock business. By allowing the gas pipeline in this location and by this company we are inviting trouble, health problems, and economic loss. **As a result and to protect public safety, if not stopped the pipeline should avoid the PSNH substation area and should be rerouted and located in, on, under, or along existing hardscape and previously disturbed hardscape infrastructure (such as Route 12 and other major highways such as the I-90/MA Turnpike alternative, or within or along other existing pipeline corridors).**

F. Increased Noise Concerns: As you know, the pipeline apparently cannot be located in the cleared area of the existing electric utility power line corridor due to the electromagnetic fields generated, although for some strange reason, the pipeline crosses through the cleared utility corridor at various points. This is an unacceptable risk to public safety and should be rejected. In addition, a new 150+ foot wide swath of cleared corridor next to the existing power line corridor must occur in which to install the gas pipeline. This extensive loss of trees along the current power line corridor would be devastating for my property aesthetically, environmentally, and would compromise the stability of the steep slope of my western boundary creating a future environmental and safety hazard. Further, this new cleared corridor would remove a substantial sound buffer currently serving to reduce noise from the PSNH substation and Route 12 traffic thus depriving us of the quiet use and enjoyment of our neighborhood and exacerbating harm to our neighborhood. **As a result, if not stopped the pipeline should be rerouted and located in, on, under, or along existing hardscape and previously disturbed hardscape infrastructure (such as Route 12 and other major highways such as the I-90/MA Turnpike alternative, or within or along other existing pipeline corridors).**

G. Wildlife Habitat: Above ground utility line corridors and the abutting forests are commonly occupied by various wildlife as important habitat. Clearing a new 150+ foot swath of land adjacent to the power lines would unnecessarily destroy this habitat occupied by numerous wildlife species, some endangered such as the Smooth Green Snake, which may also occur on my property. **As a result, if not stopped the pipeline should be rerouted and located in, on, under, or along existing hardscape and previously disturbed hardscape infrastructure (such as Route 12 and other major highways such as the I-90/MA Turnpike alternative, or within or along other existing pipeline corridors).**

H. Alteration of Landscape and Waterflow Patterns/Flooding Concerns: Installing the pipeline on the western boundary of my property as proposed will jeopardize the stability of steep slopes leading to a risk of land and rock slides and will change waterflow patterns associated with drainage leading to a risk of flooding and water contamination. All are factors that will jeopardize the safety and integrity of the pipeline leading to public health and safety risks and contamination of groundwater supplies. The extensive blasting required for installation will also destabilize and jeopardize this area. **As a result, if not stopped the pipeline should be rerouted and located in, on, under, or along existing hardscape and previously disturbed hardscape infrastructure (such as Route 12 and other major highways such as the I-90/MA Turnpike alternative, or within or along other existing pipeline corridors).**

I. Undue Overburdening: The Gap Mountain area where we live, once touted as a beautiful asset and important natural resource in Fitzwilliam and Troy for tourism, recreation, and hunting, is currently being degraded by the energy utilities. We already host a noncompliant high voltage substation damaging our neighborhood and PSNH is currently seeking to expand its power lines causing even more tree loss, environmental damage, and wetland alteration. We have made strides working with the Selectmen and Planning Board to help improve these issues. But now add the gas pipeline, and you have a perfect storm of environmental destruction and detriment to our neighborhood. Fitzwilliam and the Gap Mountain area is being overtaxed by the utilities and should not have to singularly bear the environmental damage, lost tourism, lost economic and agricultural opportunities, depreciated property values, and public safety risks caused by the combina-

tion of a volatile noncompliant substation, power line expansions, and a new KM gas line all in the same neighborhood. Further, it seems unfortunately predictable that either PSNH (or KM) will eventually seek to occupy adjacent land for additional structures, transformers, gas compressors, utilities, etc. further destroying our natural resources, threatening public health, and degrading our neighborhood and the Gap Mountain area. **As a result, if not stopped the pipeline should be rerouted and located in, on, under, or along existing hardscape and previously disturbed hardscape infrastructure (such as Route 12 and other major highways such as the I-90/MA Turnpike alternative, or within or along other existing pipeline corridors).**

J. Destruction of Upper Gap Mountain Road and Cobligh Hill Road: Installation of the pipeline will likely involve the use of narrow dead-end dirt roads and cart paths that provide access to and surround my property and in which I currently hold a possessory fee interest. These narrow dirt roads/cart paths are not suitable for heavy construction equipment and Cobligh Hill Road (which circumnavigates my property) is an abandoned path not passible by any vehicles or equipment. Use or alteration of these dirt roads for any access or travel relating to the pipeline construction would constitute an overburdening of any public or other easement right to pass that may exist, if any. As a fee owner of these dirt roads, I will be negatively impacted by any increased use associated with the pipeline construction and will require appropriate compensation, restoration, and mitigation if eminent domain or other proceedings require their use or occupancy. As a result, if not stopped the pipeline should be rerouted and located in, on, under, or along existing hardscape and previously disturbed hardscape infrastructure (such as Route 12 and other major highways such as the I-90/MA Turnpike alternative, or within or along other existing pipeline corridors).

K. Eminent Domain Taking is Wrong for Private Business Purpose: Currently, NH law prohibits the taking of land by government for private gain and for power transmission lines. The forced taking of a portion of my land for this project violates NH law and, even if permitted, is wrong without adequate compensation for the total financial losses suffered, including but not limited to, financial harm due to loss of resale value, loss of mortgage and refinance eligibility, loss of homeowner's insurance, loss of agricultural and subdivision opportunities, and lost quality of life and enjoyment. None of these very real and quantifiable losses are accounted for in the compensation guidelines provided by federal eminent domain. As a result, and as was proposed in part by the NH legislature, KM should be obligated to compensate me equal to the purchase of the entirety of my farm and homestead property connected with the pipeline portion at a fair market value based on comparable sales data determined by an independent appraiser. **Otherwise, if not stopped the pipeline should be rerouted and located in, on, under, or along existing hardscape and previously disturbed hardscape infrastructure (such as Route 12 and other major highways such as the I-90/MA Turnpike alternative, or within or along other existing pipeline corridors).**

L. More Investigation of Nonimpact Alternatives, Highway/Existing Pipeline Colocation Alternatives, and Renewable Energy Alternatives must be done: In the interests of due process, fairness, and the efficient use of government resources and tax payer dollars, KM (its subsidiaries and agents) should be enjoined from submitting additional applications to FERC (and to any local public utility agencies) and FERC (and any local public utility agencies) should be enjoined from receiving and reviewing any further applications relating to NED until such time as a comprehensive review of the region's energy need is completed and compared against: (1) newly authorized energy and gas delivery projects, (2) new enhancement, maintenance, conservation, recovery, or expansion of existing projects and facilities available to provide gas/energy to serve the region, and (3) new renewable energy resources available to supplement energy needs. We are glad the Massachusetts Attorney General is currently undertaking such studies to inform the region's energy growth needs and balanced with government's critical climate change goals. Many have suggested the proposed Spectra Energy and Portland Natural Gas Transmission System pipelines as better alternatives to NED because: (1) they would utilize existing pipeline rights of way without destroying hundreds of miles of virgin forests and wetlands, (2) avoid the thousands of eminent domain takings NED would require, (3) supply more than enough gas for the Region's projected energy needs, and (4) it is anticipated they will be they

will be operational during a similar time frame as NED. It would be a more efficient use of taxpayer dollars and better for our environment and economy if FERC required additional analysis of these and all other potential alternatives, including the no-build option, and further explain the reasons why none are preferable to the public interest and environment compared to NED.

Furthermore, KM has failed to compare the impacts of the NH preferred route to the MA Turnpike (I-90) alternative and also failed to assess the impact of constructing and maintaining a pipeline and right of way on virgin forested lands as compared to on previously disturbed or hardscape lands. In most circumstances, a pipeline crossing conservation land, forests, wetlands, or rivers in a virgin or undisturbed land would have a greater negative impact on the ecosystem than would the same crossing in already disturbed hardscape lands. As a result, KM should be directed to utilize existing hardscape and previously disturbed lands and to avoid forested undisturbed lands.

M. Gas Capacity for the Pipeline Dramatically Exceeds Local Need and is not in the Public Interest: Research indicates any alleged need for additional gas in New England is very small (merely 25% or less) and much less for NH's alleged need (nearly 6% or less), as compared to the total gas capacity of the NED pipeline. As a result, at least 75% or even more of the gas travelling through NH can be expected for export to foreign countries and markets, and not for use in NH or even New England. Yet NH landowners and municipalities suffer a disproportionate majority of the costs, environmental damage, loss of property values, public health and safety risk, loss of tourism, loss of quality of life, loss of agriculture, and long term burden due to the NED pipeline and its reasonably anticipated future infrastructure expansion. Hence, NH unnecessarily assumes all of the permanent risks and environmental damage for its section, but gains little to none of the benefits and none of the profits in this lopsided arrangement. Whose self-serving idea was this? As an agency that purports to issue permits in the public interest, FERC should be offended by this prospect and reject it immediately. Ironically, it is anticipated that export of gas to the exclusive profit of KM will increase the cost of gas generally and thus harm all US citizens. Last, it has been well supported that the alleged need for additional gas in NH and New England can be readily obtained without the need for a new pipeline and its associated damage, costs and risks to the Monadnock region. Alternative sources of energy include, but are not limited to, adopting energy conservation measures currently being considered by all New England states, improved maintenance of existing gas pipelines currently serving the area, upgrading existing pipelines already in service in MA and NH, increasing capacity of currently planned and FERC approved pipelines currently serving all of New England. Any and all of these options would be abundantly preferable to permanently destroying over 450 new miles and thousands of acres of virgin forest, woodlands, and wetlands, and committing thousands of wrongful eminent domain takings for us to achieve the same ends. Furthermore, in today's era of confronting and mitigating climate change, the prospect of a new gas line in virgin land and forests should be the least desirable option, an absolute last resort, and to be considered only when all other alternative options and measures are completely exhausted. Yet in the case of NED, it seems to be a first and worst option for NH, although many other viable options exist that are less costly and less damaging to NH, its citizens, its landscape, and its resources. NH governments, officials, and representatives should refuse this option because it will work to negatively impact the entire state and instead act to protect the interests of its citizens and environment. Last, supplying the region with more gas through NED will likely not lower gas prices or energy costs which is the carrot KM and FERC seem to be leading us by. In addition to destroying our natural resources and quality of life, Ann Berwick (the former NESCOE President) recently opined on August 17, 2015 in a Boston Globe article that adding more gas capacity to the region will not necessarily lower energy prices. This was illustrated in PA, home of the largest supply of natural gas in the Eastern U.S., when gas prices spiked in the winter of 2014. If they are not immune to gas price volatility, it's hard to believe we would ever be after NED. Let's think smarter about energy delivery and energy efficiency before we decide to destroy more of our irreplaceable natural resources, reduce existing conservation lands set aside for people and wildlife, and take more private land for private business gain.

#### N. Conclusion

For these reasons, among many others (such as the pipeline cost/benefit analysis denouncing pipelines released by the Maine PUC on July 14, 2015 – one of KM’s former potential but now lost customers), the Town and NH Government should take whatever action is appropriate to prohibit NED or require that it is rerouted to existing hardscape, previously disturbed hardscape infrastructure (such as Route 12 and other major highways such as the I-90 MA Turnpike alternative), or located along existing disturbed pipeline corridors.

Thank you.

**20150825-0007**

*{appears to be duplicalte of 20150820-5169, above}*

**20150825-0011**

**State of New Hamsphire**  
**HOUSE OF REPRESENTATIVES**  
CONCORD

PO Box G  
Keene, NH 03431

August 17, 2015

Norman Bay, Chairman  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

Re: Tennessee Gas Pipeline proposed Northeast Energy Direct Project  
Docket N. PF14-22-000

Dear Chairman Bay:

In my previous correspondence of April 2, 2015 and May 15, 2015, I pointed out the inadvisability of holding scoping hearings before the many “TBDs” that Tennessee Gas Pipeline (TGP) has incorporated in its filings have been addressed.

Unfortunately, TGP’s failure to correct the many deficiencies in its filings hasn’ seemingly resulted in any delays in its schedule. Their efforts to “run out the clock” appear undeterred.

“TBD’s” are, when used on the scale that TGP does, simply a means of avoiding public comments. In addition, they foster a sloppy approach and ensuing errors.

An incident in the Town of Richmond illustrates the problem. Recently the town discovered, through a chance encounter and conversation with a TGP employee, that a change was made in the previously understood plans. The pipeline’s path was originally understood to include uninhabited, heavily posted logging land. This has evidently changed, allegedly based on lobbying by its owners, and is no longer in the pipeline’s path. Instead, the pipeline’s new path will cross an important recreation area, sensitive wetlands, vernal pools, brooks, historic Bennett Gorge and go above and below ground springs that feed wells and streams. The new path along the eastern side of Scott Mountain also appears to threaten the protected Quint Preserve and possibly Yale University’s Goss Woods. I have also been told that the new path will severely damage and encroach on a number of homes.

This new path’s environmental impact is, by any standard, far greater than the original path. That the town discovered the change is purely serendipitous. I am advised that there was no notice of any change. Given the length of the pipeline and the haphazard way TGP does its required filings, it seems likely that this is not an isolated case.

I continue to believe that scoping hearings are premature and cannot contribute to a reasonable conclusion

without the cooperation of TGP, something we haven't seen in its filings.

TGP's failure to provide anything other than a moving target to those seeking to comment on its filings is consistent with its approach to FERC's requirements and its lack of concern for the environment, communities and property owners in the pipeline's proposed path.

Short of denying the project outright, clearly my preference, I believe the deadline for scoping hearing comments should be extended until at least December 31st.

Sincerely,

James W. McConnell  
State Representative  
Cheshire 12

CF: Governor Margaret Hassan  
US Senator Jeanne Shaheen  
US Senator Kelly Ayotte  
US Representative Ann McClane Kuster

**20150825-0013**

August 10, 2015

Project docket number (PF14-22)

Robert B Meyers  
152 Hinsdale Rd  
Windsor, Ma 01270  
1-413-684-3463  
windalewoods@verizon.net

These scoping meetings need to be repeated when more information on the project is available and they need to include meetings in compressor station towns. It is clearly unfair that almost no Scoping Meetings are being conducted in the communities most impacted - those who will bear the brunt of the impacts from compressor stations, several of which could be among the largest ever built in the US.

I would like to see a study done on repairing the gas lines now in use. Why are we not taking steps to repair existing gas line leaks? The cost alone could be less than running a new larger pipeline.

In Boston alone by Boston University Professor Nathan Phillips and colleagues identified 3,356 leaks with methane concentrations exceeding up to 15 times the Global Background levels, 34 times more potent than carbon dioxide.

Natural gas emissions from oil and gas operations:

An EDF-commissioned analysis shows that about 3.5 trillion cubic feet of methane, the main component of natural gas, escaped in 2012 from oil and gas activities. Unless we curb methane pollution, emissions will increase nearly 25% by 2030.

"If we cut today's methane pollution in half globally, the effect over the next 20 years would be equivalent to shutting down 1,000 coal-fired power plants." Says Drew Nelson, manager of EDF's natural gas program. "This is a low-cost opportunity climate negotiators can't afford to miss."

Wyoming is one of America's top natural gas producers. Regulators approved a rule in May that will reduce air pollution in western Wyoming that's a center of energy production. The new pollution controls apply to both new and old equipment. We need to start in Massachusetts to fix all the gas leaks. It would be a great savings on gas and less pollution, a no brainer.

Robert B Meyers

CC:

Governor Baker

Congressman Richie Neal  
Senator Elizabeth Warren  
Senator Ed Markey  
Congressman Jim McGovern

*{3 pages of graphics omitted }*

CONCLUSION *{last page of article}*

Natural gas use for the generation of electricity has seen an unprecedented rise over the last few years, and this trend appears likely to continue. As the New England electric grid becomes more reliant on natural gas, reducing the losses on the distribution system should play an important role in enhancing reliability of the electric system and avoiding unnecessary expansion of natural gas infrastructure. Scientific and industry studies have confirmed that the current level of fugitive emissions from the natural gas industry is high, but difficult to quantify accurately. Although Massachusetts has no direct control over natural gas production, processing, or transmission, it may regulate the distribution of natural gas in a variety of ways. Indeed, meeting the Commonwealth's mandate to reduce greenhouse gas emissions by 25% below 1990 levels by 2020 and 80% below 1990 levels by 2050 requires the Commonwealth to address this substantial source. In addition, reducing fugitive emissions from the distribution system will provide direct benefits to ratepayers through the reduction of costs for LAUE. The policy options that could provide the most immediate benefits include establishing leak classifications and repair timelines and expanding TIRF programs to include enhanced reporting and measurement of the impacts on greenhouse gas emissions and LAUF reductions. However, ensuring that these programs are successful requires more accurate measurement and evaluation of the sources of these fugitive emissions, and Massachusetts should press industry and the federal government to direct resources to address this issue in a transparent and expeditious manner. Every day, thousands of methane leaks are actively releasing one of the most potent greenhouse gas emissions into the air in Massachusetts. Under our current regulations, we do not have an accurate accounting of these emissions, ratepayers cannot easily determine how much of their bill is going towards LAUF, and companies have no incentive to repair leaks unless they pose an immediate hazard. Massachusetts can and should take swift, direct action to change this state of affairs and bring fugitive emissions from distribution pipelines under control.

**20150825-0014**

August 15, 2015

Norman C. Bay, Chairman  
Federal Energy Regulatory Commission  
888 First Street NE  
Washington, DC 20426

RE: Docket No. PF14-22-000

Dear Chairman Bay:

I respectfully request that the Federal Energy Regulatory Commission reject Tennessee Gas Pipeline Company's proposed Northeast Energy Direct (NED) Project. I have this request upon the following:

1. The pipeline and compressor station are located too close to Our Lady of Hope, our religious facility. This high-pressure, high-capacity station will bring significant human safety risks to our Sisters living there.
2. The pipeline and compressor station are located too close to a farm containing Newfoundland ponies, an endangered animal. There are only 250 left on earth.
3. The pipeline and compressor station are located too close an annual migration path of thousands of raptors. The high-pressure, high-capacity station's exhaust plumes of heated gases will bring significant safety risks to these birds.
4. The pipeline and compressor station are located too close to a school whose heating system uses outside

air to heat the facility. This high-pressure, high-capacity station will bring significant human safety risks to our teachers and children attending the school.

5. The pipeline and compressor station are located too close to our water supplies, parks, and conserved land and will bring significant environmental hazards .
6. FERC has already approved another pipeline to satisfy New England's natural gas-fired electric generation needs on the coldest days. We don't appreciate the need-to add more supply.
7. The particular gas that would be carried in the proposed pipeline is likely to be particularly high in toxins and radiation, and the health impact upon our families, animals and plants must be avoided.
8. The proposed pipeline route requires a new right-of-way that would cut through many miles of environmentally sensitive areas and take permanently protected land out of that protection.
9. Some "fracking" compounds and chemicals negatively impact the skin, eyes, sensory organs, the respiratory system, the gastrointestinal system, the liver; the nervous system; and are candidate endocrine disrupting chemicals. Endocrine disrupting chemicals (EDCs) present unique hazards, particularly during fetal and early childhood growth and development. We do not want to be exposed to any of these chemicals.

Respectfully submitted,  
Robert A. Lepine  
188 Mansfield Road  
Temple, NH 03084

**20150825-0015**

*{copy of letter 20150825-0014 above, signed by: }*

Theresa Conplant  
102 Cheney Ave  
Peterborough, NH 04358

**20150825-0016**

*{copy of letter 20150825-0014 above, signed by: }*

Joan ?  
Temple, NH

**20150825-0017**

*{copy of letter 20150825-0014 above, signed by: }*

Rhonda J. Montgomery  
918 Bridge St  
Pelham, NH 03076

**20150825-0018**

*{copy of letter 20150825-0014 above, signed by: }*

Deb Sutphen  
918 Bridge St  
Pelham, NH 03076

**20150825-0019**

*{copy of letter 20150825-0014 above, signed by: }*

Linda ?

Bennington, NH

**20150825-0020**

*{copy of letter 20150825-0014 above, signed by: }*

Karen Wirien?  
34 ? Road  
Dublin, NH 03444

**20150825-0021**

*{copy of letter 20150825-0014 above, signed by: }*

Mark Getty  
7 Lemere Drive  
Pelham, NH 03076

**20150825-0022**

*{copy of letter 20150825-0014 above, signed by: }*

Thomas A Hurley  
PO Box 128  
Francestown, NH 03043

**20150825-0023**

*{copy of letter 20150825-0014 above, signed by: }*

Siobhan Hurley  
410 East Rd  
Francestown, NH 03043

**20150825-0024**

*{copy of letter 20150825-0014 above, signed by: }*

Michael J & Patricia Kavenaugh  
22 Swamp Rd  
Greenfield, NH

**20150825-0025**

*{copy of letter 20150825-0014 above, signed by: }*

Francesco Carrara  
21 East Ridge Dr  
Peterborough, NH 03458

**20150825-0033**

**Office of the Assistant Town Manager Dracut Town Hall**

62 Arlington Street  
Dracut, MA 01826  
Telephone (978) 453-4557  
Fax (978) 452-7924

August 20, 2015

Kimberly D. Bose, Secretary

Federal Energy Regulatory Commission 888 First Street NE, Room 1A Washington, DC 20426

Project docket number PF14-22-000

Dear Commissioners,

There have been many articulate assertions for both postponing the deadline for comments and for stopping the pipeline due to the lack of need. I do not claim to have sufficient knowledge to decide either of those issues. It is the intent of this letter to share comments for your consideration in regards to the suitability of the currently proposed pipeline route followed by a couple of design comments if the pipeline is ultimately constructed.

Enclosed are five maps of Dracut, MA. Three of these maps were provided by our regional planning agency and one map was prepared by Dracut's Engineering Department. There is no claim that the maps are one-hundred percent correct, but they represent a sincere effort by professionals to provide up-to-date and accurate information concerning Dracut.

Our regional planning agency maps contain information in relation to the proposed pipeline route on known wetlands, BioMap2 Core Habitat, HESP endangered species habitat, public water supplies, private wells, aquifers, Child or Residential Care Facility, Historic Commission Register Sites, and Potential Impact Radius (PIR) Unofficial Estimates in Dracut. In your review of the maps please note the number of homes located within close proximity of the proposed route as well as the number of approved and or houses in the permit approval process.

The Engineering Department's map depicts the proposed or approved subdivisions within one-half mile of the proposed pipeline route and also the pipeline route in relation to vernal pools. On this map, please take special note of the estimated proximity of many certified vernal pools to the proposed pipeline route. Dracut takes the protection of vernal pools seriously. I have been informed that Dracut has the second most certified vernal pools of any community in Massachusetts. A number of years ago, the Town of Dracut adopted its own wetland bylaw that extended protection to vernal pools to a greater extent than the State of Massachusetts' laws and regulations. Please take Dracut's efforts into consideration when approving the pipeline route.

Also on the Engineering/vernal pool map, note the number and position of permitted or in process subdivisions are located along the proposed pipeline route. In my position as Dracut's Town Planner, I can verify that among the approved/in process subdivisions on the other Dracut Engineering Department map:

Broadway Village	278
Berube Farms	34
Wheeler Village	73
Green Acres	7
Freedom Court & Liberty Lane	11
Total approved or in-process units	403

Given the cumulative information contained in these five maps it is asked whether FERC should require that the proposed pipeline route be changed.

If the pipeline is ultimately built and/or where it is built is modified then please take into consideration my additional following comments:

- For public safety purposes shut-off valves should be required to be located as closely to one another as feasible; especially when in close proximity to where people live, work, and play.
- For public safety, shut-off valves of the latest pr-m-en technology should be installed and able to be remotely closed to avoid delays in case of a leak or explosion.
- Personnel should be on duty 24/7 at locations where the remote dosing of valves is to be administered.
- The improper/illegal use of all-terrain-vehicles (ATV's) is a challenge to our police department. Utility corridors are one of the favorite trails used by ATV operators when perpetrating this improper/illegal acts. It is important that impediments on these utility corridors be installed and maintained in order to deter these acts.

- Compressor and Meter Stations must be located to protect the safety and quality of life (noise, light, fumes, etc.) for residents.

Thank you for your anticipated attention to and consideration of the above comments.

Respectfully submitted,

Glen Edwards

Dracut Assistant Town Manager/Town Planner

*{5 pages of maps, not included here}*

**20150825-0056**

*{appears to be duplicated of 20150819-5005}*

**20150825-0057**

August 17, 2015

Federal Energy Regulatory Commission

888 First Street, NE, Room 1A

Washington, DC 20426

Docket No. PFI4-22-000

The proposed pipeline would be parallel to an existing 36" line operated by Maritimes and Northeast on my property while Kinder Morgan TGP has a 10" line in the City of Methuen which they are replacing with the 20" line in most areas. There has been no explanation for not doing so in my area. This would result in the complete removal of the remaining tree line on my property and the blasting would certainly increase the safety risk to the surrounding area. The result would be a tremendous loss of property value to me and my neighbors and an increased safety risk which could be greatly reduced by simply replacing their 10" line which would require no blasting and less property damage to affected homeowners. This is obviously in addition to the fact that there has been no viable explanation of the need for this increased capacity by Kinder Morgan.

Thank you for your consideration of my concerns and for the patience exhibited at the scoping meetings while hearing the many points of view.

Respectfully submitted,

Michael Hubbard

1 Boxwood Drive

Methuen, MA 01844

**20150825-0059**

Tennessee Gas Pipeline Company, L.L.C.- Northeast Energy Direct Project- Peabody Lateral

Commonwealth of Massachusetts LL1:Peabody Lateral 212.02

County of Essex Total 1 of tracts: 1

Town of Lynnfield Map/Block/Lot: 11-0156

I/We (Grantor) do hereby **DENY** permission to Tennessee Gas Pipeline Company L.L.C., a Delaware limited liability company, (Tennessee) its successors and assigns, affiliates, employees and contractors to enter upon my/our land for the purpose of performing civil and environmental surveys and studies that include, but are not limited to, project routing, characterization of land as to property ownership, topographic features, descriptions, cultural resource, wetland delineation and archeology.

Name: DiBiase Investments, Inc.

Address: 749 Lowell Street (locus is 1 745)

Lynnfield, MA 01940

Phone 1 781-334-3725

Notes/Comments: Notifying Lynnfield Police Dept.

**20150825-0072**

August 19,2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1 A  
Washington, DC 20426  
RE: PF 14-22-000

Dear Ms. Bose:

Thank you for the opportunity to provide testimony at this Scoping session on areas of inquiry for the Northeast Energy Direct project. PF 14-22-000. I am pleased to be able to make these comments directly to you as staff of FERC.

I have been to Washington twice in the last year, in November and May, spending several days at 888 First Street each time in an attempt to inform you of the concerns that many of us in frontline communities have about your perfect record of approving natural gas projects.

These projects have devastating impacts on individuals, households, communities, and the environment, and many are not needed. Gas from fracked wells contain a number of toxic and radioactive contaminants for which human health studies have not been reliably undertaken. Worse, they inhibit the development of energy projects that we do need to move our country forward and to give us the option of preventing devastating climate change.

The job you and the EPA have in vetting the volumes of the Environmental assessment is monumental. Indeed, it is monumental for us citizens also. Yet, when any specific &-ea of the Resource Reports is analyzed, it can be seen that there is significant repetition and vagueness. making the ability to assess impact quite challenging.

I started my professional life as a planner preparing the socio-economic impact sections of some of the first environmental impact assessments in the early 1970's - one for a hydroelectric facility and one for a nuclear power plant. Based on my background, I am commenting on the socio-economic and land use sections, with a particular focus on the areas around the terminus in Dracut, and the Lynnfield and Peabody laterals.

**EMPLOYMENT**

In the 7/24/15 draft, employment projections are provided for the entire length of the project. A projection is then provided roughly for an average length of pipeline called a "spread" - undefined in this portion of the report - at about 400-1000 workers over a 9 months-year timeframe.

**Please add to the scope** a break down the pipeline b} "spreads" on a map so that more clear estimates of housing concerns and job and economic benefits can be defined for a region.

There is mention of the use of national contractors coming into construction areas. **Please add to the scope** information on the percent of national contractors required for the more difficult construction projects (compressor stations and timing stations) vs. for the installation of pipeline only. Please provide information on whether national expertise is sought for construction in environmentally sensitive areas. . .

The Resource Reports project three permanent jobs in the Eastern Massachusetts area as summarized below:

Middlesex County - 1 Operations Specialist' for 52 wees/year at a salary of \$61,000

Middlesex County - 1 Damage Prevention Specialist for 52 weeks/year at a salary of \$61 ,000

Middlesex County - I Measurement Specialist for 52 weeks/year at a salary of \$83,000

This job creation potential is hardly worth noting as an incentive for undertaking the installation of gas pipe-

lines. There are also public safety concerns from this level of staffing as noted in the next section.

## RESPONSE TO EMERGENCY HEALTH SITUATIONS

Are the positions listed above adequate to respond to an emergency leak - particularly one that has ignited? **Please add to the scope** a more thorough analysis of the specific job responsibilities of these positions as they relate to notification of public safety emergencies. Also, **please add to the scope** the inclusion of a map that indicates the locations of shut-off valves.

There have been articles about so-called “man camps” in fracking areas and their impact on communities and public safety. **Please add to the scope** the likely locations of any relatively dense settlement in campgrounds or trailer parks that could create a temporary ‘public safety situation and demand a response from local public safety personnel.

Under Title 49 Code of Federal Regulations (“CFR”) Part 192, Section 192.615 of the U.S. Department of Transportation {“US DOT”) regulations, each pipeline operator must establish an Emergency Plan that provides written procedures to minimize the hazards from a gas’ pipeline emergency. Key elements of this Plan include procedures for:

- Receiving, identifying, and classifying emergency events--gas leaks, fires, explosions, and natural disasters; ..
- Establishing and maintaining communications with local fire, police, and public officials, and coordinating emergency response;
- Making personnel, equipment, tools, and materials available at the scene of an emergency;
- Protecting people first and then property from actual or potential hazards; and
- Emergency shutdown of system and the safe restoration of service. For emergencies during construction and operation, Tennessee and its contractors will employ 911 services for immediate response. Emergency responders will identify the nearest and appropriate area hospital for treatment based on distance and injury.

It appears from the Resource Reports that Tennessee will prepare an emergency plan. I did not see any significant description of training for local personnel in emergency events. The last item of the required procedures indicates Tennessee will “employ 911 services”. **Please add to the scope** any information about the type and extensive nature of training to local public safety officials, the location of shut-off valves, and the responsibility for turning off the gas in an emergency for all hours of the day.

**Please add to the scope** a discussion about the type of damages from emergency events, but also from routine operation, that can damage the property, value, and health of local residents, and describe how the injured party from each type of occurrence will be fully compensated. Such events might include the health and property value impacts of 24/7 lighting and noise of the operation of compressor stations, the loss of value of property due to the presence of the compressor station and the threat it poses, as well as the clear loss from a disaster situation.

## PROPERTY VALUES AND INSURANCE

The Resource Reports referenced several studies that purported to find that there was no impact on land and property values by proximity to gas pipelines and infrastructure. It indicated that if an easement were to be needed, property owners would be compensated. Specifically, the Resource Reports summarized, “No major impact on insurance rates, property sales, demand for properties, or development of surrounding properties is expected. Therefore, the Project will not cause any direct or indirect impacts that will contribute to a cumulative impact on property values.”

The Resource Reports went on to indicate that if property values were to decline in the absence of an easement needed, owners could seek an abatement from their taxes for the reduced value. The granting of an abatement is not assured. Further, this does not compensate for the loss of asset value. **Please add to the scope** newer, and most importantly independent, studies on the question of decline in property value, and provide information on a clear path that property owners can pursue seeking redress from Tennessee for the

reduced value.

**Please add to the scope** how insurance rates would be affected by the presence of and proximity to compressor stations specifically. Anecdotes indicate that there are serious issues with property values and insurability with proximity to compressor stations, **Please add to the scope** also what redress property owners could have if they are unable to insure their property.

Environmental justice is covered by the inclusion of general county data. **Please add to the scope** the environmental justice characteristics within the areas surrounding compressor stations.

#### **ARTICLE 97 LANDS**

“Based on MassGIS data and a title search, Tennessee identified 56 parcels in the proposed Project area that are identified as protected under Article 97 (Table 8.3.5). Tennessee is still in the process of determining title and compiling a complete list of Article 97 lands. If needed, revised information will be submitted in the final ER.” **Please add to the scope** all parcels of Article 97 land along the proposed route of the pipeline so communities and the state can consider their options for continued protection of this land.

Thank you for your consideration.

Sincerely,

Carolyn Britt  
I Shagbark Woods  
Ipswich, MA 01938

#### **20150825-0076**

Hand written card, J? Maggie Bickford, 64 Temple Rd, Greenville, NH 03048, no “need”, opposing.

#### **20150825-0077**

Hand written card, John Gilbert, 306 Able Rd, Rindge, NH 03461, opposing

#### **20150825-0078**

Hand written card, Lisa Derby Oden, 6 Upper Pratt Pond Rd, New Ipswich, NH 03071, require use of state-of-the-art emissions suppression, control and scrubbing for all emissions and blow-downs.

#### **20150825-0079**

Hand written card, Jessica O’Leary, 306 Able Rd, Rindge, NH 03461, opposing

#### **20150825-0080**

Hand written card, Ann Lizotte, PO Box 421, Greenville, NH 03048, opposing.

#### **20150825-0081**

Hand written card, Tyson Gilbert, 306 Able Rd, Rindge, NH 03461, opposing

#### **20150825-0082**

Hand written card, Bella O’Leary, 306 Able Rd, Rindge, NH 03461, opposing

#### **20150825-0083**

Hand written card, Ann Lizotte, PO Box 421, Greenville, NH 03048, opposing.

#### **20150825-0084**

Hand written card, Ann Lizotte, PO Box 421, Greenville, NH 03048, opposing.

**20150825-0085**

Hand written card, Dick & Maggie Bickford, 64 Temple Rd, Greenville, NH 03048, opposing.

**20150825-0086**

Hand written card, Bailey Gilbert, 306 Able Rd, Rindge, NH 03461, opposing

**20150825-0087**

Hand written card, Ann Lizotte, PO Box 421, Greenville, NH 03048, opposing.

**20150825-0088**

Hand written card, Charlotte Gilbert, 306 Able Rd, Rindge, NH 03461, opposing

**20150825-0089**

Hand written card, Ann Lizotte, PO Box 421, Greenville, NH 03048, opposing

**20150825-0090**

Hand written card, Carol Latour, 306 Able Rd, Rindge, NH 03461, opposing

**20150825-0091**

Hand written card, Ann Lizotte, PO Box 421, Greenville, NH 03048, opposing.

**20150825-0092**

Hand written card, Ann Lizotte, PO Box 421, Greenville, NH 03048, opposing.

**20150825-0093**

Hand written card, Timothy Somero, 42 Old Tenney Rd, New Ipswich, NH 03071, re HIPPA considerations when discussing health with TGP

**20150825-0094**

Hand written card, Kathryn Walters, Old Country Rd, New Ipswich, NH 03071, frost depth issues.

**20150825-0095**

Hand written card, Karen Miller, 161 Ashburnham Rd, New Ipswich, NH 03071, require TGP to maintain access road to compressor station to keep it open for emergency vehicles in all seasons

**20150825-0096**

Hand written card, Peter K Martel, 68 S. Bennington Rd, Bennington, NH 03442, opposing

**20150825-0097**

Hand written card, Barbara Graham, 132 River Road, New Ipswich, NH 03071: need to require maximum noise abatement practices at compressor

**20150825-0098**

Hand written card, Irene Sherburda, 73 Livingston Rd, Greenville, NH 03048, close proximity of compressor station to Temple Elementary School and Greenville Reservoir is unacceptable.

**20150825-0099**

Hand written card, Conrad B. Dumas, 420 Slip Road, Greenfield, MA 03047, opposing

**20150825-0100**

Hand written card, Edward Walters, 25 Old Country Rd, New Ipswich, NH 03071, opposing

**20150825-0101**

Hand written card, Barbara Graham, 132 River Rd, New Ipswich, NH 03071, opposing

**20150825-0102**

Hand written card, Karen Miller, 161 Ashburnham Rd, New Ipswich, NH 03071, need scoping session for compressor station concerns.

**20150825-0103**

Hand written card, Karen Miller, 161 Ashburnham Rd, New Ipswich, NH 03071, opposing

**20150825-0104**

Hand written card, Tamara Kartheiser, 198 Main Street, Rindge, NH 03461, opposing

**20150825-0105**

Hand written card, Joan Nutting, 191 Cutter Rd, Temple, NH 03084, opposing.

**20150825-0106**

Hand written card, Joan Nutting, 191 Cutter Rd, Temple, NH 03084, compressor station is in documented raptor migratory path.

**20150825-0107**

Hand written card, Rhiannon Hayes, 385 Poor Farm Rd, New Ipswich, NH 03071, opposing

**20150825-0108**

Hand written card, Edward Walters, 35 Old Country Rd, New Ipswich, NH 03071, NH OEP Ten Year State Energy Strategy indicates no need for pipeline.

**20150825-0109**

Hand written card, Kathryn Walters, 35 Old Country Rd, New Ipswich, NH 03071, need to bypass aquifer.

**20150825-0110**

Hand written card, Isabel Bredin, 20 Kangas Rd, New Ipswich, NH 03071, opposing

**20150825-0111**

Hand written card, Irene Sherburda, 73 Livingston Rd, Greenville, NH 03048, local emergency services not equipped to handle pipeline emergencies

**20150825-0113**

Hand written card, Lesley Finlayson, 167 Heald Rd, Wilton, NH 03086, opposing thin pipes in rural areas.

**20150825-0114**

Hand written card, Andrew Finlayson, 167 Heald Rd, Wilton, NH 03086, concerned about compressor station emissions.

**20150825-0115**

Hand written card, Tamara Kartheiser, 198 Main Street, Rindge, NH 03461, concerned by air & noise pollution from compressor

**20150825-0116**

Hand written card, Isabel Bredin, 20 Kangas Rd, New Ipswich, NH 03071, opposing

**20150825-0117**

Hand written card, Sarah L. Fortin, 105 Wilson Rd, Mason, NH 03048, ruins wetlands, opposing

**20150825-0118**

Hand written card, Susan Duhamel, 83 Greenbriar Rd, New Ipswich, NH 03071, very concerned about water contamination

**20150825-0119**

Hand written card, Jonathan Hill, 24 Cross Rd, Richmond, MA 01254, route should return to West side of Scott Mountain.

**20150825-0120**

Hand written card, Priscilla E. Casey, PO Box 36, 157 Stowell Rd, New Ipswich, NH 03071, concerned that blasting will affect well

**20150825-0121**

Hand written card, Tamara Kartheiser, 198 Main Street, Rindge, NH 03461, require KM take fiscal responsibility for consequences; consider a fund.

**20150825-0122**

Hand written card, Andrew Finlayson, 167 Heald Rd, Wilton, NH 03086, concerned about light pollution.

**20150825-0123**

Hand written card, Susan Duhamel, 83 Greenbriar Rd, New Ipswich, NH 03071, very disturbed that you do not give a damn about us!!

**20150825-0124**

Hand written card, Lesley Finlayson, 167 Heald Rd, Wilton, NH 03086, concerned about light pollution.

**20150825-0125**

Hand written card, Julia Cormier, 42 Jacqueline Dr, New Ipswich, NH 03071, concerned about threat to endangered species.

**20150825-0126**

Hand written card, Susan Duhamel, 83 Greenbriar Rd, New Ipswich, NH 03071, opposing.

**20150825-0127**

Hand written card, Evelyn Taylor, 213 Old Wilton Rd, New Ipswich, NH 03071, concerned about “bribes” being distributed to solicit support

**20150825-0128**

Hand written card, Evelyn Taylor, 213 Old Wilton Rd, New Ipswich, NH 03071, 5-mile evacuation was needed for August 3 pipeline incident; how does Kinder Morgan plan to orchestrate this sort of reaction?

**20150825-0129**

Hand written card, Jared Cormier, Green Farm Rd, New Ipswich, NH 03071, too much wetland filling.

**20150825-0130**

Hand written card, Carolyn Cormier, Green Farm Rd, New Ipswich, NH 03071, pollution has been measured 2 to 4 miles away from compressor; very concerned

**20150825-0131**

Hand written card, Evelyn Taylor, 213 Old Wilton Rd, New Ipswich, NH 03071, concerned about undisclosed toxins - critical health care issue.

**20150825-0132**

Hand written card, Julia Cormier, 42 Jacqueline Dr, New Ipswich, NH 03071, concerned about compressor emissions.

**20150825-0133**

Hand written card, Evelyn Taylor, 213 Old Wilton Rd, New Ipswich, NH 03071, need information about pollutants & toxins for health care providers

**20150825-0134**

Hand written card, Sarah Fortin, 105 Wilson Rd, Mason, NH 03048, compressor station noise impact

**20150825-0135**

Hand written card, Andrew Finlayson, 167 Heald Rd, Wilton, NH 03086, concerned about noise pollution - could ruin quality of life.

**20150825-0136**

Hand written card, Susan Duhamel, 83 Greenbriar Rd, New Ipswich, NH 03071, concerned by air pollution from compressor.

**20150825-0137**

Hand written card, Evelyn Taylor, 213 Old Wilton Rd, New Ipswich, NH 03071, Pipeline is for GREED not NEED!

**20150825-0138**

Hand written card, Evelyn Taylor, 213 Old Wilton Rd, New Ipswich, NH 03071, pipeline rupture in Falfurrias TX required 5 mile emergency evacuation. Why not divulged by KM?

**20150825-0139**

Hand written card, Jared Cormier, Green Farm Rd, New Ipswich, NH 03071, property values have been known to drop 10 to 30% in compressor towns. Can't afford this type of loss.

**20150825-0140**

Hand written card, Tamara Kartheiser, 198 Main Street, Rindge, NH 03461, concerned about private well and surface water contamination; please require KM to test all water & wells before and after construction.

**20150825-0141**

Hand written card, Tamara Kartheiser, 198 Main Street, Rindge, NH 03461, how can KM justify pipeline when so little benefit to NH

**20150825-0142**

Hand written card, Tamara Kartheiser, 198 Main Street, Rindge, NH 03461, what assurance can we be given that blasting won't disrupt our private wells and only means of water?

**20150825-0143**

Hand written card, Celia A. Koski, 450 River Rd, New Ipswich, NH 03071, concerned about herbicides

**20150825-0144**

Hand written card, Celia A. Koski, 450 River Rd, New Ipswich, NH 03071, concerned about well and surface water contamination

**20150825-0145**

Hand written card, Joan Nutting, 191 Cutter Rd, Temple, NH 03084, opposing

**20150825-0146**

Hand written card, Celia A. Koski, 450 River Rd, New Ipswich, NH 03071, health issues including PTSD

**20150825-0147**

Hand written card, Andrew Finlayson, 167 Heald Rd, Wilton, NH 03086, concern about impact of blasting; need testing before and after.

**20150825-0148**

Hand written card, Leslie Finlayson, 167 Heald Rd, Wilton, NH 03086, very concerned about use of herbicides!

**20150825-0149**

Hand written card, Rhiannon Hayes, 385 Poor Farm Rd, New Ipswich, NH 03071, noise and chance of polluting the water supply; opposing

**20150825-0150**

Hand written card, Lisa Derby Oden, 6 Upper Pratt Pond Rd, New Ipswich, NH 03071, require study of how far vibration travels from compressor station.

**20150825-0160**

Hand written card, Irene Sherburda, 73 Livingston Rd, Greenville, NH 03048, noise & light pollution from compressor station will affect quiet rural community.

**20150825-0161**

Hand written card, Caharine Waitt, 369 Page Hill Road, New Ipswich, NH 03071, concerned about long-term effects. Who pays for testing and negative impacts?

**20150825-0162**

Hand written card, Julia Cormier, 42 Jacqueline Dr, New Ipswich, NH 03071, concerned about loss of property value

**20150825-0163**

Hand written card, Justin Cormier, 42 Jacqueline Dr, New Ipswich, NH 03071, concerned about quality of pipe used in our area.

**20150825-0164**

Hand written card, Edward Fortin, 105 Wilson Rd, Mason, NH 03048, blasting through granite disturbing wells, ground water

**20150825-0165**

Hand written card, Carolyn Cormier, Green Farm Rd, New Ipswich, NH 03071, explosions from pipelines could cause massive forest fires in NH. Perhaps Texas-based company is not aware?

*{editor's note: 1927 fire did burn 16,000 acres from Townsend, MA, into Mason & Brookline NH}*

**20150825-0166**

Hand written card, William Finlayson, 167 Heald Rd, Wilton, NH 03086, very concerned that extensive blasting required by underlying granite will damage wells & contaminate water

**20150825-0167**

Hand written card, Victor Sherburda, 73 Livingston Rd, Greenville, NH 03048, NO benefit to NH.

**20150825-0176**

Hand written card, Norma Spiker, 44 Temple Road, New Ipswich, NH 03071, opposing

**20150825-0177**

Hand written card, Isabel Bredin, 20 Kangas Road, New Ipswich, NH 03071, opposing

**20150825-0178**

Hand written card, Robert Kielp, 228 Temple Rd, New Ipswich, NH 03071: 1) well & water contamination from pipeline & compressor, 2) noise pollution, 3) air pollution

**20150825-0179**

Hand written card, Isabel Bredin, 20 Kangas Road, New Ipswich, NH 03071, opposing

**20150825-0180**

Hand written card, Victor Sherburda, 73 Livingston Rd, Greenville, NH 03048, air pollution

**20150825-0181**

Hand written card, Donald H Salafia, 84 Collins Rd New Ipswich, NH 03071, opposing

**20150825-0182**

Hand written card, Gail M. Salafia, 84 Collins Rd New Ipswich, NH 03071, opposing

**20150825-0183**

Hand written card, Priscilla E. Casey, PO Box 36, 157 Stowell Rd, New Ipswich, NH 03071, concerned about gas seepage into soil.

**20150825-0184**

Hand written card, Dick & Maggie Bickford, 64 Temple Rd, Greenville, NH 03048, opposing

**20150825-0185**

Hand written card, Timothy Somero, 42 Old Tenney Road, New Ipswich, NH 03071, 2008 ice storm blocked all communications. Pipeline needs redundant networking for all safety & control systems.

*{editor's note: in Mason, NH, area power was out for > 10 days and land-lines were out for > 3 weeks}*

**20150825-0186**

Hand written card, Ann Lizotte, PO Box 421, Greenville, NH 03048, opposing.

**20150825-0187**

Hand written card, Isabel Bredin, 20 Kangas Road, New Ipswich, NH 03071, opposing

**20150825-0188**

Hand written card, Isabel Bredin, 20 Kangas Road, New Ipswich, NH 03071, opposing

**20150825-0189**

Hand written card, J Zommick, 63 Cedar Ridge Dr, New Ipswich, NH 03071, opposing

**20150825-0190**

Hand written card, Sharon MacMillan, Cedar Ridge Dr, New Ipswich, NH 03071, opposing

**20150825-0191**

Hand written card, Kathleen Gauvin, 61 Beechwood Rd, New Ipswich, NH 03071, concerned about blasting and contamination of wells

**20150825-0192**

Hand written card, Irene Sherburda, 73 Livingston Rd, Greenville, NH 03048, very concerned about health issues related to toxic emissions from compressor or leaky pipes.

**20150825-0193**

Hand written card, Kathleen Gauvin, 61 Beechwood Rd, New Ipswich, NH 03071, concerned about public health issues

**20150825-0194**

Hand written card, Judith Baldwin, 225 Old Country Rd, New Ipswich, NH 03071, pipeline buried above frost line will buckle and break. Opposing

**20150825-0195**

Hand written card, Judith Baldwin, 225 Old Country Rd, New Ipswich, NH 03071, very concerned about Temple Elementary School and Evacuation site being 1/2 mile away from compressor station. Opposing

**20150825-0196**

Hand written card, Dorothy Ayott, 270 Page Hill Rd, New Ipswich, NH 03071, concerned with noise and light pollution. Opposing

**20150825-0197**

Hand written card, Karen Miller, 161 Ashburnham Rd, New Ipswich, NH 03071, opposing

**20150825-0198**

Hand written card, Tana Kielp, 228 Temple Rd, New Ipswich, NH 03071, opposing

**20150825-0199**

Hand written card, Isabel Bredin, 20 Kangas Road, New Ipswich, NH 03071, opposing

**20150825-0200**

Hand written card, Fred Stennis, 8 Oak Hill Rd, New Ipswich, NH 03071, safety response difficulties

**20150825-0201**

Hand written card, Paul Stevens, 156 Timbertop Rd, New Ipswich, NH 03071, Aug 3 in Falfurrias, TX, a KM/TGP pipe exploded, people evacuated for 12 hours, local police overwhelmed, Border patrol helped. Re NED - I told you so...

**20150825-0202**

Hand written card, Paul Stevens, 156 Timbertop Rd, New Ipswich, NH 03071, measurements of other KM co-location show 175 foot wide clear cut ALONG SIDE of 100 foot existing power line right of way.

**20150825-0203**

Hand written card, Dorothy Ayott, 270 Page Hill Rd, New Ipswich, NH 03071, concerned that small town can be bankrupted while KM profits.

**20150825-0204**

Hand written card, Paul Stevens, 156 Timbertop Rd, New Ipswich, NH 03071, Fire Chief Lund wondering if KM will construct water cistern (no source of town water at compressor site) or a foam bank for fire suppression.

**20150825-0205**

Hand written card, Fred Stennis, 8 Oak Hill Rd, New Ipswich, NH 03071, air pollution from compressor station near neighborhoods.

**20150825-0206**

Hand written card, Sally Bewersdorf, 14 Patricia Lane, Amherst NH 03031, opposing

**20150825-0207**

Hand written card, Lisa Derby Oden, 6 Upper Pratt Pond Rd, New Ipswich, NH 03071, concerned about lack of transparency in FERC process.

**20150825-0208**

Hand written card, Lisa Derby Oden, 6 Upper Pratt Pond Rd, New Ipswich, NH 03071, request that KM use state-of-the-art sound suppression systems, not just “average”.

**20150825-0209**

Hand written card, Joe & Andrew Stanislaw, 253 Main St, New Ipswich, NH 03071, opposed

**20150825-5011**

Donna Butler, Pelham, NH.

August 24, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

RE: Kinder Morgan/Tennessee Gas Pipeline, LLC Docket #PF-14-22-000  
Northeast Energy Direct (NED)

Dear Ms. Bose,

We are writing to express our opposition to Docket #PF-14-22 and together request FERC deny a permit to Kinder Morgan for the NED project.

Drinking water is critical to the health and quality of life of New Hampshire’s resident and tourist populations. New Hampshire has been nationally recognized as a leader in protecting its sources of drinking water. Given the composition of New Hampshire’s bedrock, the extensive geologic disruption caused by the construction of NED has the potential to substantially degrade its sources of drinking water. Aquifers and wells that are currently within acceptable levels may be disrupted by the extensive blasting required for NED, changing the composition of contaminants within our water supply.

Known as “The Granite State,” New Hampshire’s geology lends itself to naturally occurring contaminants, predominantly arsenic and radon. Arsenic and radon are inherent byproducts of the region’s bedrock. They are known carcinogens and pose significant health concerns. Arsenic and radon have no color and no odor, even when present at elevated levels.

Wells drilled into New Hampshire’s bedrock fractures have a 1 in 5 probability of containing naturally occurring arsenic above 10 parts per billion and wells within 50 feet of each other can present very different water quality because of the highly fractured bedrock inherent in New Hampshire. Chronic or repeated ingestion of water with arsenic over a person’s lifetime has been associated with increased risk of cancer (of the skin, bladder, lung, kidney, nasal passages, liver or prostate) and non-cancerous effects (diabetes, cardiovascular, immunological and neurological disorders). Although most of the arsenic in groundwater is of geologic origin, some of it originates from the historic use of pesticides on apple orchards and other crops as

well as ash disposal.

Radon gas is a byproduct of the radioactive decay of radium in certain rocks such as granite, so is naturally occurring here in "The Granite State". People are exposed to radon via its migration through the soil and into homes where it is inhaled, through groundwater entering the home as drinking water and released as gas when showering or running water, and through drinking the water.

Private well water testing is not required in NH. And state standards with regard to the treatment of private wells is non-existent in the State of New Hampshire. Although educational programs exist, New Hampshire landowners are on their own with regard to monitoring and maintaining the quality of their water supply.

We respectfully request FERC thoroughly investigate the impact NED will have on the aquifers and private wells that provide drinking water across southern New Hampshire and deny Kinder Morgan's permit for NED.

Thank you for your consideration.

Respectfully,

Timothy & Donna Butler

Sources:

<http://des.nh.gov/organization/commissioner/pip/factsheets/dwgb/documents/dwgb-3-2.pdf>

[http://des.nh.gov/organization/divisions/water/dwgb/wrpp/documents/primer\\_chapter8.pdf](http://des.nh.gov/organization/divisions/water/dwgb/wrpp/documents/primer_chapter8.pdf)

## **20150825-5016**

Julia Stockwell, Townsend, MA.

Chairman Norman C. Bay, Commissioner Cheryl A. LaFleur, Commissioner Tony Clark,

Commissioner Phillip D. Moeller and Secretary Kimberly D. Bose

Federal Energy Regulatory Commission

888 First Street, NE

Washington, DC 20426

RE: Proposed Northeast Energy Direct Project (NED), Tennessee Gas Pipeline and Kinder-Morgan Pipeline

Dear Commissioners and Secretary,

I know you have many, many comments to read and you will not read them all I am sure. Please, please read this one as it is my second letter to you concerning the above stated pipeline due to the proposed changes in the path by the NED after my issuing the first letter. In the last four days, I have read about 90% of the comments submitted to the FERC library and only stopped because I could no longer see to read them. In all the comments I read, I only found two from the State of Connecticut that were in favor of this pipeline and felt a need for the gas due to cost only. Of course there is no proposed pipeline traversing their State's homeowners, conservation land, wetlands, aquifers and forests. I believe the change in direction of the pipeline was directly due to the resistance Kinder-Morgan received from the northern Massachusetts coalition of citizens. It is unfortunate that they decided to change their route to southern New Hampshire. Although, it will make no difference to those of us who resisted this pipeline, we will fight right along with the citizens of New Hampshire to preserve New Hampshire as we did Massachusetts.

You have received much information on the reasons why we feel this pipeline is not necessary to provide energy to us in the Northeast, I definitely agree with all the comments made against the need for this pipeline.

However, I feel you need to hear a personal reason for denying this project. My ancestors settled this county in the 1600s and several of my great, great, great, etc. grandfathers fought in the American Revolution and the War of 1812 to create this country. May I remind you the Revolution began in Massachusetts, Worcester, Concord, Lexington and Boston. Do you remember Bunker Hill, I just visited there again to renew my spirit of why this country was created. As a college graduate, I worked several years as a Social Worker

receiving pay for what constitutes low income. Now that I am retired, I survive on \$1084.00 a month from Social Security, savings and what I can obtain from the sale of Christmas Trees and timber. I own my own home, pay taxes, insurance, both property and health, rescued three abandoned cats, burn wood to supplement my oil and manage to still eat. I live very frugally and I do not receive any support from the State of Massachusetts or the Federal Government with the exception of Social Security which I paid into while employed. Two parcels of my property are under Chapter 61 Classified Forest and both already have a Fitchburg Gas and Electric (Aka Unitil) easements. I have recently learned that the proposed Fitchburg pipeline lateral will use one of these easements and require more land from me in order to accomplish this lateral pipeline. My question to you is when will I have given enough of my land, which provides a source of income to me, before the government stops. Let me ask you the question is my forest products grown to produce lumber for houses, furniture and as a by-product provides oxygen to the air any less valuable?

I have never been in favor of eminent domain as the 14 Amendment implies due to it being ambiguous. "... The power of eminent domain may only be exercised through legislation or through legislative delegation, usually to another government body, the power may be delegated as well to private corporations, such as public utilities, railroad and bridge companies, when they are promoting a valid public purpose. Explicit in the just compensation clause is the requirement that the taking of private property for a public use; the Court has long accepted the principle that one is deprived of his property in violation of this guarantee if a State takes the property for any reason other than a public use. The question whether a particular use is a public use is clearly a judicial one...The modern concept of public use equates it with police power in the furtherance of the public interest. No definition of the reach or limits of the power is possible, the Court has said, because such "definition is essentially the product of legislative determinations addressed to the purpose neither abstractly not historically capable of complete definition...Public safety , public health, morality, peace and quiet, law and order, - these are some of the traditional applications of police power...Traditionally, eminent domain has been utilized to facilitate transportation, supply of water and the like, but the use of power to establish public parks, to preserve places of historic interest and to promote beautification has substantial precedent. The values it represents are spiritual as well as physical, aesthetic as well as clean, well balanced as well as carefully patrolled. For "Public Use", then it may well be that "Public Interest" or "Public Welfare" is the more correct phrase." Excerpt taken from an annotation of the 14th Amendment to the Constitution of the United States.

In the case of Public Welfare and/or Public Interest please do not approve this pipeline, it is not needed and it is greatly abusing our rights and freedom as citizens of Massachusetts and the United States of America.

Julia Stockwell, 203 Lunenburg Road, Townsend, Massachusetts, jvstockwell@yahoo.com

## **20150825-5020**

Amy Glowacki, Mason, NH.

I am opposed to this pipeline project. Kinder Morgan has failed to provide documents that prove this project will benefit NH citizens. The survey denial rate for NH residents is 75%. If a certificate of convenience is issued for this project and eminent domain comes into play - how can Kinder Morgan be allowed to use eminent domain to take private property without providing proof that the residents of NH will benefit from this project?

With survey denial rates at 75% in NH this project cannot be sited properly at this time. Please slow this process down and allow time for the proper execution of the steps to provide opportunities for fair and accurate information to be exchanged. There are too many serious impacts to property values, our water supply including wells, streams, rivers, ponds, lakes, wetlands and the wildlife therein, and adverse health impacts from the potential dangers of this project to rush this through without proper documentation and thorough review.

There is no attempt to plan for future needs-what happens when our wells are contaminated? How will the project plan for the protection of our clean water? If Kinder Morgan is only claiming responsibility for wells

200 feet from the pipeline this is short-sighted. The blasting of granite and laying of pipeline will disturb our aquifers and failing to address these issues is an affront to every citizen of NH along this pipeline route. The pigging stations and the chemicals they will leech I to the ground need to be addressed. The pipeline with compromise and threaten it water supply I perpetuity. How will our water supply be protected?

Also, I am unable to sell my home. Kinder Morgan claims that pipelines do not impact property values. Well, they do. Nobody even entertain the idea of buying my home - not with the pipeline project slated for town. I want to sell my home for a job opportunity - but I am unable to do so and am trapped. Don't let Kinder Morgan state property values are not Impacted because they are. I am unable to sell my home due to this pipeline project.

I fear the day the construction begins. If Kinder Morgan fails to provide fair and honest answers to our questions how will we be treated when construction begins? There are very few roads in and out of Mason. The pipeline crossed one main artery into town twice and another main route is crossed three times. Residents will be forced to travel at least ten miles out of the way to come and go from their homes-extra time in our commutes and extra gas and wear and tear on our vehicles. Will there be a construction schedule that accounts for our needs as residents severely impacted by the project?

This project is not for the benefit of Mason residents yet we are set to bear the brunt of the project through the chemicals in our water and air, loss of wildlife habitat, torn up roads and impacted travel routes, polluted air, and lower property values. Kinder Morgan refuses to accept that these are the realities of this project. Where are the documents that show the benefit for NH residents from this pipeline? And if there are benefits - what other options exist that does not invoice such a drastic project that severely and unfairly burdens NH residents.

The volume of gas destined for these pipelines is not for the benefit of NH residents - it is slated to be exported at a massive profit through pipelines that are built by a private company for private gain under the guise if public benefit. Eminent domain should not be employed for this project. There is no proof of the public benefit that supports a project of this magnitude.

Please address the issues - chemicals, pollution so drinking water degradation, loss of aquifers, pigging stations and their impacts, leaking, air pollution - blow offs from compressor stations, impact to wildlife and their habitats-why is this process proceeding so quickly? Damage of this magnitude cannot be undone. We need more facts and less TBD from Kinder Morgan. There needs to be accountability in this project. The residents of NH and our future generations deserve this consideration.

## **20150825-5025**

Timothy Somero, New Ipswich, NH.

This comment is related to socio-economics.

Recently, I participated in what felt like an ad-hoc and poorly executed information gathering session with the SW Regional Planning Commission for NH.

During the Q&A session, we learned that this commission has regularly scheduled dialog with investors and the company that proposed the NED project.

It seems that from a socio-economic perspective, this advance information is used by the investors on Wall Street to determine a direction for continued investment into NED, before due process of the FERC filing, application, etc.

I asked a pointed question.

'When will we citizens of New Hampshire have an opportunity to review, correct, and possibly rebut the information provided in this session?'

The answer, 'There will be no such session. There is not enough time.'

But there appears to be ample time to provide regular anecdotal information by dubious proxy to the global investment community and the company who proposes NED.

Please understand that the information collected does not represent the voice of the American people who are working diligently to understand WHY this project is in the best interest of New Hampshire, New England, and America.

The voice of the American people desire the antithesis of NED.

We are turning to clean eating and clean living. We are increasingly declining processed food for natural nutrients sourced as locally as possible.

We see an opportunity to change our lifestyle from mass consumption of fossil fuels to a personally implemented hybrid of fossil fuels and renewable energy by focusing on a nice versus necessary allocation.

Fossil fueled energy is necessary to power the needed infrastructure for communication, safety, and health systems.

But we prefer to re-allocate most of our meager financial resources into renewable energy; by investing in personal infrastructure to transform our daily dose of sunlight, wind, and the temperature difference of the earth surrounding and below our homes; for nice purposes such as entertainment and lighting after the sun sets and before our families sleep.

The alternative to NED is not grand.

The alternative is dispersed across America and the world and very much like the clean eating movement, home by home, family by family, and person by person.

The voice of America is asking for the \$5k, \$10k, or whatever the total indirect and direct lifetime investment (TAX) of the NED project (and similar ones) to be available to our families so that we can design, develop, and implement personal, family-based energy systems.

Enough is enough.

Do you hear us?

Cheney, Bush, Clinton - these names opened the faucet for unrestrained consumption of 'big oil and gas'.

We the people are asking to stop opening the faucet further, but to reinvest and close the faucet.

Most directly, the contribution of groups such as the SW Regional Planning Commission do not reflect our American voice.

#### **20150825-5026**

Timothy Somero, New Ipswich, NH.

I am concerned that the electrical grounding system along the entire NED pipeline will adversely affect the integrity of the stratified drift aquifers, surface water flow, and the water source for every person, home, business, and community within proximity of the pipeline and all related infrastructure.

Please study this and provide scientific proof that the entire grounding system will not damage the natural water supply before approving the NED application.

#### **20150825-5035**

##### **Chesterfield Conservation Commission Position in Opposition to the NED (Pipeline) Project**

Energy company Kinder Morgan has proposed running a natural gas pipeline through roughly 20 towns in southern New Hampshire, entering Winchester from Massachusetts and re-entering Massachusetts from Pelham. This proposal is known formally as the North Energy Direct (NED) Project. The conservation commissions in many of these towns have formally expressed their opposition. The conservation commission in neighboring Winchester, a pipeline town, has prepared a statement opposing the pipeline, which will be sent to the Federal Energy Resources Commission (FERC), the final permitting body. Winchester's statement is attached. The Chesterfield Conservation Commission wishes to go on record as supporting their position.

We agree with their statement that a 36" underground pipe and resulting cleared right-of-way, with the

necessary construction and maintenance disruption, will cause significant damage to forests, wetlands and important wildlife habitat along the route. The Winchester Conservation Commission has identified specific environmental damage from the project, and we would like to raise two further objections.

**This project will bring little benefit to our state related to energy needs.**

In fact, not only is this gas going to pass through New Hampshire and go back into Massachusetts to a terminal in Dracut, but as recently as 2012 New Hampshire produced enough electricity that half was exported (Source: US Energy Information Agency as reported in the Keene Sentinel, Feb. 19, 2015, page A5.) There is clearly no impending electricity shortage in New Hampshire, particularly since the largest producer of electricity in New Hampshire, the Seabrook Nuclear Power Plant, is currently licensed until 2030.

In fact, Kinder Morgan, on their Home Page, has expressed a willingness to export this power: “ ... (5 proposed LNG export projects in northern Maine and Atlantic Canada) ... could find capacity on the NED Project useful to serve their LNG export facilities.” (Source: Kinder Morgan Home Page, NED Project.)

**There are alternatives being considered which would meet energy needs in the region.**

Until late 2014 this pipeline was planned to go directly through Massachusetts from the Connecticut River to Dracut. It was only political opposition from Massachusetts communities which led Kinder Morgan to propose the southern New Hampshire route. It had nothing to do with energy needs in New Hampshire, nor is it the less costly method of increasing regional electricity supply.

In addition to Kinder Morgan’s own all-Massachusetts alternative for NED, just mentioned, there is also a proposed pipeline project called Access Northeast which would carry natural gas directly to the Boston area for conversion to electricity. National Grid and Eversource Energy, representing 70% of the customers in the region, including New Hampshire, have signed on to this project, and the major electricity importer in the region is Massachusetts. A recent additional project to bring electricity into New Hampshire is the so-called Northern Pass, which would deliver Quebec hydropower on lines over new and existing power line corridors.

The environmental concerns identified by the Winchester Conservation Commission, together with these two issues above, make it difficult to justify the NED (pipeline) Project as currently proposed. The Chesterfield Conservation Commission joins the Winchester Conservation Commission in being opposed to this project being located in New Hampshire.

Chesterfield Conservation Commission *{Chesterfield, NH}*

Chair Tom Duston  
Ann LaFontaine  
Jeffrey Newcomer  
Pamerla A. Walton  
Lynne Borofsky

Board of Selectmen

Jon MckKeon  
Brad Roscoe

**20150825-5042**

**Lower Merrimack River  
Local Advisory Committee(LMRLAC)**

77 Concord Street  
Nashua, NH 03064

August 24, 2015

Kimberly D. Bose, Secretary  
Nathaniel J. Davis, Sr., Deputy Secretary  
Federal Energy Regulatory Commission

888 First Street, NE Washington, DC 20426

DOCKET NO. PF14-22-000 Re: Tennessee Gas Pipeline Company, LLC, Proposed Northeast Energy Direct Project

Secretary Bose,

The Lower Merrimack River Local Advisory Committee (LMRLAC) welcomes the opportunity to comment on the proposed Northeast Energy Direct (NED) Project.

The Lower Merrimack River, which this Project, if approved, would cross, is a Designated River subject to the provisions of Chapter 483 (River Management and Protection) of Title L (Water Management and Protection) Of the Revised New Hampshire Statutes. As a Designated River, the Lower Merrimack is also a protected waterway under the provisions of the federal Public Utilities Regulatory Policies Act, section 210 (j)(2), 16 USC sections 824a-3(j)(2).

The LMRLAC, which I chair, is charged by the State to advise all relevant government agencies on matters pertaining to the management of the Designated River, including the Corridor that extends 1/4 mile inland from each river bank. The protected status of this Designated River compels the use of best practices to protect the attributes of the River, including fisheries, wildlife, vegetation, and public access, during and after any construction projects within 1/4 mile of the river banks.

### **Construction Issues**

Because the NED Project, if approved, would constitute the first crossing of this Designated River by a major natural gas pipeline, and considering the environmental sensitivity of the corridor, we hereby submit the following observations and recommendations as pertains to the specifics of the proposed crossing of this protected waterway;

LMRLAC acknowledges the importance of Kinder Morgan's reported decision to bore under the river as a "best practice", rather than trench across the river. However the FERC requires that "...the project sponsor shall file with the Secretary for the review and written approval by the Director a detailed, site-specific construction plan and scaled drawings identifying all areas to be disturbed by construction for each major waterbody crossing. LMRLAC has not yet been provided such detailed plans and reserves the right to submit additional comments once such plans become available for review. The following comments should therefore be considered preliminary in nature.

At the proposed crossing location just above Cromwell's Falls, the river is more than 300' wide with a median flow of 6800 cfs that peaks as high as 25,000 cfs after major storms. This highly variable flow, when coupled with the soft soils in the area, is conducive to bank and bottom erosion and shifting of the streambed.

On this basis, and in view of the environmental sensitivity of the corridor and the tendency of the riverbed to migrate laterally, albeit slowly, as a result of abnormal flooding, LMRLAC asks that additional steps be taken to:

1. Increase the overburden requirements above the bore hole by a suitable percentage to further limit the chance of the pipeline being dislodged by exceptional flows
2. Ensure that the entry and exit points are set back sufficiently far from the current shorelines to minimize the threat of exposure from future scouring and riverbed migration.
3. Ensure the river crossing section of the pipeline can be inspected frequently and rapidly and rapidly isolated if a problem develops.

- To this end as a minimum the River should be protected by "guard valves" on each side of the watercourse that can be remotely activated by on-site personnel who are assigned a monitoring function during periods of abnormal high flow in accordance with an Emergency Action Plan (EAP) of the type that FERC requires for hydropower dam operation. This monitoring function should include a procedure for verifying the integrity of the overburden that protects the pipeline from direct exposure

to the river flow.

- Even better would be a requirement to install automatic shutoff valves (ASVs). The PHMSA has recommended such valves for the protection of not just highly populated “High Consequence Areas” (HCAs, but also for liquid pipelines in environmental areas of particular sensitivity. It seems reasonable to request that this concept be extended to the NED project where it crosses the protected Merrimack. As a minimum TGP/KM should fund an extension of the study performed by ORNL that led to the recommended use of ASVs for pipelines crossing environmentally sensitive areas such as the Merrimack River.

- Additionally, internal inspection of the pipe condition should be required under the river more frequently than in other sections of the pipeline. This in turn would seem to require the installation of pig entrance and exit ports closer to the River than envisioned in the recent TGP Draft Environmental Report.

4. Consider installing the river crossing section of the pipeline in a ‘sleeve’ such that repairs could be effected with minimal disruption

### **Economic Issues**

1. The installation and maintenance of a major pipeline across this sensitive river will perforce adversely impact the recreational, and therefore economic, benefits that the River Corridor currently provides to the public. This may include restrictions on access to, and the use of, riverfront property that otherwise could be developed or used for public access to the river for fishing and other recreational activity, including shoreside hiking and biking. Both the State of New Hampshire and the riparian towns and cities have long standing policies that encourage both increased public access to the river and the establishment of a section of the NH Heritage Trail along this section of the Merrimack. Should this proposed NED crossing be permitted, then the TGP should be required to mitigate this loss of public amenities by funding alternative access arrangements including shoreside trail development.

2. Because the NED Project would constitute a major change to the Lower Merrimack River Corridor, TGP should take responsibility for financing the preparation of the revised Corridor Management Plan (CMP) that the LMRLAC will be required to prepare.

Cordially,

Gene Porter  
Chairman

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1 ORNL/TM-2012/411 “Studies for the Requirements of Automatic and Remotely Controlled Shut-off Valves on Hazardous Liquids and Natural Gas Pipelines with Respect to Public and Environmental Safety” October 31, 2012

**20150825-5053**

**TOWN OF ASHBY**  
**Conservation Commission**  
895 Main Street  
Ashby, Massachusetts 01431

August 24, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE Room 1 A  
Washington, DC 20426

re: Tennessee Gas Pipeline Company, L.L.C., Docket No. PF14-22-000

Dear Secretary Bose:

Attached please find the testimony of the Ashby Conservation Commission as delivered at the Lunenburg, MA Scoping Hearing of August 12, 2015 regarding Kinder Morgan's Northeast Energy Direct proposed pipeline project Docket No. PF14-22.

Also attached are the two documents submitted along with our testimony at the hearing. The first document is the August 12, 2014 OpEd<sup>1</sup> by Senator Elizabeth Warren entitled "We can do better than pipeline" which closes with "Before we sink more money in gas infrastructure, we have an obligation wherever possible to focus our investments on the clean technologies of the future -- not the dirty fuels of the past -- and to minimize the environmental impact of all our energy infrastructure projects. We can do better -- and we should." The second document is the August 10, 2015 study from the Acadia Center entitled "Energy Efficiency in Massachusetts -- Optimizing the Electric System and Achieving Consumer and Environmental Benefits<sup>2</sup>." The study showed that \$1 spent on energy efficiency produces \$4.79 in benefits proving "how states can save by meeting demand through efficiency, rather than purchasing new supply."

Both documents are very pertinent to your environmental impact scoping. Please read them.

Thank you,

The Ashby Conservation Commission  
George A. Bauman, Chair  
Robert F. Leary  
Roberta Flashman  
Cathy Kristofferson

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1 [http://www.berkshireagle.com/columnists/ci\\_26322123/sen-elizabeth-warren-we-can-do-better-than](http://www.berkshireagle.com/columnists/ci_26322123/sen-elizabeth-warren-we-can-do-better-than)  
2 [http://acadiacenter.org/wp-content/uploads/2015/08/MA-EE-Summary\\_08102015\\_Final.pdf](http://acadiacenter.org/wp-content/uploads/2015/08/MA-EE-Summary_08102015_Final.pdf)

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Good evening, my name is Cathy Kristofferson. I am a Conservation Commissioner in the Town of Ashby for whom I speak this evening. We are a town of some 3,000 in this north central part of the state, one town to the west of this hearing. We unanimously resolved at last year's Annual Town Meeting to stand in opposition to this project.

We remain convinced this fossil fuel overbuild is not the solution needed to either our often dubiously claimed nation's highest energy costs or for the handful of peak days where competition between home heating and electricity generation drives prices temporarily high. There are much better sustainable solutions.

Let's be clear - we do not need, nor want, this pipeline. In the latest Interagency pre-filing conference call notes, landowner survey access was reported at only "20-30% access in NH and MA.<sup>1</sup>" That would seem you will be sanctioning unprecedented eminent domain in our future. So you must fully scope all of the environmental and socioeconomic impacts both the construction and operation of this pipeline and all of its requisite infrastructure will have on our region.

The announced downsizing of this project due to lack of customer demand does not in any way decrease any impacts on any us, only to the pocketbooks of the corporation seeking to take from the public for their private gain. This lack of what you define as "need" must enter into your decision making process.

The Commonwealth's citizens have a constitutionally guaranteed "right to clean air and water, freedom from excessive and unnecessary noise, and the natural, scenic, historic, and esthetic qualities of their environment."<sup>2</sup> You must scope how blasting through ledge, trenching through wetlands, clear-cutting swaths through mature forest, segmenting habitats, permanently altering the landscape of our natural environment anywhere, but most particularly that which has been set aside in perpetuity protected by our constitution, could possibly be "in the public good."

More than 110 conservation parcels are still on the proposed route, 85 with Article 97 protections including

our shared Willard Brook State Forest. It would seem forcing this pipeline upon us violates everything our Constitution seeks to guarantee.

You must apply your own rule that the public benefits of a pipeline must exceed the costs to society. The societal cost of NED, as you've heard, are simply way too high.

How is it appropriate to risk any of our drinking water sources or our clean breathable air?

As Conservation Commissioners we know restoration and replication are the mitigation answers to resources destroyed. Our DEP's recent study<sup>3</sup> documents that more often than not these undertakings result in failure. The solution is not to destroy resources in the first place.

Conservation Commissioners are fairly wise to applicants coming before us with their project piecemeal hoping we won't notice the full extent of their impact. You must not allow Kinder Morgan their illegal segmentation of their NED and CT Expansion projects to continue. Review them combined.

Resource Report 10's No Action Alternative must be heavily weighed during your decision making process because Energy Conservation and Energy Alternatives are where our clean sustainable future lies, not dirty fossil fuels of the past.

This overbuild of fossil fuel infrastructure designed to last 50-80 years will guarantee non compliance of our statutorily required Global Warming Solutions Act (GWSA)<sup>4</sup>. FERC must fully scope the devastating impact of methane, which mixed with fracking chemicals, enters our atmosphere through both intentional blowoffs and accidental leaks, as it travels from drill bit to burner tip.

We urge you to be diligent and thorough in your environmental impact study on behalf of our Commonwealth and our neighbors of New Hampshire, New York, Pennsylvania and Connecticut.

Thank you for this opportunity to comment.

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1 <http://elibrary.ferc.gov/idmws/common/OpenNat.asp?fileID=13947860>

2 <https://malegislature.gov/Laws/Constitution>

3 <http://www.telegram.com/article/20141222/NEWS/312229879/1242>

4 <http://www.mass.gov/eea/air-water-climate-change/climate-change/massachusetts-global-warming-solutionsact/>

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*{Article from Berkshire Eagle}*

[http://www.berkshireeagle.com/columnists/ci\\_26322123/sen-elizabeth-warren-we-can-do-better-than](http://www.berkshireeagle.com/columnists/ci_26322123/sen-elizabeth-warren-we-can-do-better-than)

Sen. Elizabeth Warren: We can do better than pipeline

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Sen. Elizabeth Warren: We can do better than pipeline

WASHINGTON -- Massachusetts has distinguished itself as a state with a strong and enduring commitment to environmental conservation, a commitment evidenced in the wetlands, forests, waters, and state and private conservation lands that run from our coastline to the Berkshires. The commonwealth is also a leader in developing clean energy and promoting energy efficiency. In fact, the American Council for an Energy-Efficient Economy ranks Massachusetts number one in the country in its energy efficiency policies and programs.

Our commonwealth has amazing energy entrepreneurs and smart policies that promote greener communities and energy conservation. These policies have helped to spur statewide investments and advancements in clean energy and energy efficiency. That, in turn, is helping develop more clean energy jobs, which grew 11.8 percent between 2012 and 2013 and now employ about 80,000 people statewide, according to the Massachusetts Clean Energy Center.

And these investments have paid off, helping to keep our air and water clean, helping to preserve the commonwealth's natural beauty, and helping to grow our economy. We should build on these successes, particularly when making decisions about investments in infrastructure that will affect our mix of energy consumption for decades to come.

In recent months, representatives of Kinder Morgan, Inc. and its subsidiary, Tennessee Gas Pipeline Company, LLC, have approached Massachusetts landowners, towns and land trusts to ask permission to conduct surveys for a proposed pipeline that would carry natural gas from the New York border across our state to Dracut.

Rather than using existing infrastructure, roads, and rights-of-way, the company is considering routing this pipeline largely through undeveloped land.

I have heard from many Massachusetts homeowners and businesses that are deeply concerned about the impact of this proposal on their farms and properties. Conservation commissions in towns along the intended route and citizen groups dedicated to protecting our state's environment have also raised concerns that this proposed natural gas pipeline would needlessly disrupt environmentally sensitive conservation land. Because I share many of these concerns, I do not support the current proposal.

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Kinder Morgan argues that the proposed pipeline could play a role in helping our region meet its energy needs. It is true that New England faces energy infrastructure challenges, and that we currently rely on natural gas for heating in the winter and for electrical generation year round. Over the past few winters, which have been especially cold, we have experienced some of the highest natural gas prices in the nation. This is a serious problem, which we cannot ignore.

But the need to improve our short-term energy outlook and reduce unacceptably high energy prices does not mean that we should rush to support every energy infrastructure project, no matter the consequences. The decisions we make about energy proposals today will have an impact on future generations, and in each instance we must weigh the potential benefits against the potential consequences -- both in the short term and long-term.

Given the cost and infrastructure realities of the Northeast, it is likely that natural gas will continue to play a role in our transition away from coal and oil electricity production and toward a cleaner energy future. But our aim must be to reduce reliance on carbon based fuels, and that means careful consideration of clean energy alternatives as well as other natural gas pipeline alternatives that do not create wholly new infrastructure. For example, upgrading our old, methane-leaking pipes can help provide affordable power for businesses and consumers without threatening our families and our state.

Before we sink more money in gas infrastructure, we have an obligation wherever possible to focus our investments on the clean technologies of the future -- not the dirty fuels of the past -- and to minimize the environmental impact of all our energy infrastructure projects. We can do better -- and we should.

Elizabeth Warren is a Democratic U.S. senator from Massachusetts.

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Report: "Energy Efficiency in Massachusetts

Optimizing the Electric System and Achieving Consumer and Environmental Benefits",

Acacia Center, August 2015, 5 pages

**{report is not included here, but can be downloaded from: }**

[http://acadiacenter.org/wp-content/uploads/2015/08/MA-EE-Summary\\_08102015\\_Final.pdf](http://acadiacenter.org/wp-content/uploads/2015/08/MA-EE-Summary_08102015_Final.pdf)

**20150825-5057**

Kimberly D. Bose, Secretary

Federal Energy Regulatory Commission 888 First Street NE

Washington, D.C. 20426

August 16, 2015

Re: Tennessee Gas Pipeline Company, LLC Docket No. PF14-22-000  
Northeast Energy Direct Project

Dear Secretary Bose,

Please find below my testimony, with accompanying footnotes, submitted into the record last week at the FERC Scoping Session held in Dracut, MA on August 11, 2015.

Good evening. My name is Vince Premus, P-R-E-M-U-S, from Pepperell, MA. I can only hope to be as eloquent as my daughter, McKenna, was a few moments ago. I am here tonight to challenge the case for need, the singular weakness of this entire proceeding.

Last December, I sat across the table from Gordon Van Welie, CEO of ISO New England, to discuss his unabashed advocacy for pipeline expansion. Mr. Van Welie has not been the most ardent defender of ratepayer interests. Rising utility rates have far more to do with his actions, and inactions, than alleged pipeline constraints. I give you two examples.

Last September, FERC Commissioners Bay and Clark openly criticized ISO's failure to address the exercise of market power in the 2014 Forward Capacity Auction. 1 Just prior to the auction, a broker bought Brayton Point with the intention to close it. Unable to meet the installed capacity requirement, the auction defaulted to a non-competitive price, resulting in a 175 million dollar windfall for the broker and a record 13 Billion dollar price tag on us for future capacity payments. 2 Your Commissioners asserted that "ISO-NE may have violated its tariff by failing to carry its burden of establishing that the auction results Were just and reasonable." ISO, and FERC, declined to take action, despite being urged to do so by no less than 16 members of New England's Congressional delegation in a joint letter to Chairman LaFleur last October"

This winter, electricity cost 30% less than last winter thanks to peak-shaving LNG.<sup>4</sup> This despite suffering the most severe winter in 80 years. Recall that in 2013, ISO prohibited LNG from participating in its Winter Reliability Program out of concern for sending the "wrong signal" about the scarcity of natural gas.<sup>5</sup> Electricity prices soared when it could have been prevented. This action bore the unmistakable appearance of market manipulation with the aim of propping up the weak case for pipeline expansion. This is fuel source agnostic? Is this even legal?

New England's natural gas annual inflow capacity is nearly twice the region's demand. Energy efficiency, demand response, recovery of gas lost to leaks, and commercially available storage technology all combine to refute the specious case for need. Our actionable request of this Commission is: DO-YOUR-JOB! Regulate. Your job is NOT to "put steel in the ground" as Cheryl La Fleur quipped at an Energy Roundtable last October. Your job is to confirm what the numbers clearly show-the case for need is not made.

The export plan of a wealthy Texan is no justification to impose eminent domain on THESE- WORKING-FAMILIES. China may need this gas. But the New England ratepayers that will bear the burden surely DO NOT.

In addition, I wish to add the following points to the written record, which were not included in my verbal statement due to the three minute time constraint on each speaker:

In a statement dated October 3, 2014,<sup>6</sup> the New England States Committee on Electricity (NESCOE), criticized ISO New England for under-estimating the region's Installed Capacity Requirement (ICR)<sup>7</sup> by not fully accounting for distributed generation (DG), in particular smaller net-metered solar photovoltaic installations. NESCOE was quick to point out that such inaccuracies can lead to "electricity consumers paying for unneeded future capacity." This failure to correctly account for DG reflects the persistent and inherent bias of ISO New England in favor of fossil- fuel based generation. <sup>8</sup>

These examples reveal a pattern of behavior on the part of ISO-NE that clearly signals their intent to promote an over-reliance on natural gas infrastructure development. ISO-NE's unabashed courtship of the natural gas industry, and its advocacy for the overbuilding of natural pipeline infrastructure is irresponsible at best.

The time has come for ISO-NE to act upon the recent words of their president and CEO, and effect real energy policy leadership. Writing in Commonwealth Magazine in 2010, Mr. Van Welie lauded the Regional Greenhouse Gas Initiative's (RGGI) potential "to provide environmental benefits and to diversify the source of fuels used to produce electricity [thereby] creating a hedge against volatile fossil fuel prices." Mr. Van Welie appears to recognize that to embrace natural gas-fueled electricity generation is a policy choice. There is an opportunity here to establish Massachusetts, and all of New England, as the standard bearer for the integration of renewable energy. Acting as our agent, ISO New England must recognize their responsibility to start decarbonizing the region's electricity supply now, and promote a course that will shape the region's, and possibly the nation's, energy policy for decades to come.

I urge FERC to rigorously review the case for need put forth by ISO New England, and others, in support of this permit application. As I stated to Mr. Eric Tomasi at the Dracut Scoping Session, our principal actionable request of this Commission is to confirm what the numbers clearly show the case for need is not made- and deny the application under consideration for the Northeast Energy Direct project.

Respectfully submitted,

Vincent E. Premus, Ph.D.

Pepperell, MA

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1 Joint Statement of Commissioner Tony Clark and Commissioner Norman Bay on ISO-New England's Forward Capacity Market Case, FERC Docket No. ER14-1409-000, September 16, 2014, and RTO Insider, September 2014

2 At issue is the late 2013 purchase of Brayton Point by the equity firm Energy Capital Partners (ECP). Five weeks after purchase, the hedge fund announced plans to close the generating plant, dramatically reducing the Installed Capacity for the 2017-18 market cycle and prompting a non-competitive, administrative price to drive the outcome of FCA #8. As a result of the auction, ECP realized a \$75 million windfall for electricity from four other generating facilities it owns in the region. See "Brayton Point power plant owner denies market manipulation," The Boston Globe, April 28, 2014.

3 Letter to Chairman LaFleur from U.S. Rep. Joseph P. Kennedy, III and Sen. Edward J. Markey, co-signed by 14 other members of New England congressional delegation, dated October 14, 2014.

4 ISO New England Monthly Market Operations Report-January and February 2015, Market Analysis and Settlements, February 17, 2015 and March 16, 2015.

5 FERC docket ER13-1851, Motion to Intervene and Comments of Algonquin Gas Transmission, LLC and Maritimes and Northeast Pipeline, L.L.c., (July 19, 2013); Also, CLF Letter to Heather Hunt, May 30, 2014, Re: Comments on Governors' Infrastructure Initiative in New England -Incremental Gas for Electric Reliability (UIGER") Concept and Electric Distribution Companies Proposal (UEDC") for Management of Pipeline Capacity.

6 NESCOE Statement at the NEPOOL Participants Committee on ISO-New England's Installed Capacity Requirement Values for the 2018-19 Capability Period (FCA9), October 3, 2014.

7 The ICR is the foundation underlying each year's Forward Capacity Auction, and thus the baseline electricity rates for the market period 3 years hence.

8 Their current underestimate of the ICR (which will inform the upcoming auction, FCA-9, to be held next February), by some accounts almost 1,000 MW, is the approximate difference in net capacity that triggered the non-competitive administrative pricing scheme in FCA-8 that was met with the disapproval of the FERC commissioners Bay and Clark earlier this year.

9 "Catching the Wind", Commonwealth Magazine, July 27, 2010.

## **20150825-5082**

Beth Webb, Cummington, MA.

I am strongly against the pipeline. It is NOT needed and it will cost taxpayers too much money.

## **20150825-5095**

Dorothy Crawford, Fitzwilliam, NH.

One would hope that a decision about the NED pipeline would be based on need. Kinder-Morgan has stated from the beginning that this gas is primarily slated for export. There may be 10-20% available to New England. Since we don't have much of a natural gas infrastructure, it is clear that for us to take advantage of the gas from this pipeline, there would be a substantial investment from us the taxpayers. ISO New England states that the demand for electricity continues to decline. The wholesale price for electricity is down

50% from last year. The Spectra Pipeline through Peabody is running at 1/2 capacity. The US Department of Energy was able to make a 30% reduction in energy costs through conservation measures. As you study this proposal, please determine for yourselves that there is an actual need for us residents along the pipeline route who will have to live with this gash through our rural communities. If you do determine need, please also study other energy alternatives including renewable and conservation measures.

**20150825-5107**

Linda Dean Campbell, Methuen, MA.

To Whom It May Concern,

I am writing today to convey the concerns that have been raised by many of my constituents in the 15th Essex district, particularly those in the city of Methuen who will be directly impacted by the proposed North-east Energy Direct (NED) Pipeline.

First and foremost, I have yet to see definitive proof that the Commonwealth is currently facing a natural gas shortage and that a significant increase in natural gas supply brought about by a new pipeline will truly result in lower prices for my constituents.

The extent to which Massachusetts and New England has faced high energy prices in recent years largely seems to be due to a combination of mismanagement on the part of suppliers. In fact, the most recent winter of 2014-2015 actually featured lower prices than 2013-2014 despite being colder on average.

Kinder Morgan has also repeatedly changed the proposed size and distribution routes of the NED pipeline, suggesting that they do not have an accurate projection of natural gas demand for the region and that their main objective is to expand the pipeline to take advantage of export opportunities. (In my district, meeting times for constituent questions/feedback also changed repeatedly.)

This is a significant problem for a number of reasons:

The price of natural gas is highly volatile and an increase in our region's dependence on natural gas will make ratepayers vulnerable to price spikes.

Energy consumption actually appears to be decreasing in our region due to efficiency improvements and this only increases the likelihood that this expansion will be used to serve as an enhancement for export across the Atlantic.

Given these issues, I do not accept the premise that we can do and should do nothing in Government to ensure that this expansion benefits New England and Massachusetts whose ratepayers will likely bear the cost of this pipeline's construction.

With that in mind I ask that you also review the potentially significant local impacts that this pipeline could have on the property and safety of constituents in my district.

In Methuen, this pipeline is very dangerously close to homes, (within a few yards in some cases) and it transverses neighborhoods and driveways and through many wetlands.

Residents have legitimate concerns regarding investments in mature landscaping that will be removed by this expansion, particularly, mature trees that add considerably to their property value.

I also ask that you review the impact that this project will have on the Merrimack River which is the source of drinking water for the City of Methuen and vital to the safety and wellbeing on the region.

Thank you for receiving my comment on the proposed NED pipeline and allowing me to echo the concerns of experts, families, and property owners in my district. I hope that you will demand detailed evidence demonstrating that this pipeline will benefit the New England and the Commonwealth of Massachusetts.

Most Sincerely,

Linda Dean Campbell  
State Representative  
15th Essex District

Charles E Sullivan, JR, Averill Park, NY.

Initial comment

While Kinder Morgan Energy Partners, L.P., through its subsidiary, Tennessee Gas Pipeline Company, L.L.C., (collectively, “KM”) recently “downsized” its proposal to design, construct, and operate the Northeast Energy Direct project – a pipeline system, intended to be operational in 2018, connecting Pennsylvania’s high volume hydrofracked natural gas wells to Dracut, Massachusetts, that includes a compressor station proposed for the Town of Nassau in order to maintain the gas’s pressure and speed, it remains a project presenting significant substantive environmental, public health, economic, and other issues in need of addressing before it may be even considered to be authorized to proceed. This “downsized” project will cause the same amount of environmental and economic upheaval and disruption to landowners during construction as a larger pipeline would, except, as discussed below, further disruption should be expected in coming years, with “compression expansions” either in the towns currently targeted for compressor stations, or new ones to be determined. Authorizing this “downsized” pipeline project paves the way for future expansion by means of larger pipes, higher operating pressures, and more system support structures, such as more, and larger, compressor stations.

FERC’s NEPA analysis, and FERC’s decisionmaking flowing from that analysis, must consider mitigative measures even for impacts that by themselves would not be considered “significant.” 46 F. Reg. 18,026 (Q. 19a) (March 23, 1981). Thus, even individual or smaller harms to any component of the natural or man-made environment must be evaluated and mitigated.

FERC’s NEPA analysis also must address how inconsistencies between the proposed project and any State or local law will be reconciled. 40 CFR 1506.2(d). Thus, FERC’s NEPA analysis must examine the project’s compliance with state laws, such as, but not limited to, the 2011 Town of Nassau, New York Zoning Law. Such a condition would be consistent with FERC’s general expectation that natural gas companies will “comply with state and local requirements, to the extent that doing so does not interfere with actions that the Commission has determined are required by the public convenience and necessity.” Letter from Cheryl A. LaFleur, Acting Chairman, FERC, to Rep. James P. McGovern (June 18, 2014).

More detailed comments

1. Definition of “project” subject to NEPA review

a. Project can be for domestic gas supply only if eminent domain is to be considered

KM openly admits to having to “sell” the merits of its pipeline to exporters in order to get the pipeline’s capacity full subscribed. As a result, FERC may not have the authority to issue a Certificate of Public Convenience and Necessity since the pipeline’s main purpose appears to be to transport natural gas to exporters, and Section 7(a) is couched in terms of domestic consumption of the transported natural gas. Flowing from this is that KM will not be avail itself of the eminent domain authority and powers under the Natural Gas Act in order to get the pipeline path under its control since FERC’s authority to issue a Certificate of Public Convenience and Necessity leading to the empowerment of the Certificate holder with the power of eminent domain appears to extend only to a project transporting natural gas exclusively for domestic consumption.

b. No “project” segmentation

Extraction, transportation, and sale of natural gas are interdependent activities. Without a market, there is no need to extract; without extraction, there can be no market since no product to market; without a transportation mode, there can be no connection between extractor and purchaser. A pipeline project, then, has three interrelated components: a pipeline and the two sets of customers depending on it: extractors at one end of the pipeline and purchasers at the other.

In this case, the pipeline that KM seeks FERC permission to design, construct, and operate seeks to connect for the most part – whether presently or in the future -- the fracked gas fields of Pennsylvania and elsewhere to export terminals in the Northeast and Canada. This pipeline does not stand alone; its very

reason for being and its financing depend upon the existence of long-term supply contracts between the gas extractors in those fracked gas fields and those consumers, be they domestic or foreign. Therefore, the “project” subject to NEPA review consists of the extraction, transportation, and fate of fracked gas proposed to be carried in KM’s pipeline.

The fact that FERC’s jurisdiction extends only to the pipeline’s necessity and not to natural gas extraction or sale does not change the legal requirement that FERC is the NEPA lead agency in this matter and so, must ensure that the NEPA document generated for this project properly, fully, and comprehensively analyzes all aspects of this project, from extraction to export.

## 2. Need for this project

Before approving this project, FERC must determine that it is “necessary or desirable in the public interest.” 15 USC 717f (c): when the project’s projected public benefits outweigh its potential adverse consequences. FERC Statement of Policy, “Certification of New Interstate Natural Gas Pipeline Facilities,” 88 FERC (CCH) ¶ 61,227 (1999), orders clarifying policy, 90 FERC (CCH) ¶ 61,128 (Feb. 2000) and 92 FERC (CCH) ¶ 61,094 (July 2000).

“Need” has a number of components: need for this particular energy source among the many available; need for natural gas at the destination; need for natural gas in the quantity the pipeline will transport; need for the pipeline to travel the path proposed; etc. FERC’s NEPA evaluation, then, must encompass all environmental impacts associated with all components of “need.”

This comprehensive understanding of “need” is quite important to my family since we live along the proposed pipeline’s path and not far from the compressor station proposed for the Town of Nassau, Rensselaer County, New York. Since I understand that the potential blast impact radius for the proposed 30 inch pipeline operated to transport 1.3 BCFD of natural gas will operate at pressures that will generate an approximately 800 foot blast radius, requiring that pipeline to transport only that amount of natural gas sufficient to address the current gas supply needs of New England and nowhere else will help to minimize the safety impacts upon my community.

In terms of need for this particular energy source, consider:

- Energy conservation and renewable energy are the first priority for meeting future energy needs — green buildings, energy efficient appliances, flattening peak energy demand, wind generation, etc. and that more can be done to reduce reliance on fossil fuel sources. In fact, energy efficiency is decreasing the need for energy resources, fuel-free renewables are supplanting polluting power plants, and liquefied natural gas has become cost-competitive and available at times of peak need.
- ISO-New England has expressed concern about over-reliance on natural gas as the primary means of electricity generation.

In terms of need for the additional domestic gas supply, consider:

- KM has marketed this project as answering a New England-wide need for additional gas supply to, among other things, promote energy reliability. However, the report prepared by July 12, 2013 Synapse Energy Economics, Inc., “Avoided Energy Supply Costs in New England: 2013 Report,” which is one of KM’s cornerstone substantiations, projected a potential shortfall in future electricity generation capacity in Massachusetts only for peak demand on certain days of the year; and that report has been criticized for not adequately taking into account future benefits from improved energy efficiencies, as well as the growth of renewable sources.
- The analysis of need for additional domestic gas supply should encompass the study announced by MA AG Healey on electricity reliability needs, including natural gas capacity demands, in New England. A key focus of the study will be the question of whether more natural gas is needed in the region, and if so, how much more capacity is needed. Analysis Group, a Boston-based economic and financial consulting firm, will begin work on the study, which is slated to be completed by October 2015.
- In mid-July 2015, an independent consultant, London Economics International (LEI), hired by the Maine

Public Utilities Commission (PUC) concluded that Maine should not enter into contracts to purchase gas pipeline capacity because the costs of doing so would outweigh the benefits to Mainers. Conservation Law Foundation: <http://www.clf.org/blog/clean-energy-climate-change/maine-doesnt-need-new-gas-pipelines/> “Experts Weigh In: Maine Doesn’t Need New Gas Pipelines”; Jul 17, 2015 by Ivy Frignoca

- As KM noted above, (see fn. 1), KM is actively seeking exporters to provide demand for the pipeline’s capacity. Although KM proposes no new LNG storage facilities, the fact is that Pieridae Energy’s October 24, 2014 application to the Department of Energy seeks to export domestically produced natural gas out of Canada. The gas for this proposal would reach Canadian LNG export terminals via the Maritimes and Northeast pipeline that the Northeast Energy Direct pipeline, among others, would feed by reversing the flow of that pipeline to allow gas to reach Canada as part of the Northeast Energy Direct project. Thus, KM itself needs the extra capacity in its pipeline project not to provide domestic demand but to supply export markets.

In terms of whether there is a public need for the pipeline at all, consider a new study issued by Energyzt Advisors LLC and commissioned by France-based GDF Suez, an LNG importer, that challenges the notion that new natural gas pipelines are needed for the New England market, contending that demand for the product is expected to decline and noting that the region will benefit from a diversification in power generation resources. The Energyzt report concluded: “Even during extreme winter conditions, new pipeline capacity is not required to meet New England natural gas demand needs given existing infrastructure, current market conditions and policy initiatives.” See also ENE, “Pipeline Alternatives Assessment: Energy Resources to Meet New England’s Winter Needs” (June 2014), available at [http://acadiacenter.org/wpcontent/uploads/2014/09/ENE\\_Pipelines\\_Alternatives\\_Assessment\\_140612\\_RF.pdf](http://acadiacenter.org/wpcontent/uploads/2014/09/ENE_Pipelines_Alternatives_Assessment_140612_RF.pdf); and Feldstein, M. and Kessler K., “Burden of Proof: The Case Against the Proposed Northeast Energy Direct (NED) Fracked Gas Pipeline,” (Aug. 2014), available at [www.nofrackedgasinmass.org/notgp/wpcontent/uploads/2014/09/BurdenOfProof.pdf](http://www.nofrackedgasinmass.org/notgp/wpcontent/uploads/2014/09/BurdenOfProof.pdf).

In terms of whether there is a need to consume additional carbon-based energy resources, consider

- the long-term public health impacts of continued reliance upon carbon-based energy sources, especially when there already exist better alternatives. See, e.g., the wide-ranging and peer-reviewed report issued by the Lancet Commission on Health and Climate Change (The Lancet is a UK-based medical journal), Health and climate change: policy responses to protect public health, which declares that the negative impacts of human-caused global warming have put at risk some of the world’s most impressive health gains over the last half century; and that continued use of fossil fuels is leading humanity to a future in which infectious disease patterns, air pollution, food insecurity and malnutrition, involuntary migration, displacement, and violent conflict will all be made worse. When climate change is framed as a health issue, rather than purely as an environmental, economic, or technological challenge, it becomes clear that we are facing a predicament that strikes at the heart of humanity. Health puts a human face on what can sometimes seem to be a distant threat.

- the argument major economists and investors are making for divesting from fossil fuels such as natural gas. See, e.g., “Keep it in the ground: The argument for divesting from fossil fuels is becoming overwhelming” by Alan Rusbridger (Monday 16 March 2015 09.06 EDT), found at <http://www.theguardian.com/environment/2015/mar/16/argument-divesting-fossil-fuels-overwhelming-climate-change>: This is why the divestment movement has changed from being a fringe campaign to something every responsible fund manager can no longer ignore. How could they, when even the governor of the Bank of England, Mark Carney, has warned that the “vast majority of reserves are unburnable” and the bank itself is conducting an inquiry into the risk that inflated fossil fuel assets pose to the stability of the financial system? When the president of the World Bank, Jim Yong Kim, urges: “Be the first mover. Use smart due diligence. Rethink what fiduciary responsibility means in this changing world. It’s simple self-interest. Every company, investor and bank that screens new and existing investments for climate risk is simply being pragmatic”? When the Bank of England’s deputy head of supervision for banks and insurance companies, Paul Fisher, warns, as he did this month: “As the world increasingly limits carbon emissions, and moves to alternative energy

sources, investments in fossil fuels – a growing financial market in recent decades – may take a huge hit”? Or listen to Hank Paulson, no bleeding liberal, but secretary of the Treasury under Bush and former CEO of Goldman Sachs: “Each of us must recognise that the risks are personal. We’ve seen and felt the costs of underestimating the financial bubble. Let’s not ignore the climate bubble.” President Obama puts it most pithily: “We’re not going to be able to burn it all.”

- The Administration’s current efforts to combat climate change, which, among other things, seek to incentivize building renewable energy infrastructure and not new fossil fuel infrastructure.

In terms of the necessity for the proposed route, the NEPA assessment should encompass analysis of alternative routing and the rationale for the proposed route, which consumes so much “greenfield,” when it already has a path under its control sufficient to run the pipeline.

All the above, of course, raises the question, whether it is in the public interest to foster continued construction of carbon-fuel infrastructure such as this project, which will delay the changeover to more public-health and environmentally friendly alternatives.

### 3. Impacts on natural environment

#### a. Path crossing CERCLA site(s)/use of contaminated waters

KM needs to address its project’s impacts on the proper investigation and remediation of contaminated sites along the pipeline pathway. I raise this because of the following:

- I understand that KM proposes to draw water from the Dewey Loeffel federal Superfund site that under active remediation, in order to use the water for pipeline integrity testing. Aside from the fact that doing so will result in KM’s possibly becoming a Potentially Responsible Party for the site and its pipeline becoming part of that site, there is no description of how much water will be used and its fate once testing is complete – water that not only contains contaminants from the Dewey Loeffel site itself but contaminants within the pipeline.
- the pipeline project must cross the Hudson River, a federal Superfund site. Disturbing the riverbed, the river’s sediment, or the soil in the river’s floodplain invites PRP status. Since KM presently is not a PRP for the site and since state water quality requirements prohibit the introduction of PCB into the Hudson River and since any disturbance will result in introduction of at least a small amount of PCB into the water column, it does not appear that the New York State Department of Environmental Conservation will be in a position to issue a certification under the federal Clean Water Act. I intend to inform NYSDEC and the General Electric Company of my opinion on this matter to alert them to the possibility of KM’s attempt to cross the river.

#### b. Water resource protection

Implementing the Northeast Energy Direct Project proposal to dredge, horizontally drill, and blast a continuous excavation large enough to contain what is now proposed to be a 30-inch diameter pipe will perforate and hydraulically connect scores of miles of north-south trending aquifers, aquitards, streams, wetlands, and water-yielding bedrock strata through New York, Massachusetts, and New Hampshire, creating an extremely large manmade preferential groundwater contaminant transport pathway crossing state lines. This has the significant potential to cause a foreseeable harmful impact to drinking water and human health and needs careful comprehensive study and analysis.

Private drinking water supply protection is absolutely vital to sustain a viable rural residential existence. Residents of the Town of Nassau obtain their drinking water exclusively from private wells and are not alone in this regard: certainly this is the case throughout Schoharie, Albany, and Rensselaer Counties in New York and, as I expect throughout the rural portions of Massachusetts and New Hampshire along the pipeline’s pathway.

The NEPA analysis must assess protection of those supplies from contamination emanating from this project’s design, construction, operation, and closure. Of course, the first step must be to obtain a complete list of chemicals to be used during design, construction, operation, and closure of the pipeline system, as

well as the chemicals passing through the pipeline – not only the natural gas but the chemicals contained in that gas coming from the gas extraction process. Post-construction water runoff characteristics will differ from pre-construction conditions, as will land contours, vegetation, water retention capacity, etc.. The analysis must include assessment and identification of measures to be taken to prevent petroleum contamination during design, construction, operation, and closure and to prevent pesticide contamination (and in this regard, integrated pest management as an alternative to chemical control should be assessed).

FERC’s NEPA analysis should encompass such matters as: where will the waters used for testing come from, and where will they be taken for disposal; and what contaminants will they contain and how will those contaminants be addressed to ensure that they do not enter the environment?

c. Air resources protection

Air quality, environmental, and human health impacts of planned and unplanned blowdowns and main line valve releases are significant substantive concerns. The proposed path through the Town of Nassau is surrounded by hills. Depressurized natural gas released from the pipeline is expected to be significantly colder than the surrounding air; and this denser natural gas-contaminated air contains compounds left over from the high volume hydrofracturing process used to produce that gas within the pipeline. With prevailing winds, those gases will travel to neighboring residences resulting in potential health and safety issues and potential contamination of organic farms that already operate along the pipeline’s proposed path within the Town.

d. Critical habitat areas and threatened and endangered species protection

As currently proposed, the NED project crosses miles of pristine land that has been protected, or whose merits have been studied or have been touted, using state and federal dollars. One such land area is the Rensselaer Plateau. The NEPA review must encompass the need to run a pipeline directly through land within the Plateau and through other lands in Massachusetts and New Hampshire.

e. Noise impact minimization

The pipeline project lies within the Town’s Rural Residential District. To ensure that this project, which is otherwise incompatible with the objectives of that district, does not disturb that district’s allowed uses, FERC NEPA analysis should consider not only evaluation of project noise using the dBA scale for ambient noise but also using the dBC scale to evaluate the sharp noises inherent in compressor station operations. Further, the NEPA analysis should analyze the implementation of a requirement that there should be no gain of ambient noise at the boundaries of the easement, or other property subject to the control of KM, from the perspective of both the dB(A) and the dB(C) scales.

Pre-construction sampling and operational monitoring of ambient noise using such scales should be required as part of the environmental controls on the project, as well as should be allowing local governments to enforce the requirements directly.

f. Visual impacts

The Town of Nassau is a rural location noted for its scenic beauty. Scenic tourism contributes to the local economy. The pipeline pathway passes through other areas of rural beauty as it goes from Wright to Dracut. The NEPA assessment needs to encompass an analysis of the impacts on the scenic viewshed that this project will cause during all its phases – siting, design, construction, operation, and closure.

4. Impacts upon manmade environment

a. Local infrastructure protection (roads, bridges, culverts, electric transmission lines, etc.)

As a taxpayer, I am concerned that the equipment used to lay and to maintain the pipeline and to build and operate the compressor station proposed to be located near my home will ruin our town’s roadways, most of which are unpaved; and that my tax dollars will be spent either repairing them or upgrading them, all to benefit a private enterprise that burdens me with the risk of damage or loss without any compensation whatsoever. KM needs to develop an in-depth analysis of the Town’s roadway/bridge/culvert infrastructure to determine and to minimize the project’s impact on same and to evaluate the best financial mechanism

to ensure that it has the money to upgrade the roads it seeks to use and to maintain them during all phases of the project's life, until the pipeline system stops operating and the pipeline and pipeline infrastructure is dismantled..

b. This project as an economic disamenity

Pipelines, once constructed and buried, are out-of-sight and perhaps out of thought – at least until an explosion or other incident brings to mind the reasons for having opposed its construction in the first place. However, compressor stations, with their associated noise, lighting, gas release, and accidents, cannot be out-of-sight or out-of-mind. They are economic disamenities whose presence suppresses real estate sales prices and lengthens the time needed to sell a property.

FERC's NEPA analysis needs to evaluate the project's impacts on local real estate sales and marketing and what can be done to eliminate those impacts.

c. Business development protection

The construction and operation of the pipeline and its compressor station in the Town of Nassau could create significant impacts on farming and other agricultural activities, resulting in significant loss of revenue for established farms. The Town has at least one organic farm near the proposed compressor station. Emissions from that station, especially from blowdowns, could affect the organic certification, to the detriment of that family-owned small business to continue in operation.

Loss of revenue for commercial business along the pipeline's path and near the proposed compressor station and other infrastructure needs close examination, especially since loss of revenue for the businesses translates also to loss of taxes – taxes that I and other landowners will have to assume in order for my Town to remain financially viable – and to relocation of businesses, leading to further loss of taxes that I shall have to assume.

d. Government revenue protection (taxation; orderly development; etc.)

The Town of Nassau is a rural residential community. Its revenue structure depends heavily upon land tax receipts.

As noted above, this project, if implemented, may result in the creation of a significant economic disamenity in the northern part of the Town, with this disamenity pathway actually running from Wright to Dracut. Thus, the fiscal impacts upon the Town of Nassau's tax base are not inconsiderable and are not unique to it.

KM asserts that that the project will generate taxes. However, to evaluate whether the project will actually benefit this Town and the other municipalities in the project's pathway, FERC's NEPA analysis should encompass, among other things, a comparison of anticipated revenue from the pipeline over its entire life and loss of non-pipeline tax revenue over that life.

e. Public safety protection/emergency response

A pipeline is critical infrastructure. A high tension electric transmission line also is critical infrastructure. Both are prime targets for a terrorist target, which could be a considerable threat to nearby residents and visitors.

This project calls for a close paralleling of the pipeline with a high tension electric transmission line.

None of the towns along the pipeline's pathway, from Wright to Dracut, has the resources needed to secure the pipeline from attack. In any event, none of them should be burdened with that expense, both during construction and during operation.

FERC's NEPA analysis should evaluate the consequences of damage to, or loss of, pipeline system infrastructure (pipeline, compressor station, etc.) occasioned by deliberate malicious acts and the measures KM must take in order to keep those along the pathway, and their property, safe from harm. All forms of attack, not just from explosives or rifle shots, should be assessed in this evaluation.

Third party excavation activity is a significant cause of pipeline ruptures; and roads that cross the pipe-

line are areas where excavation activities are more likely to occur and damage the pipeline. The NEPA assessment should analyze this issue (in the Town of Nassau, for example, the pipeline path is expected to cross State Route 66 near a high tension electric transmission line. A rupture there could trigger not only a fire and blast but also loss of electrical supply to western New England's grid) and determine measures to eliminate a rupture from occurring..

Additionally, PL 112-90 obligates PHMSA to carry out scores of actions aimed at further ensuring that interstate natural gas pipeline transportation is conducted in a safe and environmentally protective manner. PHMSA yet to comply fully with that law, which is to sunset in September. FERC's NEPA analysis should address the project's compliance with the requirements of that act so that compliance will be assured once the law is reauthorized; or the project should be delayed until the law's requirements are reauthorized.

As previously noted, the potential blast impact radius for the proposed 30 inch pipeline operated to transport 1.3 BCFD of natural gas will operate at pressures that will generate an 800 foot blast radius. Requiring that pipeline to transport only that amount of natural gas sufficient to address the current needs of New England and nowhere else will help to minimize the safety impacts upon my community. Further, in view of the blast radius' size, KM needs to provide a detailed emergency response plan covering, at a minimum, the thermal, concussive, shrapnel, downwind, and emergency access aspects of an incident. Part of that response plan should be KM's equipping and training at its expense of the emergency response personnel of all emergency response entities along the pipeline's pathway. Simply put, it is not enough simply for KM to say – as it has done so far -- that when an incident occurs, local emergency responders should contact KM, evacuate local residents, and let the fire burn out.

## 5. Cumulative effects

As with all other aspects of this project, all assessment and resulting mitigative measures and plans must be location/municipality-specific. This is so to ensure that the analysis covers not only the unique characteristics of each location in the pipeline pathway but also to disclose the full extent of the cumulative effect of this project along its entire pathway. Thus, while I may discuss impacts to my Town, the Town of Nassau in Rensselaer County, New York, the NEPA analysis must discuss all the specific impacts – major and minor – to all locations, from Wright to Dracut.

The NEPA cumulative analysis for this project also should encompass the cumulative effects associated with the multiple pipeline projects presently under FERC review that purportedly seek to provide the same region with additional natural gas supply. “[P]roposals for ... actions that will have cumulative or synergistic environmental impact upon a region ... pending concurrently before an agency ... must be considered together. Only through comprehensive consideration of pending proposals can the agency evaluate different courses of action.” *Kleppe v. Sierra Club*, 427 U.S. 390, 410 (1976). The fact that these various projects may have different timeframes does not necessarily allow FERC to evade its cumulative effects assessment responsibility. For example, in *Riverkeeper Network v. Federal Energy Regulatory Commission*, 753 F.3d 1304 (DC, 2014), the projects that the Court ruled should be measured cumulatively were constructed over a three year period. Additionally, NEPA requires FERC to consider connected, cumulative, and similar actions.

I am not the only individual to raise this issue. For example, on June 30, 2015, New York State Senator Jim Seward urged FERC to reject this project on cumulative impact grounds, noting that the project, coming on the heels of the proposed Constitution Pipeline, would make the region a natural gas pipeline “highway” that is “not in harmony with what residents want or support.” “The cumulative effect of multiple pipelines through portions of [New York’s] Delaware and Schoharie Counties should be reviewed by FERC. It is not unreasonable to project that multiple pipelines would place arithmetically higher pressure on public infrastructure and public services, land values and the environment. This ‘multiplier’ effect should be evaluated carefully. ... [L]ong-term environmental and safety costs can also be anticipated. If the Kinder-Morgan project is given federal approval, none of these expenses should be the responsibility of local property taxpayers who are receiving absolutely no benefit and being forced to assume all of the risks associated with the

unwanted pipeline.”

The U.S. Court of Appeals for the DC Circuit ruled in 2014 that FERC failed to provide a cumulative impact analysis for a series of upgrades to the Tennessee Gas Pipeline system. *Delaware Riverkeeper Network v. Federal Energy Regulatory Commission*, 753 F.3d 1304 (DC, 2014) (2014). The court has defined such an analysis in this way: “A meaningful cumulative impact analysis must identify (1) the area in which the effects of the proposed project will be felt; (2) the impacts that are expected in that area from the proposed project; (3) other actions—past, present, and proposed, and reasonably foreseeable—that have had or are expected to have impacts in the same area; (4) the impacts or expected impacts from these other actions; and (5) the overall impact that can be expected if the individual impacts are allowed to accumulate.”

#### 6. Need for comprehensive health impact assessment

While FERC’s natural gas pipeline system infrastructure project review process encompasses environmental impact analysis, it does not encompass a comprehensive health impact assessment.

It should.

In June 2015, the American Medical Association recognized this gap in critical information concerning the potential impact on human health associated with natural gas infrastructure; and it resolved to support legislation requiring comprehensive health impact assessments regarding the health risks that may be associated with natural gas pipelines as an integral part of the regulatory review of gas pipeline proposals.

The typical regulatory agency approach estimates the total short-term and long-term emissions directly sent into air or water by the project under consideration. Estimated total emissions are then compared with Federal or State standards for “acceptable” emissions. If the estimated levels fall below critical thresholds, the project is assessed as having a non-significant health impact.

This approach is inadequate. For example, the following are but three examples of impacts that FERC, in applying this approach, presently does not include in its reviews:

- **Emission spikes.** Regulatory agencies measure emissions in terms of averages taken over numerous short (for example, one hour or less) or long-term intervals (for example one or more days). Recent studies have found that these averages do not reveal the occurrence of very high levels of “peak” emissions that may occur at irregular intervals. These peaks may have serious adverse health impacts that are not captured by averaging over longer periods of time. A comprehensive assessment performed according to public health professional standards would capture information on peak emissions and their consequent health implications.
- **Dynamic evolution of emissions.** Regulatory agencies take a very local and static view of toxic emissions, assessing them in isolation from each other and only at the time and place immediately adjacent to their source. Many if not most standards are based on single chemical emission, while under most circumstances it is a mixture of different chemicals that are emitted. In addition, any single emission can disperse widely, evolve, and combine with other emissions and atmospheric conditions and become reabsorbed into distant water and soil. Only a comprehensive health assessment can properly evaluate the full range of emission impacts.
- **Downstream and upstream impacts.** Regulatory agencies restrict their assessment of impacts to the operations of the project in question. However, pipeline impacts extend far beyond pipeline operations. Pipelines are a “midstream” structure, placed between the start-point of gas well production sites and the endpoint of commercial or residential consumption. Adding a pipeline has the impact of expanding both production and consumption; and many studies have reported that the endpoint use of pipeline-provided gas in residential stoves has adverse impacts on respiratory function. Only a comprehensive health assessment would, correctly, view this as a pipeline impact.

These examples are not exhaustive. The issue of vulnerable sub-populations (such as people with pre-existing asthmatic conditions) is not routinely addressed by regulatory agencies, but is a key part of comprehensive health impact assessments.

FERC should include as part of its review process a more complete and informative look at environmental impacts from a human health perspective, as outlined as a set of research protocols by the Centers for Disease Control and Prevention, and by the National Academy of Sciences.

7. Other matters

a. Frost line

There is a number of instances of pipeline fractures attributable to frost heaves.

The frost line in eastern New York is about four feet – and that is when the bedrock is deep enough to allow there to be frost-free soil above it. In many locations in Rensselaer County in the proposed pipeline’s path, the bedrock is less than four feet below the surface.

b. Design/construction matters

FERC’s NEPA assessment needs to address pipeline construction effects, both surface and underground. I note above some of the analysis needed as, for example, groundwater diversion and contamination. However, the analysis should encompass the effects of the chemicals used during construction (as well as during other aspects of design, construction, operation, and closure) on humans, fish, and other organisms.

The assessment should cover the actual details of siting, design, construction, operation, and closure. It is not enough to discuss these phases of the project in general terms, such as “conformity with recognized procedures, etc. Lack of detail prevents citizens from responsibly commenting on the adequacy of design, operation, closure, etc.

Necessity for the proposed route: Why is there a need for “greenfield” locations when KM already has a path within its control?

The NEPA analysis should detail the methods and procedures used for blasting. It is not enough to state that blasting will be conducted by licensed blasters using accepted methods and procedures. Each method, each procedure, has its own set of circumstances, including chemicals used and released into the environment. Baseline testing of private and public wells should be included as a requirement of this project, as should post-blast testing of wells on a complaint-driven basis, with KM bearing all costs to sample, analyze, and report to the well owner.

The NEPA analysis needs to assess the environmental, safety, and engineering consequences of locating a pipeline, or a component of the pipeline infrastructure near high tension electric transmission lines, as KM proposes to do. Since material, weld, and equipment failure and corrosion are the leading causes of natural gas pipeline significant incidents, the analysis should encompass, at a minimum, analysis of risk of equipment failure, longevity of sacrificial cathodes in cathode beds, and evidence-based maintenance plans.

The NEPA analysis should assess the sufficiency of a pipeline design – construction – operation – maintenance regulatory program applicable to this project that gives rural residents a lower level of protection, to such an extent as to treat them as second-class citizens in that regard. This is a critical environmental issue as it directly concerns the safety of this pipeline project. It comes from the basis for the regulatory program: natural gas transmission pipeline regulations establish pipe strength requirements based on population density near the pipeline. Locations along gas pipelines are divided into four “classes” by counting the number of dwellings within 660 feet of the pipeline for one mile (in the case of Classes 1 to 3) or by determining that four-story buildings are prevalent along the pipeline (Class 4). Pipelines in Class 1 locations – rural areas, which is the majority of the proposed pipeline corridor in New York as well as in Pennsylvania, Massachusetts, and New Hampshire – are allowed to have greater allowable pipe stresses, as a percentage of specified minimum yield strength (SMYS), than are allowed for pipelines in Class 2, 3, or 4 locations. Design factors, which are used in the formula to determine the design pressure for steel pipe and which generally reflect the maximum allowable percentage of SMYS, are 0.72 for Class 1, 0.60 for Class 2, 0.50 for Class 3, and 0.40 for Class 4. Thus, the possibility of greater personal and property loss in densely populated areas and consequent greater insurance industry payouts, as compared against those in rural areas, drive the pipeline safety regulations of the Pipeline and Hazardous Materials Safety Administration. In actual fact, then,

rural residents and their property get a lower level of protection and so, are treated as citizens less worthy of protection through no fault of their own other than to have chosen to live in a rural environment. For example:

- sectionalizing block valves (used to seal off sections of pipe in the event of an emergency, among other things) can be ten miles apart in rural areas, as opposed to 2-1/2 miles in more densely populated areas
- pipe used to transit rural areas can operate at pressures higher than is allowed in more densely populated areas
- plastic pipe can be used for higher pressured gas in rural areas than is allowed in more densely populated areas
- nondestructive testing of ten percent of each day's field butt welds must be undertaken in rural areas but such testing of all such welds must be undertaken in more densely populated areas
- soil cover of the pipe is less in rural areas (30 inches) than in more densely populated areas (36 inches).
- on steel pipe manufactured before November 12, 1970, with welded seams, the pipe must be tested to at least 1.25 times the maximum allowable operating pressure if it is to be installed in a rural location but to at least 1.5 times such pressure if installed in a more densely populated area.

Further, it does not appear that present-day federal regulation provides for many common-sense requirements that should have been put into place years ago had public safety been the key driver of pipeline safety requirements. Examples of such common-sense requirements include:

- Nondestructive testing of all girth welds at the time of construction, nomatter the class location
- Close interval surveys
- Ensuring that pipe in a cased crossing can be assessed for metallic and electrolytic shorts
- Coating surveys (for example, to assess whether pipe coatings on the pipeline and girth weld joints are, and remain, non-shielding to cathodic protection) and remediation
- Stress corrosion cracking surveys (SCC) and segment replacement (if a SCC threat is found and not remediated)
- An ongoing monitoring program for DC currents and induced AC currents in high-voltage power transmission line corridors (including proper remediation plans) – this is an especially important matter here since the pipeline is proposed to follow a high voltage transmission line's right-of-way
- In-line tool inspections (ILI) to inspect for pipe metal loss (corrosion), cracks, hard spots, weld seams, and other integrity threats in steel pipe (ILI tool evaluations for metal loss must use specified-or-greater interaction criteria to ensure defects meet a minimum integrity criterion)
- Repairs to defects within a periodic time interval that is based on maintaining the pipeline design safety factor with a maximum pipe wall loss
- Pipe surveys of the depth of cover over buried pipelines
- Data integration of all surveys, excavations, remediation, and other integrity threats
- Pipeline remediation based on assessment and data integration findings (for example, assess pipe seam quality issues and remove from service those pipes with quality or integrity concerns)
- Performance of monthly ground or aerial right-of-way patrols
- Conducting a root cause analysis to determine the cause of all in-service and hydrostatic test failures or leaks
- Requiring all sectionalizing block valves to be remotely and automatically activated upon occurrence of a pipeline leak or rupture

FERC cannot dodge its responsibility to address this issue by simply stating that pipeline design/construction/operation matters do not fall within its area of responsibility or that the pipeline will be designed,

constructed, and operated in accordance with applicable legal requirements. FERC as lead agency has the responsibility to ensure that the project can proceed safely; and authorizing a project to proceed that allows a lower level of safety to rural residents than that required to be given for urban residents is unsatisfactory. Thus, it has the requisite authority to require standards more stringent than that required under regulation when the circumstances so require. This is one of those circumstances.

c. Operation matters

FERC's NEPA analysis should identify all chemicals that will be encountered during the course of operation: those used in normal maintenance, those encountered in the gas itself, those needed to address emergency situations, etc. The analysis should then evaluate whether there are any less harmful chemicals that could be used to achieve the same operational or emergency response objectives.

The NEPA analysis should encompass the evaluation of the leakage potential of the pipeline system and the determination of methods to employ during design, construction, and operation to eliminate them and, that failing, to respond quickly to eliminate a leak should one occur.

Since a pipeline easement can cut across a parcel, the NEPA assessment should include a discussion of the maximum equipment weight, speed, and angle that is safe to drive over the pipeline. These are important considerations in my Town, which has many people engaged in forestry occupations.

Since blowdowns are seen as a normal component of pipeline operations, the NEPA assessment should analyze and decide upon the best course of action to eliminate blowdowns to the maximum extent practicable and to minimize the migration of blown-off gases. In line with this, the analysis should provide an accurate estimate of the quantity of gas released each quarter at each location along the pipeline project's pathway where blowdowns and other authorized releases occur (for example, at compressor stations), at STP. *{end of 20150825-5120}*

**20150825-5134**

August 15, 2015

Ms. Kimberly D. Bose, Secretary  
The Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

RE: Docket Number PF14-22-000

Dear Ms. Bose:

As an abutter, I've been advised by some very learned people who apparently know a lot about this process that in order to give these comments the best chance of being taken seriously, I need to stick to facts and nothing but facts, while at the same time offering suggestions for ways to address these adverse environmental impacts. Why it's my responsibility to solve problems I didn't have a hand in creating and that I'm not being paid to solve is an absolute mystery to me, but since I happen to have a few recommended solutions anyway, I've included them.

Most of the environmental impacts detailed below are based upon my own site measurements, all made consistent with the Interstate Natural Gas Association of America guidelines specified in the attached drawing entitled "MAINLINE CONSTRUCTION PARALLEL TO POWER LINES RIGHT-OF-WAY". The drawing is numbered STD-INGAA-5 and is taken from a much larger document with which I'm sure you are familiar: "Building Interstate Natural Gas Transmission Pipelines: A Primer", available on the INGAA web site and carrying a publication date of January, 2013, with Kinder Morgan (KM) listed as a Key Contributor. While admittedly not a professional surveyor, I have taken and re-taken these measurements a total of four times now. They are accurate to +/- 3' and significantly more accurate than the CAD drawing of our home published without our prior knowledge by KM in its most recent Draft EIS.

Issues

- If INGAA guidelines are adhered to, the currently proposed pipeline routing would place its centerline within twenty (20) feet of our home, not the forty-one feet indicated by KM in the most recently published Draft Environmental Impact Statement, Drawing MK-SEG\_I-RES-001.
- Adhering to the INGAA guidelines means that there simply isn't enough room between the electric transmission lines and our home to allow for placing the pipeline between our home and the current Eversource right-of-way without the permanent pipeline right-of-way encroaching on a portion of our house.
- Given the planned permanent right-of-way width of fifty feet as previously stated by Kinder Morgan representatives, adherence to the INGAA guidelines will mean not only a permanent right-of-way on our property, but a permanent right-of-way through a portion of our home.
- The loss in value to our property and home will most certainly approach 100% under this scenario as it will be impossible to sell the home and equally impossible for a prospective buyer foolish enough to try and purchase it to obtain insurance or financing with an easement running THROUGH the house. Who in their right mind would agree to be obligated under an easement to seek Kinder Morgan's approval to re-paint their kitchen or install a new garage door? It's beyond absurd.
- If INGAA guidelines are adhered to, excavation and blasting will occur within twenty feet of our home, subjecting the structure to potential damage caused by flying debris, concussive blast waves, heavy construction equipment and construction personnel, and subjecting the occupants of the structure (our family) to physical and psychological stress and physical injury caused by such activity.
- If, on the other hand, INGAA guidelines are ignored, excavation and blasting will occur within forty-one feet of our home, subjecting the structure to potential damage caused by flying debris, concussive blast waves, heavy construction equipment and construction personnel, and subjecting the occupants of the structure (our family) to physical and psychological stress and physical injury caused by such activity. KM doesn't genuinely expect us to believe that an additional twenty-one feet would make any difference at all when they're detonating explosives or digging a 15' wide trench and laying pipe using equipment nearly as large as our house, do they? Do you?

#### Recommended Solutions

- Deny the project application with no chance of appeal.
- or-
- Require the applicant to reroute the pipeline.
- or-
- Mandate that the applicant purchase our home and property and the homes and properties of any similarly situated abutters willing to sell to them.

#### Issues

- The currently proposed pipeline routing would result in the only source of potable water on our property (a private well) lying within sixty (60) feet of the pipeline centerline.
- The currently proposed pipeline routing would result in excavation and blasting occurring within sixty (60) feet of the only source of potable water on our property.
- The currently proposed pipeline routing would also result in that private well lying within forty (40) feet of the permanent right-of-way.
- The currently proposed pipeline routing would also result in that private well lying 100% within the temporary construction right-of-way and work zone.
- These facts make it a virtual certainty that the only source of potable water available to supply our residence will be adversely and irreparably impacted by the currently proposed location of the pipeline including, but not limited to, line and casing integrity, turbidity, capacity, flow rate, and recovery rate.
- Due to setback requirements for the current septic tank, leach field, property lines, road way, and perma-

ment right-of-way, securing approval for and successfully drilling a new well location would be virtually impossible. Further, a change to the entry point of the main water supply line into the house would be extremely difficult, and may in fact be impossible.

- A permanent lack of a potable water supply to our home due to pipeline approval and construction as currently proposed will render it uninhabitable, unsaleable, and largely worthless.

#### Recommended Solutions

- Deny the project application with no chance of appeal.

-or-

- Require the applicant to reroute the pipeline.

-or-

- Mandate that the applicant purchase our home and property and the homes and properties of any similarly situated abutters willing to sell to them.

#### Issues

- The currently proposed pipeline routing will result in the construction right-of-way encompassing 100% of the overhead lines providing electricity and other utilities to our home, making service interruptions during construction highly likely.
- A careful reading of the previously mentioned INGAA guidelines makes clear that utility service interruptions are a fairly standard occurrence in pipeline construction near residences, with contractors advised to attempt to give residents advance notice of construction related utility outages.
- Due to our rural location, during periods of utility outages we will be without heat, without potable water and functional plumbing, without access to refrigerated foods, and without a way to prepare food.

#### Recommended Solutions

- Deny the project application with no chance of appeal.

-or-

- Require the applicant to reroute the pipeline.

-or-

- Mandate that the applicant purchase our home and property and the homes and properties of any similarly situated abutters willing to sell to them.

#### Issues

- The currently proposed pipeline routing will result in the temporary construction right-of-way encompassing a significant portion of the only ingress / egress route on the property (private driveway) with our access to our own home likely to be significantly and repeatedly compromised during construction and with substantial or total destruction of our paved driveway a virtual certainty.

#### Recommended Solutions

- Deny the project application with no chance of appeal.

-or-

- Require the applicant to reroute the pipeline.

-or-

- Mandate that the applicant purchase our home and property and the homes and properties of any similarly situated abutters willing to sell to them.

#### Issues

- The currently proposed pipeline routing will result in the removal of roughly 2/3 of all trees on our heavily wooded, 4-acre lot. That's literally hundreds of trees. As the trees are primarily evergreens, there is no

actively growing ground cover under the tree canopy.

- Due to the significant slope of our property, this lack of vegetation makes certain the significant erosion of soil and flooding of our home as rainwater follows the course of this slope unimpeded by trees or ground cover.
- The currently proposed pipeline routing in such extremely close proximity to the house will necessitate the removal of 15-20 trees exceeding 50' in height and growing very, very close to the house. To date, KM has done absolutely nothing that causes me to believe they will exercise the level of care necessary to ensure no incidental damage to our home during the removal of these trees.

#### Recommended Solutions

- Deny the project application with no chance of appeal.

-or-

- Require the applicant to reroute the pipeline.

-or-

- Mandate that the applicant purchase our home and property and the homes and properties of any similarly situated abutters willing to sell to them.

In closing, I readily acknowledge the lack of creativity in my recommended solutions. However, as the issues related to the pipeline's proposed proximity to our home and to our sole source of potable water appear to be addressable only through denial of the application, the rerouting of the pipeline, or the outright purchase of our home, I didn't spend any time trying to figure out additional possible solutions for all of the other issues. Frankly, if the pipeline being located within twenty feet, or even forty-one feet, of our home, and within sixty feet of our well, isn't significant enough for KM and FERC to take steps to try and mitigate the health, welfare, and financial impacts on my family, I doubt any alternatives I could suggest would receive anything approaching serious consideration.

Curtis L. Douglas  
Richmond, New Hampshire

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August 24, 2015

Ms. Kimberly D. Bose, Secretary  
The Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

RE: Docket Number PF14-22-000

Dear Ms. Bose:

In a letter dated August 15, 2015, I previously submitted comments in response to the Kinder Morgan Draft Environmental Impact Statement in which I detailed the most significant impacts to me and my family resulting from the proposed pipeline. Consistent with what I've learned regarding this process, my previous comments were largely devoid of emotion or anything other than fact-based issues and recommended solutions. But, the inconvenient truth in all of this is that it is emotional – at least for those of us in the path of the pipeline. And while the players at KM, at FERC, and in Congress clearly have little to no regard for our families or our homes and just as clearly have reduced us to nothing more than data points on a collateral damage list, I nonetheless feel that those of us being asked to shoulder the burden of this project and process should count for something...heck, anything. Instead, I find that we've been marginalized to the point that we're now seen as just an enemy that must be deceived, manipulated, and outright destroyed whenever necessary, in order to realize some unspoken and unwritten list of broader objectives – money chief among them. Try as I might, I'm entirely unable to reconcile what I've observed thus far in the behavior of KM, FERC, and our elected officials with the fact that this is the United States, that those of us in the path of the

pipeline are citizens too, and that we have some right to expect that we be treated as such.

You know, I didn't ask for this fight – some company I didn't know anything about and its posse of fixers declared war on me while I was busy minding my own business. I'm not some Luddite (for anyone at KM or in Washington reading this, that's someone opposed to progress and technology) who rails against anything representing change. I'm also not opposed to this proposal because I'm worried about a pasture field and maybe a fence or two out on our “back-forty” somewhere, or because I care about garden slug habitats, endangered mushrooms, or mosquito breeding areas. I can assure you that in this particular context, I don't care about any of those things. This proposed project represents a very real threat to the health and well-being of my family. That's what I care about. To say nothing of the fact that we don't own enough to even have a back-forty.

Since I have previously documented my methods for arriving at the following measurements, I won't go into it again here. Suffice to say, they are accurate to +/- 3' and significantly more accurate than the CAD drawing of our home published without our prior knowledge by KM in its most recent Draft EIS. I know this because my measurements were taken using actual measuring tools instead of being guessed at using decades-old GIS maps, pictures taken from helicopters and satellites, Ouija boards, Magic 8-Balls, and whatever additional methods may have contributed to the numbers KM came up with.

- The currently proposed pipeline routing will place its centerline within twenty feet of our home, not the forty-one feet indicated by KM in the most recently published Draft Environmental Impact Statement. There simply isn't enough room between the electric transmission lines and our home to allow for placing the pipeline there without the permanent pipeline right-of-way encroaching on a portion of our house. Forcing the pipeline into this location will result in not only a permanent right-of-way on our property, but a permanent right-of-way through a portion of our home. Wishing there was more room, buying a new Ouija board, or hiring a new helicopter pilot won't change the facts. The loss in value to our property and home would most certainly approach 100% under this scenario as it would be impossible to sell the home and equally impossible for a prospective buyer foolish enough to try and buy it to obtain insurance or financing with an easement running through the house.
- In addition, excavation and blasting will occur within twenty feet of our home. It's stupefying to me that KM is seeking FERC approval for a project that may require them to, among other things, detonate explosives within two car-lengths of the house my family lives in and that FERC is willing to not only consider the proposal, but is highly likely to issue a CPC giving them carte blanche approval to do it. What if they wanted to blow up, say, our kitchen? Would FERC willingly consider that proposal too? What if we didn't want our kitchen blown up? Would it still be our responsibility to try and talk KM and FERC out of moving forward with the plan by offering a recommendation for a completely different room that could be blown up instead? Like maybe the bathroom or something? Just out of curiosity, is there anywhere that they could propose placing the explosives that would cause somebody at FERC - or anyone else in Washington - to finally speak up and say, “You know this might not be such a great idea”? What about under the sofa in our living room? No? OK, then how about under our son's bed? Would that do it? Or would that proposal receive serious consideration too as long as the law guaranteed us an offer equal to the fair market value of the mattress, sheets, and blankets? And would our elected officials continue to look the other way under those circumstances as well?
- The currently proposed pipeline routing will result in the only source of potable water on our property (a private well) lying within sixty feet of the pipeline centerline and will result in excavation and blasting occurring within sixty feet of that same well. Also, the well will lie within forty feet of the permanent right-of-way and 100% within the temporary construction right-of-way and work zone. Due to setback requirements for the current septic tank, leach field, property lines, road way, and permanent right-of-way, securing approval for and successfully drilling a new well location would be virtually impossible. Further, a change to the entry point of the main water supply line into the house would be extremely difficult, and may in fact be impossible, while a permanent lack of a potable water supply to our home will render it uninhabitable, unsaleable, and largely worthless.

- The currently proposed pipeline routing will result in the construction right-of-way encompassing 100% of the overhead lines providing electricity and other utilities to our home, making service interruptions during construction highly likely. During periods of utility outages we will be without heat, without potable water and functional plumbing, without access to refrigerated foods, and without a way to prepare food. Also, the temporary construction right-of-way will encompass a significant portion of the only ingress / egress route on the property (a private driveway) with access to our home highly likely to be significantly and repeatedly compromised during construction, with substantial or total destruction of our paved driveway a virtual certainty.
- The currently proposed pipeline routing will result in the clear-cutting of roughly 75% of all trees on our heavily wooded, 4-acre lot. That's literally hundreds of trees. Since the trees are primarily evergreens, there is no actively growing ground cover under the tree canopy. Due to the significant slope of our property, this lack of vegetation makes certain the significant erosion of soil and flooding of our home as rainwater follows the course of this slope unimpeded by ground cover or trees.
- Of course, there is an "out" in all of this. Simply ignore recommended pipeline construction practices and place the pipeline closer to the 345,000 volt electric transmission lines and a little farther away from our home. Obviously, FERC, OSHA and Eversource Energy will have to ignore the fact that construction is taking place in close proximity to 345kV transmission lines. And I would imagine some of KM's contractors will be significantly endangered by this work. But since at this point nobody sees anything wrong with our family being forced to live forty feet - or even twenty feet - from a pipeline and its well-documented pollution and explosion risks, I'm guessing they don't care much about the folks who are going to build it either. A few workers getting toasted by 345,000 volts may be a perfectly acceptable risk when there's billions of dollars to be made. Just pay a couple of fines, throw a little money at the survivors, and then get right back to work. It does make you wonder how it'll be decided who gets to operate the crane underneath the transmission lines though. Who knows, before they start blowing stuff up every morning, maybe we'll see 'em doing Rock-Paper-Scissors out in what used to be our woods.

You know, every time FERC approves another of these lunatic fringe projects while the EPA, the DOT, and Congress looks the other way, it hands a briefcase full of nuclear launch codes to the equivalent of a madman in the form of Eminent Domain. And here all we data points on the collateral damage list sit with giant targets already painted on our homes, our property, our finances...and our families. We're beginning to understand that there isn't one meaningful thing any of us can do about it in the current environment, but that doesn't make it any less emotional for us. Even though how we feel about it and how dearly we're made to pay doesn't matter to FERC or Congress, it still matters to us. So here's a heartfelt suggestion for you. For once, why don't you stop treating us like something you mistakenly stepped in that now has to be scraped off the bottom of your shoe? For once, why don't you and our elected officials try offering us a hand instead of sitting on your hands?

Curtis L. Douglas  
Richmond, New Hampshire

P.S.: Is there any way Kinder Morgan can be made to stop using helicopters to randomly hover and circle around 25' above our house? While technically legal, it's still an invasion of our privacy. Plus, if it's intended to intimidate us, it's not working. (Although it is starting to freak the dog out a little.) All in all, we were pretty pleased with how the pictures of the helicopter turned out and we have the video camera ready for the next time. But we're still wondering what they're doing up there in the first place? Trying to peep in the windows or get a few candid shots of my family members using the bathroom maybe? Regardless, it's still a little creepy - even by pipeline company standards.

**20150825-5140**

Miriam Kurland, Mansfield Center, CT.  
Dear Secretary Bose,

I am writing in regards to Docket number PF14-22, Kinder Morgan's Northeast Energy Direct (NED) project.

In the environmental impact statement, FERC needs to take into account the increased amount of methane emissions that this large project will pour into our atmosphere. Earlier this month the EPA proposed new standards to reduce methane emissions by 45% over the next 10 years. The EPA recognizes that methane is a potent global greenhouse gas, far worse than carbon dioxide at trapping heat in the atmosphere. The NED project will make those reductions in methane emissions impossible, and will cause irreparable harm to our climate.

Furthermore, these shale gas expansion projects are segmented into two, the Connecticut Expansion and NED. FERC must acknowledge that this is the case, and admit that the environmental harm caused by these two projects is cumulative. They are not separate projects, and FERC has been guilty of illegal segmentation in the recent past.

The potential harm to water has been raised by the Hartford MDC, the municipal corporation responsible for providing clean water to 400,000 people in the Hartford area. In a June 26 letter to FERC, MDC Chief Executive Officer Scott Jellison wrote "to express some concern that the proposed pipeline could potentially impact MDC's public drinking water supplies in West Hartford and Bloomfield, CT." FERC must address the concerns of MDC and the public about the impact of pipeline construction and operation on drinking water.

FERC should take into account the frequency of pipeline leaks and explosions, and factor in the costs to local communities, who bear a burden when environmental harm from pipeline accidents occur. According to the Pipeline Hazardous and Materials Safety Administration, leaks and explosions are not uncommon and have increased in frequency in recent years. We, in Connecticut, New York and Massachusetts DO NOT want increases in infrastructure for these very toxic and dangerous fossil fuels. Please listen to the People and stop this madness throughout the Northeast and throughout the nation. Thank You, Miriam Kurland

#### **20150825-5156**

ARTHUR KARIS, STEPHENTOWN, NY.

I AM WRITING CONCERNING THE PROPOSED NED PIPELINE AND THE POSSIBLE EFFECT IT WILL HAVE ON THE SHALLOW WELL THAT PROVIDES WATER FOR 3 HOUSEHOLDS ON GRIFFIN ROAD IN STEPHENTOWN NY. THE PROPOSED PIPELINE WILL IS WITHIN 800 FEET OF OUR WATER SUPPLY AND TRAVERSES THE UPHILL WATERSHED FOR THIS SHALLOW WELL AND OTHER WELLS IN THE VICINITY. SPECIFICALLY, THE BLASTING AND TRENCHING OF THE ROCK IN WHICH THE PIPELINE WILL BE INSTALLED HAS THE POTENTIAL FOR DISRUPTING AND POLLUTING THE WATERSHED FOR OUR WATER SUPPLY. I WOULD LIKE TO KNOW WHAT ACTIONS THE TENNESSEE GAS PIPELING COMPANY IS PROPOSING TO MITIGATE ANY NEGATIVE EFFECTS ON THE WATER SUPPLY FOR OUR HOME AND THE OTHER HOMES THAT ARE DOWNHILL FROM THE PIPELINE.

#### **20150825-5159**

carolyn bosch, dracut, MA.

We are opposed to the NED pipeline docket number PF-14-22. There are many alternatives to this pipeline. Kinder Morgan can invest a fraction of their cost to fixing the leaks in the existing pipelines to supply natural gas to New England. This will produce the 1% more in energy that we need on the coldest of days. Building a massive infrastructure that they are proposing only emphasizes that their real goal is to export our natural resources overseas. That in itself is not a reasonable strategy. Energy supplied by the United States will be lowballed in price by the Soviet Union and Australia who are currently in a better position to supply natural gas to Europe and Asia. A private company in the USA has the right to make money, however not at the expense of hundreds of thousands of Americans that will bear the risk of the cumulative negative effects

to our environment, our property, our health, and our way of life. This proposal is unconscionable.

Carolyn & Jim Bosch  
45 Blacksmith Rd  
Dracut, Ma 01826

**20150825-5164**

**Town of Amherst, New Hampshire**  
P.O. Box 960, 2 Main Street  
Amherst, NH 03031  
1.(603).673.6041 | www.amherstnh.gov

August 24, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426

Comments of the Town of Amherst, NH

Re: Tennessee Gas Pipeline Company, L.L.C. (“TGP”)

Docket No. PF14-22-000: Proposed Northeast Energy Direct (“NED”)

Dear Ms. Bose:

On March 23, 2015, the Town of Amherst Board of Selectmen submitted comments, including a preliminary environmental assessment prepared by the Amherst Conservation Commission (ACC), regarding the above-referenced project. Since that time, Kinder Morgan (KM) has presented three alternate route options through the Town of Amherst (attached) in response to the sensitive properties and populations identified by the Amherst Pipeline Taskforce and ACC. Amherst residents Alice and Kenneth J. Bury, on February 27, 2015 in a letter to FERC also proposed several potential alternative alignments to minimize the impact of the proposed NED pipeline project on a portion of the Town of Amherst.

The ACC has recently prepared an addendum to its preliminary environmental assessment to review the potential impacts of these alternate routes. The ACC addendum (attached) concludes that the overall environmental impacts from an alternative alignment that incorporates the Bury’s Alternative 2 and the Kinder Morgan Option 1 would be substantially reduced. The realignment of the pipeline through more commercial and industrial properties adjacent to the railroad right of way and the avoidance of sensitive environmental resources including the Souhegan River and Ponemah Bog would result in alleviated environmental impacts.

Additionally, the Board of Selectmen notes the following:

- Option 1 avoids impacts to the Souhegan River and Ponemah Bog entirely, as well as avoiding both Amherst’s Middle School and High School.
- Option 1 combined with the Bury’s Alternative 2 impact far fewer existing homes (though perhaps the same or slightly more properties) than the original proposal.
- Option 1 combined with the Bury’s Alternative 2 reduces the length of the pipeline through Amherst by one-third, with no disruptive horizontal directional drilling required.
- Option 1 combined with the Bury’s Alternative 2 represents a much less disruptive route through Amherst.

It would appear that there are alternative routes to the original KM proposed route which would minimize the impact of the pipeline on the Town of Amherst and its residents and its environmentally sensitive lands, and these should be given careful consideration by the FERC and KM.

This letter should not be taken as an endorsement of the pipeline or its route through Amherst and New

Hampshire on the part of the Amherst Board of Selectmen or the ACC. The Amherst Selectmen firmly believe that this pipeline should not be built in Amherst or in southern New Hampshire.

The Amherst Board of Selectmen looks forward to the FERC's continued rigorous analysis of the NED pipeline proposal, the need for it, the justification for its being in New Hampshire, and its alternative routes. Sincerely,

Dwight Brew, Chairman

John D'Angelo, Vice-Chairman

Nate Jensen, Clerk

Reed Panasiti

Cc: Allen Fore, Kinder Morgan Barry Duff, Kinder Morgan

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**Environmental Impact Assessment – Addendum 1**

**July 28, 2015**

In March 2015, the Pipeline Environmental Impact Assessment Committee (Committee) of the Amherst Conservation Commission (ACC) submitted a Preliminary Environmental Assessment (PEA) at the request of the Town of Amherst (Town) Board of Selectmen (BOS) regarding the Northeast Energy Direct (NED) pipeline proposed by Kinder Morgan (KM) in December 2014 (original proposal). In subsequent months, representatives of Kinder Morgan and the BOS's Pipeline Task Force (Task Force) discussed alternatives for the alignment through the Town.

In June 2015, KM presented three (3) options for alternative alignments (Attachment 1). Option 1 tracks the same alignment of the original proposal for the first portion of the pipeline through the Town, from the Milford Town Line to Hertzka Lane, then the alignment diverges to the east, adjacent to the Pan Am Railway Right-of-Way (ROW), crossing sixteen (16) properties abutting the railroad to the south. Option 2 diverges from the original proposal in the Town to the west of Rt. 122 in Amherst, traveling northwest back into Milford and the Rt. 101A/Rt. 101 interchange, then northward in the east side of the Rt. 101 Right-of-Way, underneath the Souhegan River (River), crossing Merrimack Road and Rt. 122, then northeastward, crossing Beaver Brook, Corduroy Road, Boston Post Road, Meadow Road, between Ravine Road and Storybrook Lane, then following County Road to the south of the pavement southeastward into the Town of Merrimack, where it would subsequently cross under the River again. Option 3 diverges from the original proposal in Milford west of Federal Hill Road, traveling north to the Rt. 101 Right-of-Way, meeting Option 2 at the Rt. 101A/Rt. 101 interchange for the duration of the alignment in the Town. Based on a variety of parameters including the avoidance of waterways, the Task Force has decided that Option 1 would be preferable to either the original proposal, Option 2, or Option 3.

The Task Force has asked the Committee to provide a preliminary environmental assessment addendum for Option 1. Given that Option 1 does not address issues with properties on the first portion of the alignment (adjacent to Rt. 122), the Task Force has asked that the current assessment include one of three alternative alignments proposed by Alice and Kenneth J. Bury on February 27, 2015 in a letter to the Federal Energy Regulatory Commission (FERC), which is attached as Attachment 2. Based on the Bury's "Summary of Pipeline Routing Alternatives", the Committee selected Alternative #2, which diverges from KM's original proposal west of Rt. 122 in Amherst, traveling southeast rather than northeast (as in the original proposal), then eastward parallel to the original proposal by approximately 600 feet to the south, reconnecting with the original proposal at Hertzka Lane.

The combination of the Bury's Alternative #2 and KM's Option 1 constitutes the alignment assessed in this addendum.

The total length of the original proposal is approximately 18,500 linear feet (LF) in the Town; this assessment is reviewing an alignment of approximately 12,500 LF (67%).

The format of this addendum will follow the initial PEA and correspond to the sections therein.

## **2.1 Land Use**

The proposed Alternative #2/Option 1 alignment, by principally paralleling the ROW, crosses or abuts primarily vacant, commercial, and/or industrial land uses along most of its path. Otherwise, only one utility and three residential parcels abut this alignment option. Unlike the original proposal, no school, conservation, or recreational land uses are encountered.

## **2.2 Water Resources**

The Alternative #2/Option 1 alignment does not encounter any surface waters in the Town. This alignment does traverse the highest yielding portion of the underlying aquifer in the properties adjacent to the ROW. The alignment passes adjacent (within 200 feet) to four (4) public water supply wells and over three (3) wellhead protection areas, one of which is for the supply wells of the Merrimack Village Water District, according to the Town of Amherst Environmental Features map prepared by the Nashua Regional Planning Commission. Given the local geology, it is not envisioned that blasting would be required to place the pipe in this area, minimizing the disturbance to wells from excavation, although dewatering activities may require lowering localized groundwater elevations. Blasting may still be required to the west along the properties on or adjacent to Federal Hill; impacts to groundwater resources would require significant hydro-geologic investigation.

## **2.3 Habitat and Species**

The Alternative #2/Option 1 alignment is restricted principally to commercial and industrial properties and, consequently, impacts significantly less highly ranked wildlife habitat when compared to the original proposal. Alternative #2/Option 1 traverses only one parcel (a 22 acre parcel abutting the rail ROW along Howe Ave.) that is highly ranked for ecological values, listed as Appalachian oak-pine by the New Hampshire Fish and Game, although it appears that this area has been cleared subsequent to the most recently available aerial photography. Potential impacts to terrestrial and aquatic species and their associated habitats are expected to be significantly less than the original proposal since the Ponemah Bog and Souhegan River environments are avoided.

## **2.4 Wetlands**

The Alternative #2/Option 1 alignment may encounter two small wetlands on Tax Map Parcel 2-26-4, which are listed as 0.32 and 0.44 acres and classified as freshwater forested/shrub wetlands.

## **2.5 Geology and Soils**

The bedrock and surficial geology of the Amherst area remain as described in the original Preliminary Environmental Assessment report. Option 1 traverses Glacial Lake Merrimack deposits (sands and gravels) along its entire length through Amherst. No blasting would likely be required due to the depth to bedrock. There are no agricultural soils along this alignment as compared with the original proposal.

2.6 Visual Resources Impacts to visual resources are anticipated to be less along Option 1 as the area is already principally developed for commercial and industrial use resulting in fewer existing trees and impacted viewsapes. Visual impacts along the Alternative #2 alignment also would be reduced as the alignment is shifted away from previously developed residential properties and an existing roadway to previously undeveloped areas.

## **2.7 Recreation**

None of the recreational impacts identified along the originally proposed pipeline route are anticipated to occur along Alternative #2/Option 1 since the River and Ponemah Bog are avoided by this alignment.

## **2.8 Public Health**

It is not anticipated that the types of public health impacts from the alignment covered under the assessed alignment would differ significantly from the original proposal; however, since the length of this alignment

is 67% of the original proposal, it is anticipated that the quantity of the public health impacts would be less. One specific area in which it is believed that the impacts would be significantly reduced is in terms of noise from blasting; due to the re-alignment of the western portion of the pipeline to the south of the existing Eversource powerline right-of-way, a bedrock formation upon which the Pennichuck Bon Terrain water tank sits, will be avoided, potentially reducing the amount of blasting required for excavation and installation.

## **2.9 Hazardous Materials**

As the alignment covered under this addendum is passing through additional commercial properties including those adjacent to the ROW, it is anticipated that the excavation of soils may encounter additional unknown materials. Hazardous materials expected in association with railroad rights-of-way include creosote (from railroad ties), diesel hydrocarbons, and any material transported along the ROW. As in the original PEA, the Town should ascertain that KM verify the presence of subsurface materials during their due diligence period and prior to full-scale excavation and pipe installation.

## **2.10 Air Quality**

It is not anticipated that the types of air quality impacts from the alignment covered under the assessed alignment would differ significantly from the original proposal; however, since the length of this alignment is 67% of the original proposal, it is anticipated that the quantity of the air pollution impacts would be less.

## **Summary**

It is anticipated that the overall environmental impacts from the Alternative #2/Option 1 alignment would be lessened as a result of the reduced length of the pipeline. Additionally, the realignment of the pipeline through more commercial and industrial properties adjacent to the ROW and the avoidance of many environmental features such as Ponemah Bog, unnamed wetlands, and the Souhegan River would result in alleviated environmental impacts.

It is possible that excavating soils adjacent to the ROW may disturb additional hazardous materials; however, as these potential contaminants exist in a commercial/industrial area, any remedial actions required would be less disruptive to daily activities and would present less of a health risk due to potential exposure durations during remediation than if it were to occur on residential properties.

*{map, not included here}*

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Alice and Kenneth J Bury  
7 Patricia Lane  
Amherst, NH 03031

Email: kenjbury@comcast.net  
Phone: 603-672-0687 (H), 603-930-7163 (C)

February 27, 2015

Ref: Docket No. PF14-22-000

Chairman Cheryl A. LaFleur  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

Madam Chairman:

We are stake holders in the proposed Northeast Energy Direct Project (NEDirect) natural gas pipeline planned to pass through our section of New Hampshire. While we are not convinced of the need for this or in any case the need for such a large pipeline we are not addressing this issue in this correspondence.

Our immediate concern is the pipeline route proposed for my immediate area. As I believe the attachments show although this pipeline routing is planned to co-locate with an existing electrical power right of way it still will require easements to access abutting property. Also unlike a high voltage electrical line any problem such as leakage and or fire and explosion would have a major impact on a much wider surrounding area than an electrical power line catastrophe.

We have attached what we consider a fair analysis of the impact of following the existing route proposed by Kinder Morgan as well as (3) alternative routes that we have identified.

We believe the comparison shows it is worth investigating and refining these proposed alternate routes rather than following the Kinder Morgan proposed route. We feel that a better routing for this pipeline in our area can be found and in any case the routing must be changed from what has been proposed by Kinder Morgan.

Please feel free to contact us at any time to discuss our proposal.

Thanks for your time.

Alice and Kenneth J. Bury, Trustees

CC:

James D. Hartman TGP,LLC  
1615 Suffield St  
Agawam, MA 01001

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Pipeline Current Routing Issues/ Concerns and Proposed Alternative

I. Routing - the current pipeline routing is close to/ through/ near many residents in Amherst. Alternative routing should be considered to go around these residences. These alternatives may involve deviating from the use of the electrical power right of way (ROW) which on the surface may sound like a problem. However, since the pipeline cannot go directly under the electrical power lines' co-locating along this ROW still requires obtaining numerous residential easements for construction and ultimately maintenance.

II. Specifically in my one mile area (between mile 161.6 and mile 162.6) the current pipeline routing is planned (see attachment #1) to:

- a. Pass near 44 residences. 28 currently inhabited and 16 planned to be built.
- b. Cross a state highway at an intersection (NH Route 122 and Patricia Lane) that if closed in an emergency would isolate a (27) family community,
- c. Through Amherst Christian Church's parking lot near the church building,
- d. Crossing a road that would isolate a (10) unit condo development preventing access or egress in an emergency,
- e. Require easement from 9 property owners, a church, 2 condo associations and 1 homeowner's association bordering or being transversed by the pipeline.
- f. Up to and along side of a public water tower which services this section of town,
- g. And also run next to a (16) unit work force housing project currently being planned for the area.

III. We believe that an alternative route can be found which would reduce the residential exposure, impact on the church, and move route away from the Water Tower. While not on the power line right of way, this routing would be through undeveloped residential and industrial land.

IV. Attachment #5 contains a summary analysis of the existing and the 3 alternative pipeline routings.

*{5 maps, not included here}*

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**Attachment #5**

## SUMMARY OF PIPELINE ROUTING ALTERNATIVES

*{spreadsheet, not included here}*

### 20150825-5169

carolyn bosch, dracut, MA.

We are opposed to the NED pipeline docket number PF-14-22. “The annual “State of the Climate in 2014” report, which was compiled by NOAA and released by the American Meteorological Society (AMS) has confirmed that 2014 was the warmest year on record globally.

A total of 413 scientists from 58 countries contributed to the report.”

We should not continue to fuel this disaster by adding additional toxins to our environment from fossil fuels.

Here are the highlights of the 267 page report:

---Four independent global temperature datasets showed that 2014 was the warmest year on record going back to 1880. Europe observed its warmest year on record by a large margin, while eastern North America was the only major region to experience below-normal temperatures. Currently, 2015 is on pace to set another new global temperature record with some help from a strengthening El Nino.

---The globally averaged sea surface temperature for 2014 was the highest on record despite much of the year being under ENSO neutral conditions. However, a transition from a negative to a positive phase of the Pacific Decadal Oscillation (PDO) certainly enhanced the pronounced warming of the north Pacific Ocean.

---Upper ocean heat content was the highest on record. The report states that the oceans absorb over 90 percent of Earth’s excess heat from greenhouse gas forcing.

---Speaking of oceans, the global sea level continued to steadily climb at a rate of 3.2 mm per year, making 2014 a record high for average global sea level. The database goes back to 1993.

---Sea ice extent reached a record high in the Southern Hemisphere but was the sixth lowest on record in the Northern Hemisphere. Records go back to 1979.

---There were a total of 91 tropical cyclones for 2014, which is above the average of 82. The most active region was the eastern and central Pacific, while the Atlantic was relatively quiet.

---Carbon dioxide, methane and nitrous oxide, which are the three major greenhouse gases that are released into the atmosphere all reached record high concentrations for 2014.

---A total of 5 major and 15 minor greenhouse gases contributed 2.94 watts/sq. meter of direct radiative forcing in 2014, which is 36 percent greater than what it was just 25 years ago.

---Precipitation as usual was quite variable across the globe in 2014. Overall, precipitation was above-average over the oceans and below average over land areas.

---The Greenland Ice Sheet experienced extensive melting in summer 2014. The extent of melting was above the 1981-2010 average for 90% of the melt season, contributing to the second lowest average summer albedo over Greenland since observations began in 2000 and a record-low albedo across the ice sheet for August. (direct from the abstract).

---The ozone hole over the Antarctic continued to shrink as it was the sixth smallest on record since 1998. However, this decrease was still statistically insignificant.

### 20150825-5170

Donna Butler, Pelham, NH.

August 25, 2015

Kimberly D. Bose, Secretary

Federal Energy Regulatory Commission

888 First Street NE, Room 1A

Washington, DC 20426

RE: Kinder Morgan/Tennessee Gas Pipeline, LLC Docket #PF-14-22-000  
Northeast Energy Direct (NED)

Dear Ms. Bose,

We are writing to express our opposition to Docket #PF-14-22 and request FERC deny a permit to Kinder Morgan for the NED project.

Pelham, New Hampshire has the highest number of landowners directly affected by the proposed NED project in New Hampshire. Kinder Morgan scheduled a 2-hour information session with Pelham residents on March 26, 2015 but upon arrival announced they would be staying only 60-minutes due to another commitment in nearby Merrimack, NH. With some negotiations, Kinder Morgan agreed to stay for 90-minutes. Kinder Morgan expressed their sincerest apologies.

Kinder Morgan was ill-prepared for the information session, answering many questions as “To Be Determined” and distributing outdated maps despite a revised filing to FERC two weeks earlier. Materials lacked the revised pipeline route effective January, 2015 and failed to include multiple Pelham neighborhoods in close proximity to the proposed route, citing “not enough time to print accurate materials.” Kinder Morgan expressed their sincerest apologies.

When questioned about which methods would be used in the construction of pipeline within Pelham’s water resources, Kinder Morgan stated it would not traverse any of our waters, contradicting the plans provided at the meeting and to FERC. At best, the information provided was incomplete, inaccurate and misleading. At worst, the information was incorrect. Kinder Morgan expressed their sincerest apologies.

Kinder Morgan is sorry. It’s quick to acknowledge and apologize for broken commitments. Given the level of risk involved, Kinder Morgan’s sincerest apologies are simply not enough. We respectfully urge FERC to consider the lack of transparency and effort from Kinder Morgan as an indication of things to come. Please don’t allow Kinder Morgan the opportunity to issue their sincerest apologies to Pelham following a catastrophic event due to the approval of NED.

Please deny Kinder Morgan’s permit for NED.

Respectfully,

Timothy & Donna Butler

**20150826-0008**

August 12,2015

Eric Tomasi,  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

Re: NED Pipeline, FERC Docket #PF 14-22-000

Dear Mr. Tomasi,

At the FERC Scoping Hearing in mid-July you mentioned to my wife Shelley and I that if we didn’t want the proposed Clark’s Chapel Road compressor station in our residential neighborhood that we should suggest alternate sites. I have driven the pipeline route in the Town of Schodack, Rensselaer County and have concluded the best site for the compressor station is adjacent to US Route 9 near the Shuffelt Road intersection. This location is where the existing Tennessee Gas Pipeline, and the proposed NED pipeline, both cross under US Route 9. There are 3 adjacent properties on the east side of Route 9 that the existing and proposed gas pipelines pass alongside or through. The three total 185.47 acres. The three adjacent properties run from west to east and are explained below.

Starting on the east side of Route 9 are 21.07 acres belonging to Ken Morris & Son Excavating. 1590 US

Route 9, Castleton, New York 12033. He told me he is willing to sell. Morris's land also contains a large garage for maintenance of his gravel-hauling trucks. This land is zoned HC (Highway Commercial).

Abutting Morris on his east are 63.52 acres of vacant land belonging to William J. Keller & Sons Realty Corp., business address 1435 US Route 9, Castleton, New York 12033-9649. This land is zoned HC (Highway Commercial).

Abutting Keller & Sons Realty to their east are 100.88 acres of vacant land belonging to Robert E. Kohler, 66 Craver Road, West Sand Lake, New York 12196. This acreage is zoned RA (Rural Agricultural).

Kinder Morgan may not opt to buy all three properties. If not, all three properties can be accessed separately from Shuffelt Road.

For Kinder Morgan the advantages of the US Route 9 properties over the Clark's Chapel Road site are as follows. The US Route 9 site abuts a 4-lane road built for heavy traffic while the Clark's Chapel site is on a road not built for heavy traffic, and it's 6 miles from US Route 9. The Route 9 site is about two miles north of the entry/exit to Interstate 90. The Route 9 site compressor station is more in keeping with its HC zoned neighbors; Bonded Concrete gravel operation, Piasecki Steel fabricators, Servidone heavy equipment contractors, Venneer heavy equipment sales, Hannaford grocery chain regional distribution center, Town of Schodack Highway Department storage yard, etc. These similar pseudo-industrial uses should quell homeowners' resistance to its siting. The Route 9 site has a large truck maintenance building that could be used for sensitive equipment secure storage of compressor station building components while under construction. The building's offices can be used for night watchmen and construction manager offices. The Route 9 site is hidden from view by trees along both Route 9 and Shuffelt Road. There are less residential houses within a half-mile radius of the Route 9 site. There are no lakes or ponds within the half-mile radius and the nearest stream (Valkie Kill) is south of my proposed compressor site. The closest road to the north of my proposed compressor site is one mile away. If the major winds are from the south at the Route 9 site (as they are at the Clark's Chapel site) the nitrogen dioxide and other pollutants will blow north over forested land and some open fields, not onto residences and onto Burden Lake, a major recreational and residential lake in Rensselaer County.

Also, think about the following. Electrical service from National Grid is more abundant on Route 9 than on Clark's Chapel Road where many temporary black outs have occurred this past year while servicing the smaller electrical power needs of residences. Telephone service here on Clark's Chapel Road/Burden Lake Road (one road that changes name as it leaves one township and enters another) has been interrupted for several days 3 times in the last 20 months, once for a week. If your remote control of pipe valves, pressure regulators, etc. is controlled through the telephone systems Kinder Morgan may be left at times with no connection for days.

Clark J. Shaughnessy  
474 Burden Lake Road  
Nassau, NY 12123  
518-441-1685 (cell)

**20150826-0009**

*{copy of 20150824-0008 above}*

**20150826-0010**

Hand written FERC Comment form: Connor Kepcho, 20 Helenwood Lane, Averill Park, NY 12018, opposing.

**20150826-0011**

Hand written FERC Comment form: Pat Ladner RN, PO Box 717, Brookline, NH 03033, Monitoring air, water & soil - frequency and who pays? List of chemicals available? Plan B for adverse events?

**20150826-0012**

*{duplicate of 20150826-0011 above}*

**20150826-0013**

August 5th, 2015

To The FERC

Re: Docket No. PF14-22-000

Our farm is located in Schoharie County, town of Middleburgh in Ecker Hollow. A community of 60 homes, which includes a horse boarding business and a large campground.

I have lived here for 87 years and have made my living off this land, raised 4 children and hope to spend the rest of my life here. I am facing eminent domain easement on our land for the Constitution pipeline. The Tennessee Gas Line is looking to go alongside the Constitution Pipeline.

I am concerned with what this will do to my property value and our drinking water. It will disrupt the many waterfowl that use and raise young on our large pond. We have many deer, turkey, beaver, muskrats, eagles and osprey that call this valley home. This line will also cross 2 sections of large wetlands and 2 feeding streams.

The pipelines could be kept at the top of the hill and travel a little farther south through more woods and acres of abandoned land, affecting no crop fields and not close to any homes. You really need to visit this area to see what will destroy a quiet neighborhood and our 300 acres that has been in the Bixby family for over 150 years.

I am very much opposed to these lines and ask for you to not give your approval.

James E. Bixby

**20150826-0014**

Hand written FERC Comment form: Thomas J. Berube, 270 Wheeler Rd, Dracut, MA 01826: many concerns about Meter station.

**20150826-0015**

Dear \_\_\_\_\_

Kinder Morgan and its subsidiary, Tennessee Gas, propose to build and operate a 36-inch pipeline to daily transport up to 2.2 billion cubic feet of hydro-fractured gas at a pressure of up to 1,460 pounds per square inch from Pennsylvania through New York to Dracut, Massachusetts. The proposal is called the Northeast Energy Direct pipeline project (NED) and has been assigned Federal Energy Regulatory Commission (FERC) Docket # PF 14-22.

Please stop the NED in order to protect my family, my community, and our future. I oppose the NED because:

- No New Yorkers will receive any of the gas, and almost all of it will be exported to foreign markets.
- Pipeline safety standards in rural areas are lower than in urban areas, effectively treating constituents who live in the rural communities along the proposed route as second-class citizens.
- The governing federal and state regulations and the resources available to ensure pipeline safety during construction, operation and decommissioning phases are woefully inadequate.
- Only landowners whose lands abut the pipeline route may receive compensation. All other residents along the pipeline corridor, even those within the "incineration zone," involuntarily assume the risk of death, personal injury, illness, and property damage in the event of a rupture, but receive no compensation for their risk, diminished quality of life, or the assault on the quiet enjoyment of their homes.

- Property values along the pipeline will decline and reduce assessed valuations. This in turn will increase the tax burden on properties further away from the pipeline.

-- The federal process for approving and constructing gas pipelines violates the requirement of the National Environmental Policy Act (NEPA) to minimize cumulative negative impacts that federal agency decisions may have on public safety, health and the environment.

-- No single federal entity oversees the NED project as a whole. For example, FERC decides whether and where the NED is built The Department of State decides whether the gas may be exported. The Pipeline and Hazardous Material Safety Administration governs pipeline safety. Each agency pleads lack of jurisdiction to review or do anything that could be seen as falling within the jurisdiction of another agency. Oversight of the project is therefore segmented, eliminating the public's ability to effectively review and voice concerns about the NED.

-- Investment in dirty 20th century gas infrastructure (thousands of pipeline miles; industrial-sized compressor stations) delays development of sustainable, safer energy sources and associated permanent jobs and gives competitive advantage to countries investing in the development of green technologies and energy.

Thank you for your attention to this matter,

Dalton MacN?  
149 Momrow Rd  
Averill Park, NY 12018

#### **20150826-0016**

Re: Please oppose the NED project.

To Whom it may Concern

The high pressure gas pipeline proposed by the Kinder Morgan and Tennessee Gas Companies called The Northeast Energy Direct Project (NED) would carry hydro-fracked gas from Pennsylvania through New York, Massachusetts, and New Hampshire. As a resident of New York, I object to the fact that people in my area, though burdened by the risks associated with the project, will receive no reward. Jobs will be few and temporary, the gas transported by the project will not be available to us or lower our utility bills.

I am also concerned about the detriment to our health and the risk to our safety that the project poses. In addition to the very real possibilities of: 1) insurance rates rising due to increased risk; 2) property values decreasing because of the degraded environment the project will create; 3) additional taxes imposed to support the upgraded training and equipment our fire department will need; and 4) the general nuisance and inconvenience during construction, the pipeline represents a real and present danger to all of us.

Increasingly, we hear about accidents along pipelines. Every week it seems, there are reports of leaks, ruptures, even explosions. Fracked gas contains carcinogens, neurotoxins, and endocrine disruptors that are proven promoters of disease and disability. Experts in metallurgy point out that even reasonably sound pipes develop small holes over time. The cumulative effect of even tiny leaks of these toxins on a regular basis can be devastating. The proposed location of this particular pipeline is adjacent to National Grid's massive power lines—an accident waiting to happen.

If you believe we risk the health and well-being of everyone in our community by allowing the installation of this pipeline, then I hope you will publicly say so and actively work against the NED.

Sincerely,

Christopher Consuello  
149 Momrow Rd  
Averill Park, NY 12018

**20150826-0017**

Re: Opposition to the Proposed NED project by Kinder Morgan/Tennessee Gas

The proposal by Kinder Morgan and its' itthndiary, Tennessee Gas, to build the &acked gas pipeline called NED will be detrimental to the people, in&astructure, and environment ofmy county.

I am writing to you in the hope that you will listen to those of us who are aware of the dangers this project poses and will take whatever action you can to stop its construction.

My opposition to the NED stems from the following facts:

1. Pipeline safety ~sin rural areas are much lower than in urban ones. People who live along the proposed route are being treated as ifthey are less worthy ofprotection than their fellow urban citizens because fewer of them may be harmed by the project.
2. The pipeline as proposed, will be 36 inches in diameter and will carry hydro-&acked gas at approximately 1400 psi through pristine woods and under various (currently) unpolluted rivers and stteams. This land, which many ofus have fought to protect, will be adversely affected by the construction and on-going operation of the NED.
3. In addition to the possibiTity ofrupture, pipelines like this inevitably develop leaks &om welding joints. The process ofhydro-&eeking gas has been banned in New York State in part because of the known toxins the pmcess produces. Yet this pipeline will transport these same toxins through leaky pipes across our state.
4. According to many reports, the federal and state agencies responsible for pipeline safety are very under-funded and under-manned.
5. Most ofthe residents along the pipeline route will receive no compensation for bearing the risks the NED poses. In &ict, their burden is increased by potentially higher taxes and insurance rates, as well as lower property values. In addition, no New Yorker will get any ofthe gas or will benefit by lower gas prices, because it is most likely that Kinder Morgan's plan is to market the gas abroad.

I would appreciate your attention to this matter and thank you in advance for your help

Erica E. Magill  
149 Momrow Rd  
Averill Park, NY 12018

**20150826-0018**

Hand written FERC Comment form: Eileen C?, 100 Holsen Rd, Averill Park, NY, 12018, opposing

**20150826-0019**

August 5th,2015

To The FERC

Re: Docket No. PF14-22-000

I am a landowner at 190Bixby Rd, Schoharie, NY 12157in the town of Middleburgh, Schoharie County. I am opposed to the Tennessee Gas Pipeline that is proposed to be co-located with the Constitution Pipeline that has an eminent domain easement on our property waiting for water permits from the Department of Environmental Conservation.

This pipeline will divide the land running through hay fields, forests, and government designated "wetlands that include 2 streams feeding our nearly 19 acre lake that has many Canadian geese, wood ducks, mergansers, mallards, and other ducks and herons. Also, American eagles and osprey feed from this lake. There are beaver, muskrats, and mink that use these two streams. Construction and maintenance will certainly discourage these waterfowl and disrupt seasonal migrations.

I am very concerned about the loss of value in the property of the whole 300- acre farm and the increased

cost of insurance due to leaks or explosions as well as emissions from venting that will be done.

Another concern is what will happen to our excellent drinking water. They are avoiding largely populated areas because the hazards would involve fewer residents in case of tragedy. This tells me that there are dangers in these pipelines, a very big concern.

American Medical Association has passed a resolution to have serious, allinclusive health impact studies done on pipelines and compressor stations. Surely the health of our residents is important

I apologize to Eric Mossey and his staff at scoping meetings. Very few residents of our Schoharie County are as discourteous as several speakers were at the meeting I attended in Schoharie.

Margaret G. Bixby  
190 Bixby Rd  
Schoharie, NY 12157

**20150826-0020**

Hand written FERC Comment form: Jeannette McMeniman, 43 Cranberry Rd, Dracut, MA 01826, opposing

**20150826-0021**

Hand written FERC Comment form: Robert Blanton, 1381 Stewart Rd, East Meredith, NY 13757, opposing

**20150826-0022**

Hand written FERC Comment form: James & Susan Ferguson, 44 Mead Road, Armonk, NY 10504, concerned about noise, odors, security.

**20150826-0023**

Hand written FERC Comment form: Gerald J. McMeniman, 43 Cranberry Rd, Dracut, MA 01826, opposing

**20150826-0024**

Anne D. Lunt  
PO Box 84  
Temple, New Hampshire 03084

TO: Federal Energy Regulatory Commission  
Attn. Eric Tomasi

FROM: Anne D. Lunt

RE: Docket No. PF14-22

Kinder Morgan Northeast Energy Direct Pipeline

8 August 2015

I congratulate you on IFRC's well-run meeting in Milford, NH. It was impressive, overflowing with articulate, determined, well-prepared citizens expressing concern over their myriad concerns attending the proposed Kinder Morgan Northeast Energy Direct Pipeline (Docket No. PF1422). Thousands of frightened New Hampshire residents have written and called FERC begging to be

Of the manifold objections to the project, this letter will explore the impact of environmental degradation on tourism in New Hampshire.

Tourism is vital to New Hampshire's economy. More than 15.4million visitors came to NH in 2014, up 5.3% from 2013. Famously, they come to enjoy the fall foliage. They come to ski, to hike, to swim, to take hay rides and sleigh rides —to ski, to fish, to pick berries —to enjoy concerts, theatrical productions, country dances, garden, barn, and house tours. They visit antique stores and organic fauna and tractor shows. They spill out beyond the area in every direction, staying at southern New Hampshire's myriad bed-and-

breakfast establishments, inns, and hotels and motels, and eating at its many excellent restaurants.

And they spend money: \$2,015 million last year, up 4.3%. The New Ipswich compressor station is scheduled to be built a mile from my own bed and breakfast, Auk's Nest, which has served visitors to the area for nearly 50 years. Half a dozen other lodging facilities, plus numerous restaurants, flourish within a dozen miles, all of which will be forced out of business by the pipeline.

The impact on the thriving tourist industry in this peaceful corner (fondly known as The Currier Back Ives Corner) will be calamitous. The statistics provided below and on the attached sheet are from the Institute for New Hampshire Studies (INHS), at [www.plymouth.edu/institute-for-newhampshire-studies/](http://www.plymouth.edu/institute-for-newhampshire-studies/):

### **Tourist spending in the Monadnock Region, 2012: \$246,000,000**

Residents and visitors alike prize New England for its peaceful rural character, for the agrarian values and way of life that give our beloved homeland its special character. One example of many:

In July, the Historical Society of Temple presented Temple Bares 8'11" uncs, a tour of farms dating between 1754 and 2015. A couple of hundred men, women, and children visited the barns, petted lambs and baby goats and miniature horses, admired tractors and trucks and other vintage farm apparatus dating from the late 19th century. Several of the old vehicles, gleaming with fresh paint, were kept running full blast and filling the air with satisfying groans, shrieks, and chugging sounds. That is the kind of low-trade cacophony that rural New Englanders — and their envious guests and friends — enjoy!

The throngs that crowd such popular events are not made up solely of country people. Visitors to Temple Bares 8'11" uncs came from the Boston area, from New York, and from cities across New England, as well as from towns and villages

While tourism is a crucial element of New Hampshire's economy, it is just one of residents' any pressing concerns. Some of the most daunting include:

- ~ Hazards to wetlands, wetlands, and wells
- ~ Disruption of habitat, migratory patterns, mating habits of our fragile flora and fauna
- ~ Calamitous impact on property values
- ~ Light and noise pollution

The compressor will be situated one-half mile from the Temple Elementary School (TES) and within five miles of schools in Greenville and New Ipswich. How can pupils learn when they are unrelentingly assailed by deafening noise? How can teachers teach? Will towns be forced to relocate the schools, and if so, how can we ensure the calm, reflective atmosphere essential to study and to learning?

TES serves as the single emergency refuge for Temple's 1,300-plus citizens.

The Tobey Reservoir, which supplies water for Temple and Greenville, is even closer to the planned compressor. What heedless recklessness prompts proponents of the pipeline to put the water supply for a thousand families at risk?

Is our agrarian way of life, so treasured throughout America, to vanish under the onslaught of this pipeline and similar projects? Together with fellow citizens of Temple and the surrounding towns, I beg that you will give your thoughtful consideration to our myriad concerns. Thank you.

Anne D. Lunt

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Institute for New Hampshire Studies (INHS), Plymouth State University  
[www.plymouth.edu/institute-for-new-hampshire-studies/](http://www.plymouth.edu/institute-for-new-hampshire-studies/)

“Summer 2014 was ...the State's ...best summer in the last two decades in many measures.  
Real spending at lodgings after inflation-adjustment was a record high since 1989.”

*{body of report omitted}*

**20150826-0025**

Hand written FERC Comment form: William D. Young, Jr., 10024 County Highway 21, Franklin, New York: list of subjects requiring detailed attention.

**20150826-0026**

*{duplicate of 20150825-0013 above}*

**20150826-0027**

*{duplicate of 20150824-0092 and 20150824-0097 above}*

**20150826-0032**

*{appears to be duplicate of 20150819-5005}*

**20150826-0038**

*{appears to be duplicate of 20150819-5005}*

**20150826-0054**

**Town of Wilmington**

Office of the Town Manager      PHONE: (978) 658-3311  
121 Glen Road      FAX: (978) 658-3334  
Wilmington, MA 01887-3597      TTY: (978)694-1417  
WWW. WILMINGTONMA.GOV

August 24,2015

RE: Docket No. PF14-22

Northeast Energy Direct Project

Lynnfield Lateral Pipeline through Wilmington, MA

Kimberly D. Bose, Secretary

Federal Energy Regulatory Commission

888 First Street, N.E.

Washington, DC 20426

Dear Secretary Bose:

The Town of Wilmington has reviewed the July 24,2015 draft resource report filing from Kinder Morgan (Klvl) regarding the proposed Northeast Energy Direct Project (NED). From our review of the proposal, it is evident that the Town of Wilmington (Town) will be subject to long term impacts that do not result in any benefit to its residents. Additionally, it is unclear whether NED is necessary; specifically it is unclear if the construction of NED will result in a condition of overdeveloped pipeline capacity for the New England area. Given these circumstances, the Town strongly prefers a no-build alternative that would avoid both short-term and long-term impacts to the Town's resources and on-going safety concerns of its residents.

The full breadth of impacts to the Town have not been fully evaluated considering the short period of time between Kinder Morgan revising their proposed route and the Federal Energy Commission (FERC) comment period deadline of August 31,2015.

Kinder Morgan first presented their proposal for a new gas transmission pipeline in Town to the Wilmington Board of Selectmen on July 10, 2014. The proposed route was reviewed and carefully evaluated by the Town, parcel by parcel, over the subsequent eight (8) to nine (9) month period.

The Town of Wilmington was opposed to the original location for a multitude of reasons; the primary being the direct impact to the Zone 1 protective radius for two (2) of the Town's remaining primary drinking water

well fields: the Browns Crossing well field and the Salem Street GP well field. Among our other concerns were impacts to wetlands, buffer zones, Zone 2 Groundwater Protection District, riverfront area, three (3) vernal pools and overall safety of residents in close proximity to the pipeline.

While it was verbally stated by KM that the pipeline route through Wilmington would be altered to avoid impacts to our primary drinking water well fields, the change was not made official until their latest filing on July 24, 2015. KM has also revealed new information in this filing regarding above ground appurtenances, contractor yard locations, typical construction sections and temporary work disturbances.

Given all of this new information it seems an extension to the comment period is warranted. An extension would allow the Town of Wilmington adequate time to fully evaluate all of impacts of the revised pipeline route as we had done with the original route.

**The Town respectfully requests that the FERC comment period be extended beyond August 31, 2015.**

From our cursory review of the NED, the Town has considerable concerns about the proposed route. Should FERC determine that the NED is necessary following their comprehensive review, the Town requests that the following concerns be thoroughly evaluated and addressed:

**1. The revised pipeline route would traverse a parcel owned and operated by Benevento Companies - an aggregate based material supply company and active quarry.**

The Town is specifically concerned with the proximity of the revised pipeline route to blasting operations at the quarry. KM has indicated this portion of the pipeline would be designed to co-exist with the expected operations at the Benevento site. The Town had requested that KM provide case studies related to their experience with routing a gas pipeline through conditions similar to the Benevento parcel.

Since that request, the Town has received only general information of two (2) locations of existing gas pipelines located near active quarries. The information received thus far consisted only of an aerial photograph of each quarry, at a very small scale, with a superimposed line indicating the “existing gas pipeline”. It is simply impossible for the Town to draw any meaningful comparison from this information to the current proposal.

The Town requests that FERC require an independent and thorough evaluation be performed and submitted to the Town for review of the short-term and long-term impacts of this condition. The evaluation should include information at each quarry site regarding blasting frequency, seismic readings, geological attributes, pipe detail sections, pipe bedding specifications and depth of pipe. The evaluation should comment upon whether a high pressure gas transmission pipeline can be located at the edge of an active quarry without posing undue risk to the surrounding area. The evaluation should also make recommendations related to restrictive zones, as well as operational and monitoring procedures.

**2. Construction of the revised pipeline route will impact wetland resource areas and land area within the Town’s Zone 2 Groundwater Protection District for two (2) of our remaining well fields: the Browns Crossing and Salem Street well fields. Refer to the proposed pipeline locus map enclosed herewith.**

The Town has estimated that the total length of proposed pipeline located within the Zone 2 Groundwater Protection District is 1.5 miles. The potential area of disturbance within the Zone 2 Groundwater Protection District has been estimated at 697,500 SF± or 16 Acres. This figure is very concerning. In 2003, the Town discontinued use of 5 of its 9 well fields due to contamination from an industrial site. Understandably, protecting the remaining well fields and their contributing watershed area is a priority. The Town has spent considerable resources to protect this area including purchasing approximately 14 acres of land for aquifer protection.

The Town requests that FERC require an independent study that evaluates the impact that an open-cut trench for a 24-inch diameter gas main, with a permanent clear cut corridor of 50 feet, and tem-

porary workspace corridor of 90 FT, has on existing drainage patterns, hydrology, and groundwater flow within the Zone 2 Groundwater Protection District. This study should take into account the active rock quarry (also in the Zone 2 area) and include the anticipated depth of excavation, anticipated subsurface conditions (i.e. ledgelbedrock, soil layers, groundwater elevations), construction sequencing and construction protocol within this area. The study should also provide an alternatives analysis demonstrating no impact to our Groundwater Protection District.

Again, the Town strongly prefers a no-build alternative that would avoid both short-term and long-term impacts to the Town's resources and on-going safety concerns of its residents. However, should FERC determine that there is a need for the proposed gas pipeline and associated infrastructure to serve the general public, in the identified market area, as a matter of convenience and necessity; we ask that FERC evaluate the concerns outlined above and any additional concerns that are identified during an extended comment period. Please do not hesitate to contact me with questions at 978-658-3311 or via email at [jhull@wilmingtonma.gov](mailto:jhull@wilmingtonma.gov).

Sincerely,

Jeffrey M. Hull  
Town Manager

Enclosures

cc: Board of Selectmen

John C. Foskett, Town Counsel  
Senator Elizabeth Warren  
Senator Edward Markey  
Congressman Seth W. Moulton  
Governor Charles D. Baker  
Senator Bruce E. Tarr  
Representative James R. Miceli  
Representative Kenneth I. Gordon  
Allen Fore, Vice President of Public Affairs, Kinder Morgan  
Beverly Woods, Executive Director, Northern Middlesex Council of Governments

*{map, not included here}*

#### **20150826-4003**

Hello my name is \_\_\_\_\_ and I am a Union Laborer and I would like to express my support for this project. The hard working men and women of the Laborers' International Union of North America build pipelines all across this country safely and efficiently. We have access to first class training and safety certification programs at our training facility in Hopkinton, MA specifically designed for the construction of transmission and dltribution pipeiines. This project will be built safe, on time and on budget with respect for the environment. I urge FERC to approve and support this project. The time to address our New England energy crisis is now.

#### **20150826-4004**

*"Energy Efficiency in Massachusetts  
Optimizing the Electric System and  
Achieving Consumer and Environmental Benefits"*

*{copy of August 2015 report from the Acadia Center which can be directly downloaded from: }*  
[http://acadiacenter.org/wp-content/uploads/2015/08/MA-EE-Summary\\_08102015\\_Final.pdf](http://acadiacenter.org/wp-content/uploads/2015/08/MA-EE-Summary_08102015_Final.pdf)

20150826-4005

**Townsend Conservation Land Trust**  
PO Box 734, Townsend, MA 01469

August 12, 2015

The Townsend Conservation Land Trust thanks the Federal Energy Regulatory Commission for the opportunity to comment on the proposed Kinder Morgan/Tennessee Gas Pipeline “Fitchburg Lateral”.

We are concerned, first and foremost, that this proposed pipeline is within the Squannassit Area of Critical Environmental Concern. The Squannassit ACEC is noted by the State of Massachusetts for its open spaces and habitat resources and for having highly significant drinking water resources present. All residents of Townsend drink water drawn from wells in town. We are concerned about the effect this pipeline will have on our water supply, on wildlife habitat and on our wilderness areas.

Please analyze how this pipeline is consistent with state and local policy and regulations including that of ACECs, Water Resources and the Master Plan of the Town of Townsend.

Second, what is the need for this proposed lateral pipeline? Within the past 7 years, the existing pipeline from the south to this same terminus was expanded (called the TGP Fitchburg Expansion Project with a certificate issued by FERC on Oct 27, 2008).

Please delineate the NEW need that requires a NEW greenfield pipeline from the North in such a short time-frame.

Third, what alternatives, including the no-build alternative, have been considered for this pipeline lateral? If you look around this area, what you see are solar panels on more and more rooftops; solar farms in open fields.

Please analyze how other sources of energy, particularly renewables, as well as the repair of leaks in existing natural gas infrastructure, and other currently proposed gas infrastructure projects, and all of these in combination, could meet the energy needs of Central Massachusetts.

Please examine all alternatives to this proposed route and their viability.

Lastly, the bylaws of the Townsend Conservation Land Trust states that our purpose is to “promote for the benefit of the general public the conservation of natural resources of the Town of Townsend, including water resources, marshland, swamps, woodland and open spaces and the plant and animal life therein. ... This lateral crosses from north to south a 43-acre parcel from a family expecting that it would be maintained in its natural state. The now alternate main pipeline path crosses another two of our parcels. It is ironic that the open space corridor TeL T has worked so hard to build and protect can be commandeered by a private corporation.

Please analyze and quantify the impact a pipeline has on a conservation organization.

Please ensure that our properties, our drinking water, our open space, our safety and health, are not sacrificed solely for the convenience of Kinder Morgan/Tennessee Gas Pipeline providing, for their own profit, a path for natural gas export while promising us low rates that never materialize.

Thank you.

Townsend Conservation Land Trust, Inc Board of Trustees

20150826-4006

Emily Argo

Townsend, MA

Thank you for the opportunity to voice my opposition to the Kinder Morgan Tennessee Gas Pipeline’s proposed Northeast Direct Expansion and so called “Fitchburg and Lynnfield Laterals” in this forum.

I was born and raised in Townsend, Massachusetts. This is a town that values open space and has shown its

commitment to this through protecting lands through conservation measures. The installation of the Fitchburg lateral would irreparably damage many of the conserved areas in Townsend and place residents at risk. Kinder Morgan has been unable to demonstrate the need for this lateral and has not disclosed the “customer” requesting the construction of this lateral. Please identify this need and evaluate the necessity of this lateral given that Kinder Morgan upgraded a pipeline to this terminus from the south in the past 7 years. Additionally, I request that FERC evaluate all alternatives to this pipeline and its laterals, including the no build option.

In addition to my residence in Townsend, I am also a graduate student at the University of Massachusetts Amherst examining residential water conservation practices and behaviors in the Ipswich River Watershed. The watershed is being heavily impacted by the Lynnfield Lateral. Two of the towns the lateral passes through, Wilmington and North Reading, are towns where I have been focusing my research. These and almost all towns in the watershed initiate outdoor watering restrictions every year to help protect the Ipswich River. The Ipswich River was identified as one of the most endangered rivers in the United States in 2003 by American Rivers and since then the towns, their residents, and conservation organizations have worked to protect the Ipswich River. Over 350,000 residents and businesses rely on the Ipswich River for drinking water. The impact this pipeline will have on the environment and hydrology of an already taxed system needs to be evaluated. And not just the impact on the towns the pipeline would be constructed within, but on the entire watershed.

The effects of the pipeline and associated laterals will not end at town boundaries. I ask that the Federal Energy Regulatory Commission make sure that Kinder Morgan stringently evaluates the impacts of this proposed pipeline and laterals on the air, the water, the flora and fauna of the communities within which they have been proposed and all towns within all watersheds impacted by the construction of this pipeline. Kinder Morgan should fund an independent research team to conduct a study of baseline conditions at sites that adequately evaluate the state of the ecosystem within each of the watersheds they would be impacting. They should also provide funding to continually evaluate these sites during and after construction should this pipeline be approved.

My final point is this ... it will be my generation that will be trying to remedy the effects of this pipeline on our natural resources. Fossil fuels have already been identified as the leading contributor to climate change. In fact, many of my peers are already working tirelessly to remedy the damage caused to our natural resources by previous generations. Please evaluate how this pipeline system that Kinder Morgan has proposed will contribute to climate change.

Thank you.

## **20150826-4007**

August 12, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20216

RE: Tennessee Gas Pipeline Company, Docket No. PF14-22-000, Northeast Energy Direct Project

The following comments are submitted in response to the Northeast Energy Direct Project (NED) FERC Docket No. PF14-22-000, and are focused primarily on “reasonable alternatives” that when in full consideration of impact now, and certainly in the near-term (« 5 years), will render the need for a greenfield pipeline unnecessary.

The New England region is host to a wide variety of viable alternative renewable energy resources including, but not limited to, on-shore and off-shore wind, solar, domestic hydro and imported hydro, hydro-kinetic and others.

Energy Efficiency - as stated in the July 2015 Resource Report 10 Alternatives, Section 10.1.1 Energy Conservation - “they (energy efficient technologies) are not expected to eliminate the steadily increasing demand for energy or natural gas”.

1. ISO-New England has recently stated that the 2014 energy consumption numbers are 2% lower than 2013 and the winter peak for those years is also lower (4.2%), and further indicate that EE and Solar are having an impact. “When the EE savings are factored into the region’s load forecast, energy usage is expected to remain flat, with an average annual growth rate of 0.0% , rather than the 1.0 “ projected in the baseline load forecast” 1 •
2. Why are these two entities on absolute opposite sides of the spectrum?
  - a. This warrants a comprehensive analysis as Massachusetts has been ranked #1 in Energy Efficiency 2 in the U.S. for the last four years in a row - adding major fossil fuel infrastructure is clearly NOT the answer if Massachusetts intends to continue this trend toward a clean and renewable future.
3. According to the US Environmental Protection Agency 3, “improving energy efficiency is one of the most constructive and cost-effective ways to address the challenges of high energy prices, energy security and independence, air pollution, and global climate change.”

Wind Power - as stated in the July 2015 Resource Report 10 Alternatives, Section 10.1.2.1 - “Wind power is not an option •.. “ and then closes by stating that “Should these projects be developed, the 2,800 MW proposed by GLIA could reduce pressure from the New England gas supply and reduce greenhouse gas emissions.”

1. Why has Tennessee Gas Pipeline Company, LLC (TGP) upfront in RR 10 dismissed this ‘free’ (zero fuel cost and zero emissions) source of energy? ISO-New England references 4,000 MW of wind power 4&S in the 2015 queue
  - a. The above discrepancies must be accurately assessed and also combined with energy storage viability as addressed within the next section - Solar Power.

Solar Power - as stated in the July 2015 Resource Report 10 Alternatives, Section 10.1.2.2 Solar Power “These systems generally are not well-suited for use as large-scale generation in the proposed Project area ...“

1. Why is solar power so promptly dismissed? When in fact, worldwide, nationally, and regionally solar is increasing exponentially (reference ISO NE for regional increases), yet TGP has chosen to state that it is not a viable energy source despite the fact that the cost of this energy source (a.k.a fuel) is zero?
  - a. From the Solar Energy Industries Association “Solar provided roughly one third of all new electric generating capacity in the U.S. in 2014,.6. Yet this is dismissed in RR 10

Energy Storage (Battery) technology is not addressed at all in RR 10, yet is currently available by a number of companies, one which “offers its clients a 20-year insured warranty” 7 for grid-scale batteries.

**Energy Efficiency, wind, solar and energy storage (battery) capabilities require accurate analysis and full consideration in addition to fixing the leaks in the existing pipeline infrastructure estimated to be 15Bcf per year 8.** With an estimated cost to rate payers of \$90 million / year.

Other Systems - contrary to the statement listed in the July 2015 Resource Report 10 Alternatives, Section 10.2.2 Other Systems, Portland Natural Gas Transmission System {PNGTS} has offered in their statement to the MA DPU, an existing alternative to supply the amount of Natural Gas requested by the LDC’s.

1. “PNGTS is working with interested parties and is participating in regional initiatives to potentially expand its total system capacity up to 600,000 Dth/day by the addition of compression, in 100,000 Dth/day increments. This service could start as early as November 2018” 9.

Existing Alternatives

New England, particularly Massachusetts is already host to underutilized and unused infrastructure, namely three LNG terminals:

1. Distrigas in Everett, MA is currently underutilized, and “on a sustainable basis, has the vaporization capacity of approximately 700 million cubic feet per day” 10, which is 200 million cubic feet per day more than the NED LDC commitments.
2. Northeast Gateway deepwater port (off the coast of Gloucester) was commissioned in 2008. This past winter (2014/2015), it received its first shipment in 4 years.
3. Neptune deepwater port (off coast of Gloucester) has been unused since its commissioning in 2010
  - a. In July 2013, “The U.S. Maritime Administration announced it was issuing the temporary license suspension at the request of the company, a subsidiary of France’s GDF Suez. In its notice of the suspension, the Maritime Administration said the company requested the action because “the Neptune Port has remained inactive since its commissioning and will likely remain inactive for the foreseeable future”11.

The U.S. Coast Guard, the Maritime Administration, and FERC all deemed these deepwater ports to be a matter of “public convenience and necessity”12, yet within five (5) short years, these deepwater ports have shown that they are not convenient and clearly NOT necessary, as they remain essentially unused.

In closing, why would New England as a region, and in particular Massachusetts, need additional fossilfuel infrastructure, which its residents will ultimately pay for over the next twenty years, while directly conflicting with compliance to the Massachusetts Global Warming Solutions Act?

Respectfully Submitted,

Kenneth W. Berthiaume  
52 Fryeville Road  
Orange MA 01364

#### References:

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- 2 American Council for an Energy-Efficient Economy <http://www.aceee.org/state-policy/scorecard>
- 3 Benefits of Energy Efficiency <http://www.epa.gov/statelocalclimate/state/topics/energy-efficiency.html>
- 4 4,000 MW of Wind Power <http://isonewswire.com/updates/2015/4/22/iso-ne-ma-rks-earth-day-withan-update-on-energy-efficiency-s.htm>
- 5 Renewable Energy in New England Pg 3 [http://www.iso-ne.com/staticassets/documents/2015/06/iso\\_ne\\_capacity\\_mkt\\_discussion\\_paper\\_06\\_03\\_2015.pdf](http://www.iso-ne.com/staticassets/documents/2015/06/iso_ne_capacity_mkt_discussion_paper_06_03_2015.pdf)
- 6 Solar Energy Industries Association <http://www.seia.org/news/us-installs-62-gw-solar-pv-2014-30-over-20B>
- 7 Alevo CEO <http://www.greentechmedia.com/articles/read/alevo-ceo-says-tesla-batteries-will-struggle-to-do-more-than-solar-smoothie>
- 8 Gas Leak Study - Proceedings of the National Academy of Sciences [www.pnas.org/cgi/doi/10.1073/pnas.1416261112](http://www.pnas.org/cgi/doi/10.1073/pnas.1416261112)
- 9 Reference Testimony of Keith D. Nelson D.P.U. 15-48 June 4, 2015 Page 12 lines 9 -12 <http://webl.env.state.ma.us/DPU/File-RoomAPI/api/Attachments/Get1?path=15-48%2IDPU1548TestimonyandSupportingA.pdf>
- 10 The Role of LNG in the Northeast Natural Gas (and Energy) Market <http://www.northeastgas.org/about/Ing.php>
- 11 Neptune Deepwater Port <http://www.ingworldnews.com/usa-neptune-suspends-Ing-deepwaterport-operations/>
- 12 Subsea Pipeline Northeast Gateway Deepwater Port - FERC Docket No. CP05-383-000

As a reminder, Natural Gas is NOT clean - reference the chart below, but in Resource Report 10 Page 10-4 Section 10.1.2.1, it is stated that “wind projects have zero operational emissions”. Yet wind power is dismissed.

Pounds of CO2 emitted per million Btu of energy for various fuels:

Coal (anthracite)	228.6
Coal (bituminous)	205.7
Coal (lignite)	215.4
Coal (subbituminous)	214.3

Diesel fuel & heating oil	161.3
Gasoline	157.2
Propane	139.0
Natural gas	117.0

<http://www.eia.gov/tools/fags/fag.cfm?id=73&t=11>

## 20150826-4008

Hand written 3 page letter, Mary Ann Broden, Mason, NH, reiterating unanswered questions from Scoping. *{Also included the following reprint of an article in the Berkshire Eagle by Senator Elizabeth Warren.}*

Berkshire Eagle

Posted: 08/12/2014

### **Sen. Elizabeth Warren: We can do better than pipeline**

WASHINGTON -- Massachusetts has distinguished itself as a state with a strong and enduring commitment to environmental conservation, a commitment evidenced in the wetlands, forests, waters, and state and private conservation lands that run from our coastline to the Berkshires. The commonwealth is also a leader in developing clean energy and promoting energy efficiency. In fact, the American Council for an Energy Efficient Economy ranks Massachusetts number one in the country in its energy efficiency policies and programs.

Our commonwealth has amazing energy entrepreneurs and smart policies that promote greener communities and energy conservation. These policies have helped to spur statewide investments and advancements in clean energy and energy efficiency. That, in turn, is helping develop more clean energy jobs, which grew 11.8 percent between 2012 and 2013 and now employ about 80,000 people statewide, according to the Massachusetts Clean Energy Center.

And these investments have paid off, helping to keep our air and water clean, helping to preserve the commonwealth's natural beauty, and helping to grow our economy. We should build on these successes, particularly when making decisions about investments in infrastructure that will affect our mix of energy consumption for decades to come.

In recent months, representatives of Kinder Morgan, Inc. and its subsidiary, Tennessee Gas Pipeline Company, LLC, have approached Massachusetts landowners, towns and land trusts to ask permission to conduct surveys for a proposed pipeline that would carry natural gas from the New York border across our state to Dracut.

Rather than using existing infrastructure, roads, and rights-of-way, the company is considering routing this pipeline largely through undeveloped land.

I have heard from many Massachusetts homeowners and businesses that are deeply concerned about the impact of this proposal on their farms and properties. Conservation commissions in towns along the intended route and citizen groups dedicated to protecting our state's environment have also raised concerns that this proposed natural gas pipeline would needlessly disrupt environmentally sensitive conservation land. Because I share many of these concerns, I do not support the current proposal.

Kinder Morgan argues that the proposed pipeline could play a role in helping our region meet its energy needs. It is true that New England faces energy infrastructure challenges, and that we currently rely on natural gas for heating in the winter and for electrical generation year round. Over the past few winters, which have been especially cold, we have experienced some of the highest natural gas prices in the nation. This is a serious problem, which we cannot ignore.

But the need to improve our short-term energy outlook and reduce unacceptably high energy prices does not mean that we should rush to support every energy infrastructure project, no matter the consequences. The decisions we make about energy proposals today will have an impact on future generations, and in each instance we must weigh the potential benefits against the potential consequences -- both in the short-term

and longterm.

Given the cost and infrastructure realities of the Northeast, it is likely that natural gas will continue to play a role in our transition away from coal and oil electricity production and toward a cleaner energy future. But our aim must be to reduce reliance on carbon based fuels, and that means careful consideration of clean energy alternatives as well as other natural gas pipeline alternatives that do not create wholly new infrastructure. For example, upgrading our old, methane-leaking pipes can help provide affordable power for businesses and consumers without threatening our families and our state.

Before we sink more money in gas infrastructure, we have an obligation wherever possible to focus our investments on the clean technologies of the future -- not the dirty fuels of the past -- and to minimize the environmental impact of all our energy infrastructure projects. We can do better -- and we should.

*Elizabeth Warren is a Democratic U.S. senator from Massachusetts.*

**20150826-4009**

**Congress of the United States  
House of Representatives  
Washington, DC 20515-2103**

**Congresswoman Tsongas - FERC Scoping Meeting Statement**

August 12, 2015 - Lunenburg, MA

First, I would like to thank you for hosting this scoping meeting in my district today and I hope it is the first of several opportunities for the constituents I represent to provide their input.

I recognize FERC's challenging responsibility to ensure that our energy system is reliable and to minimize natural resource degradation in the face of a quickly changing energy market. Constituents and businesses across Massachusetts have had trouble absorbing the increasing cost of energy. And, there is agreement that the best solution to New England's energy issues will be through careful, long-term planning with significant public input. Meetings like this begin to provide the public with that opportunity,

I also appreciate the opportunity to continue my office's dialogue with FERC and to share directly with you some of the foremost concerns brought to me by my constituents, hundreds of whom have contacted me about this proposal, concerns that I share and believe must be taken seriously by the regulators reviewing this proposal.

As I am sure you will hear tonight, there are many concerns with the impact this proposed pipeline will have on the environment and the surrounding ecology. My constituents and I have worked hard to preserve our diverse and historic Massachusetts landscape and I value this long determined effort, shared by so many of the communities I represent, so that future generations can enjoy our treasured landscape well into the future. We must protect our historic farmland as it is rooted in New England's character, heritage, and economy; being both an important source of income for local families and integral to the historic New England landscape. Environmental protections should be held to the strictest of standards for this proposed project. We know how precious and vital our wetlands, state and local conservation land, threatened and vulnerable species, and watersheds are to our own quality of life and the ecology surrounding us. A lesson hard learned from New England's industrial past. We have made significant progress cleaning up our rivers and restoring habitats. To see this work regress would be devastating. Questions such as, Does drilling a pipeline crossing rivers such as the Nashua River, currently being studied for Wild & Scenic status by the Department of Interior, agitate settled pollutants? How will construction and alterations to the hydrology of the headwaters of the Squannacook River impact our water resources? How will farmers be compensated for loss of future crop production? And, how temporary is "minimal impact"? These questions should be thoroughly explored.

Homeowners are understandably concerned with how the pipeline might affect individual property values. A house is an investment for one's family and for a future generation. As pipelines are sited near residences, how will homeowners be compensated for potential loss in property value even if their property is not di-

rectly impacted? I have heard the very reasonable concern that property owners both directly and indirectly impacted by the construction and route of the pipeline may see the value of their property decrease, only to see the gas ultimately moving through the pipeline exported overseas, with no benefit to the community serving as its host. How is a community compensated for loss in property value, especially when they are not serviced by natural gas but are simply hosting a portion of the mainline? How will FERC know the company has made every effort to avoid utilizing eminent domain? How will public need be determined if there is the slightest potential to export natural gas?

Residents are also concerned with the public safety risks from potential accidents, a reality we must confront with honesty and transparency. While remote technology has improved dramatically in the last few decades, can residents living near a remotely manned compressor station feel at ease? What measures will be taken to ensure that disruption of the ground while drilling, blasting, and laying pipe will not negatively affect the wells that so many of my constituents depend on for drinking water? Will there be constant monitoring of the groundwater in residential areas that depend on wells?

I have also heard concerns regarding the process with which this project has proceeded. Contact with local town officials best able to identify local concerns has not gone as smoothly as desired. For example, local officials were not the first parties contacted, but instead discovered an energy company was proposing to build a massive infrastructure project from their own constituents. There have also been many concerns with the speed with which public meetings have been scheduled without providing complete Resource Reports in advance. For example, in the most recent release, thousands of “To Be Determineds” were noted throughout the report. As is the case with very large infrastructure projects there will be constantly changing information and this process is in the early stages, however, I fail to see how my constituents can comment as informed citizens with so many unknowns.

Additionally, I would like to ask that FERC consider viewing the numerous natural gas pipeline projects pending or approved in the New England region in a holistic manner to ensure that we are not overbuilding our pipeline infrastructure for domestic need. As a country, we have made a commitment to building a renewable future and not reducing the competitiveness of solar, wind, hydropower, and other alternative sources in favor of additional pipeline infrastructure. Accordingly, would FERC consider a “no-build” option, instead considering the option to repair our existing pipeline infrastructure to answer our region’s energy needs?

Also, knowing that the Massachusetts Attorney General’s office is conducting a study to determine regional pipeline infrastructure need, to be released in October 2015, I ask in advance that this study be given consideration in FERC’s decision.

I respectfully request consideration of these questions raised by my constituents closely and carefully before deciding. And, I would like to request additional FERC scoping meetings to be held in the early months of fall in locations that have not yet hosted scoping meetings to give my constituents further opportunities to review and provide input on this project. Thank you again, FERC, for hosting these scoping sessions and providing me with this opportunity to present the concerns my constituents have brought to me.

I look forward to your responses and to continuing this dialogue on behalf of the Third Congressional District.

Sincerely,

Niki Tsongas  
Member of Congress

**20150826-4010**

My name is Garth Fletcher. I’ve lived the past 45 years in Mason New Hampshire.

I would like to speak about what you call the Socioeconomic issues and also concerning an unnecessary divisiveness I’ve noticed.

I am not a union member, but I am a strong supporter of them.

Unions are the only way that those who do the work can get large corporations to pay a decent wage. And it was those good union jobs through the 40s, 50s, 60s and into the 70s which built our prosperous middle class and our modern economy.

In the past 40 years the unions have been under unrelenting legal, political and economic attack; membership has decreased from over 30% down to single digits. It is no surprise that our middle class has stagnated for those 40 years despite enormous gains in productivity.

So I do get it - jobs matter and union jobs really really matter!

I am glad that Kinder Morgan will use all union labor. I doubt that was what they would have preferred, but it is encouraging that unions still have enough clout to demand fair pay for their work.

So, if the NED pipeline gets built, and I hope it will NOT, I will be happy that union labor is building it, even though it be only a few hundred jobs for a year or two.

HOWEVER, I am very concerned about the long run effects of the NED project on jobs.

Our most famous project - Boston's "Big Dig" - took 20 years and \$20 billion; state and national taxpayers will still be paying for it 20 years from now.

NED is smaller - only \$5.5 billion now, maybe 8 billion when done - so perhaps only 1/3 of the Big Dig's size - but still a really BIG expense.

Those billions have to come from somewhere - it certainly won't be from Kinder Morgan shareholders or executives. I fear that lots of it will come from the cancellation of clean energy projects - and that could cost thousands of good long term jobs.

Clean energy jobs are BIG and very significant. Quoting from the:

*2014 MASSACHUSETTS CLEAN ENERGY INDUSTRY REPORT: EXECUTIVE SUMMARY* which ... is the fourth annual report released by the Massachusetts Clean Energy Center (MassCEC) on the size, scope, and nature of the Commonwealth's clean energy industry.

*THE MASSACHUSETTS CLEAN ENERGY INDUSTRY CONTINUES TO BOOM, GROWING 47% SINCE 2010. ... to 88,372 clean energy workers and 5,985 firms.*

*Clean energy firms have added more than 28,000 ... jobs ... since 2010*

*Employers expect to add another 11,700 jobs over the coming 12 months, a 13.3% growth rate.*

*The Massachusetts clean energy industry is expected to exceed 6,000 employers and 100,000 workers by early 2015.*

*Clean energy employment now equals 2.4% of all workers in the Commonwealth ...is responsible for 2.5% of Massachusetts' Gross State Product at about \$10 billion.*

Those who have worked on big projects know you can't just flick a switch to stop them and later flip the switch back to resume them. Like a huge ocean freighter it takes a long time to stop and a very long time to get back up to speed. What NED stops may not restart when the NED jobs are gone.

So I fear those few hundred short term jobs may cost a much larger number of much longer term jobs. Of course, Kinder Morgan does not care about that, but the local workforce should!

So I would ask that FERC include an analysis which compares jobs, and especially good jobs, over the next 2, 5 and 10 years for the cases of:

NED built, funding to clean energy is decreased as a result  
versus

no NED, investments in clean energy continue

Thank you

Sources:

20150826-4011

## Lunenburg, MA Scoping Meeting Comments: August 12, 2015

**Diane Hewitt**

I am Diane Hewitt from Groton, MA.

This evening, I want to look at the big picture of the NED project through the lens of a terrible national tragedy-the 1986 Space Shuttle Challenger that exploded within minutes of takeoff. While this may seem far afield from tonight's discussion, I believe the Challenger disaster, which I teach to Engineering students as a classic case study in professional ethics, offers us a strong cautionary tale as we consider KM's project.

Let me explain. The direct cause of the Challenger explosion was technical-a failure of the O-rings to operate in cold temperatures. But a commission, set up by the federal government, to investigate the cause of the explosion concluded:

1. that the serious flaws in the decision making process played an equal, if not more important role in the disaster-had there been a open and transparent communication system that went up and down the ranks, they would have caught the rising doubts about the defective parts. Instead serious problems were silenced. Issues were not communicated forward.
2. Decisions by top management appear to have been at the expense of flight safety-and were, in large part, the result of political pressure and the need to satisfy a big customer-NASA.
3. Perhaps most critically, they did not heed the very serious concerns of 6 mid level engineersthe whistle blowers- who just hours before takeoff pleaded with the space center to abort the launch.

So how does the Challenger inform the NED project? In short, many of the same conditions exist.

Like the Challenger, this massive project is being rushed to launch .... Why? Because it benefits KM and satisfies their major customer, the shareholders. -it continues to speed ahead on KM's timetable, and to their distinct corporate advantage-and with their army of lobbyists, and legions of PR professionals, they misrepresent and or simply refuse to provide the facts, they minimize the risks, and try their darrest to silence every thorny issue associated with compressor stations, falling property values, Article 97 land, blasting near the Wilmington quarry-you just name the topic,

Like the Challenger, we have every reason to believe that decisions will be made at the expense of safety. Why? Because why else would they submit out of date maps, not respond to Selectmen's questions about emissions, not conduct studies on blasting near a quarry, minimize the size and scope of compressor stations, only ordorize pipelines where it is required by law, not have training protocols in place for first responders ... the list goes on. let's be clear. KM's marginal safety record has been well documented by Pipeline and Hazardous Safety Administration and by so many speakers during these proceedings Are we now really to believe that top level decisions about this pipeline will adhere to their slogan, Safety First?

Like the Challenger disaster, FERC also appears to be a closed agency with no real way for anyone to effectively penetrate this deeply flawed bureaucratic system. How can we believe that significant, rising doubts matter when FERC has never denied a permit?

But, here's the big difference between the Challenger and the NED project.

NASA had only the voices of 6 mid level, boots on the ground engineers asking them to abort the mission, but FERC, you have so more.

You have 3400 written comments;

You have the 73 towns who have voted in active opposition and entire congressional delegations, our municipal coalitions, and environmental groups who are speaking with one voice;

You have the 3,000 people who have attended these sessions;

You have the staunch opposition of well over 60 elected officials—from Senator Elizabeth Warren to Town Selectmen;

And most importantly, you have the 100s well-articulated, reasoned comments and questions from your boots on the ground, Massachusetts and New Hampshire residents.

FERC, we are your army of whistle blowers. We are the voices you need to stop this pipeline and approve the No Build Alternative. Listen to the people. DO your Job, FERC.

### **20150826-4012**

FERC Scoping Meeting, Lunenburg MA, August 12, 2015

The Townsend Conservation Commission stands in opposition to the proposed Northeast Energy Direct pipeline and we are confident that the Federal Energy Regulatory Commission will take our concerns into consideration when reviewing this proposal.

Conservation Commissions in Massachusetts are charged with the responsibility of open space and natural resource protection in our communities.

Tennessee's pipeline would cross all of the headwaters of the Squannacook River, clearing at least a 100 ft. wide construction corridor across each one of them. An undetermined number of trees would be cleared in that corridor, and a 50 ft wide permanent easement without any tree canopy would be required.

Of the 27,560 linear feet of pipeline proposed in Townsend, 81% of the pipeline crosses the Aquifer Protection District, the source of Townsend's water supply, the High Yield Aquifer are in DEP Water Supply Zone II, 100% of the proposed pipeline route is in the Squannassltt Area of Critical Environmental Concern. 52% of it is located in the Priority Habitat of the Massachusetts Endangered Species Act. 11 % traverses through intact forest cores. Much of the pipeline path is through Article 97 protected open space.

Please analyze and quantify the long term effect that the pipeline will have on these issues. Please explain how these effects will be mitigated ~by Kinder Morgan/TGP.

Assurances that there will be no effect on surface or groundwater of a 6 ft deep open cut trench through Outstanding Resource Waters are easy to make, but the damage done can be irreparable. We have yet to be shown that there will be no negative effect on groundwater of blasting a trench through bedrock. There are more than 50 homeowners along the proposed pipeline route who have private wells. All of the 65+ homes along the path have private septic systems. How will drilling and blasting impact those wells and systems?

What are the effects on surface water temperatures with a permanent open canopy? How will opportunistic invasive species filling in that void be treated other than with herbicides?

Townsend held a special town meeting in July 2014 and unanimously opposed the pipeline. Townsend's residents have long recognized what they have and know that it is worth protecting. FERC's statement of policy (Docket # PL 99-3-000) states that Certificate policy" should be designed to foster competitive markets, protect captive customers and avoid unnecessary environmental and community impacts while serving increasing demands for natural gas." Please consider other existing supply options that will have less impact on the environment in determining whether to issue a certificate.

Thank you.

### **20150826-4013**

I would like to address concerns about the heavy metals and other toxins known to be in the sediment of the Nashua River, particularly in the section of the River just upriver from the dam in Pepperell, Ma., where Kinder-Morgan's original and, now, alternate route is proposed. The Nashua River is currently under active consideration by the U.S. Forest Service for designation as a national treasure as a "Wild and Scenic River". This would be a milestone achievement for a remarkable, citizen-initiated environmental movement that was featured in National Geographic and earned the movement's founder, Marion Stoddard, international recognition from the United Nations. While I am speaking about one river tonight, I believe my concerns

may well apply to other rivers and streams in Ma. and NH. because of our shared industrial past when water-powered mills could be found in small and large towns across NE. In addition to power, these mills also used the rivers to dump their industrial waste and, this combined with the wide-spread use of rivers as open urban and agricultural sewers resulted in the heavy pollution of many rivers such as the Nashua.

Today on the news we are witnessing the slow motion train wreck that is occurring in southern Colorado and New Mexico as the toxic spill in the Animas River makes its way to the Gulf of Mexico. When efforts began in the late 60's to save the Nashua, it was much like the mustardcolored Animas is today only on a frequent, sometimes daily basis. The river was famous for being different colors - red, blue, yellow - on different days due to the heavy pollution and dumping of chemical dyes and other contaminants into the river from the mills and sewers in Fitchburg and Leominster. locals knew you couldn't live within half a mile of the river during the summer because of the stench emanating from it and swimming and fishing were unthinkable.

Flash forward to today and the river's potential designation as a national resource. Today the river is a recreational magnet for the region with boating, fishing swimming and adjacent hiking and rail trails that, in turn, hav spawned local businesses, There is abundant wildlife on the river including beaver, otter, bobcat, bear, deer, fisher, coyote, turkey, heron, ducks, osprey, endangered turtles and, of course, fish among many others. The area on both sides of the river, where Kinder-Morgan proposes to lay a pipeline, is so rich in wildlife and ecological importance that both sides have been designated by the Commonwealth of Mass. as Areas of Critical Environmental Concern or ACECs.

As beautiful as the river is today the heavy metals and contaminants of yesterday are still present in the thick sediment on the river's bottom, especially where it collects just below the Pepperell Dam. These heavy metals and other chemicals have been collecting there for decades. Yet this is precisely where Kinder-Morgan proposes drilling. The vibrations from heavy equipment, drilling and excavation activities could easily disturb the sediment lying above, potentially releasing these metals and chemicals into the water. We are all witnessing the heavy environmental, economic and agricultural damage toxic releases into a river can cause in Colorado and we do not want to see it repeated here or in any of the other similar mill rivers throughout Mass. and NH.

I request that, at a minimum, should this ill-conceived project be approved and this route be selected by FERC, that KM would be required to determine what exactly is in the sediment at the river's bottom and in what concentrations, something no one knows, and monitor the release of these contaminates throughout construction and, that should levels of toxins increase, construction should immediately cease until a remedy to the problem is identified and implemented. This pre-analysis, monitoring and remediation should be done by an independent professional at KM's expense. Response plans and preparations for such an event should be established, including notification and post event remediation plans, before work is allowed to commence. Additionally, any FERC approval should require KM to be responsible for all costs associated with clean-up and/or prevention efforts for as long as necessary.

Richard Hewitt  
700 Longley Road  
Groton, MA 01450

#### **20150826-4014**

<https://pennsylvaniaallianceforcleanwaterandair.wordpress.com/the-list>

The Pennsylvania Alliance for Clean water and air has just updated their list of the harmed. This is an ever growing list of the individuals and families that have been harmed by fracking (or fracked gas and oil production) in the us. It was recently updated on July 21, 2015.

If you think that this pipeline or compressor station will not bring harm to us you need to go ahead and read this list. "There have been 16,447 families harmed and it is still growing. "

Just think 16,447 families effected by pipelines, compressor stations and it's causes such as fires, explosions, soli and ground water contaminated with benzene, mercury, lead and arsenic. Fumes from the blowdowns

which are causing pollution in the air so bad that they cannot stay outside their homes, in their yards, for any length of time due to the smell of methane. At times the smell lasts for hours and the fumes cause nausea, nosebleeds and breathing problems and that is just the short term. Jennifer Young of Northhampton County PA states that she cannot do any yard work because she gets nauseous from being outdoors for too long. She also states that the noise from the 3000 HP compressor station which is 700 ft away from her home is so loud, that at night they cannot sleep with their windows open. Her house is unsaleable. Can you imagine? This is a 3000 HP compressor station and they are trying to tell us that a 40,000 HP compressor station will not be a problem to us. Here is a list of states that these 16,447 people are living in with these issues. They are: North Dakota, Pennsylvania, Texas, West Virginia, Colorado, Montana, California, Oklahoma, Louisiana, Wyoming, Ohio, Montana, New Mexico, New York, Missouri and Mississippi and if this is built it will also have Massachusetts, Connecticut and New Hampshire on it too.

A little note to the union guys let me ask you this, if you had to think about your own families being effected by this would you be fighting us or joining us. What if your mother was suffering from cancer or your wife is pregnant and because of the air pollution or the poison in the water your child is deformed and/or mentally challenged. Is Kinder Morgan going to stand by you like you are standing by them? If your child cannot go outside and play because of the pollution in the air caused by blowdowns and you find yourself rushing her or him to the ER because for some reason she/he can't breathe. Will Kinder Morgan stand by you like you stand by them? What if this was in your backyard would you still stand up for Kinder Morgan because they sure in hell would not stand by you. Ask the 16,477 families on this report if the gas companies across this country are standing up for them. No they are not, all they are thinking about is their profits.

So before you fight us for this pipeline you should go to the website and read "the list of the harmed". Show it to your wife or child or parent and let them tell you what they think. Then I want you to tell all of us here that the stories we are hearing are untrue and that this pipeline and compressor station is safe. 16,477 families can't all be wrong. Who do you think we should believe you or them.

I read an article in the Lowell Sun this week. Kinder Morgan has promised that the NED project will be 100 percent union-made and will create as many as 3,000 jobs along its route. The laborers are looking forward to that work, which could net them as much as \$50 per hour including benefits, but they are just as eager for what will come when the pipeline is complete. This is BS, there are other jobs out there that you could be working on. The unions could be getting the same amount, if not more work, by helping to repair the existing pipelines that are losing about 15% of gas. We do not need the new pipeline. Rather than adding to the problem repair the pipes that are already there.

To FERC in reading this report I do not understand how you can rubberstamp this pipeline. Does Kinder Morgan have you in their pocket like the union and anyone else who is for this pipeline. I am finding the more I hear people say they are for this pipeline, the more I think that they are being paid off. How could anyone honestly look at this list and then look at their family and tell them that this is safe. I look at my family and every bit of my being cries out that this needs to be stopped, and so do the majority of the people in Massachusetts and New Hampshire.

#### **20150826-4015**

Hand written FERC Comment form: Alec Mayer, 31 Appleton Rd, New Ipswich, NH 03071: look into problems in Lunenburg where solar panels can't be hooked into grid.

#### **20150826-4016**

Scoping Comments to FERC Project Docket Number PF 14-22

Emily Norton  
81 Vinton Pond Road  
West Townsend, MA 01474  
978-597-3553

willardbrookfriend@yahoo.com

History is filled with examples of perceived needs resulting in shortsighted decisions that caused more harm than good.

According to FERC, “need” is determined by very limited criteria, primarily the number of contracts a pipeline company is able to negotiate. Once FERC concludes a need for a pipeline, it approves the pipeline construction despite the fact that the pipeline will forsake other critical needs.

I ask you to use wiser criteria to determine “need”.

- We need a clean, safe drinking water supply.
- We need a habitable climate that will continue to support earth’s ecosystems and agriculture for our food supply.
- We need freedom from our addiction to fossil fuels.

These are true needs, necessary for the survival of human civilization. We can not survive without a habitable climate, an adequate food supply and clean water.

Whether you like it or not, the decisions that you of FERC make to approve more and more fossil fuel infrastructure are also decisions that you make to endanger our water and food supply and exacerbate climate change. If you approve this pipeline proposal, your decision will threaten the survival of our children and grandchildren.

- We need FERC to acknowledge the gravity of the decision you will make.
- We need FERC to admit that its definition of “need” is outdated and shortsighted at best and dangerous at worst.
- We need FERC to update its definition of “need”.
- We need FERC to remember you are human beings first and cogs of a dysfunctional system second.
- We need FERC to find the courage to say “no” to a project that is wrong for the people.
- I can’t believe that I need to ask you, people of FERC, to value human survival needs above the profits of a pipeline company.

Yes, we need energy. But we need to DECREASE our use of fossil fuels while we INCREASE the use of green, renewable energy sources.

We need FERC to be a part of the solution, not part of the problem.

## **20150826-4017**

Commissioners Bay, Clark, LaFleur, Moeller, and Honorable: thank you for your focus, your on-the-road endurance, and for the seriousness with which you assume your roles as part decision-makers in this issue. Your diligence helps you to earn well the salaries that we provide to you. I trust that you take your charge seriously to serve the public interest and fulfill your fiduciary duty in protecting our common assets of air, water, and land under the National Environmental Policy Act and the U.S. Constitution. Lastly, thanks for providing the rnic, but...if John Adams did not have a microphone, I don’t see why I would need one and I certainly don’t want to have my back to my neighbors.

What an exciting time to be alive! We are on the cusp of a massive transformation in energy. Non-polluting solar, wind, geo-thermal, wave energy, bio-mass, and tidal power technologies are operating today to varying degrees. Research at M.I. T. in nano-technology with input from professors at U.C.L.A. will create the next wave of super-efficient solar cells and lithium storage. Ocean Renewables Company is developing underwater turbines that will rest at the bottom of Passamaquoddy Bay in Maine where President Roosevelt in 1936 came very close to launching an electricity project that harnesses the nearly continuous power of the tides. Simultaneously, we are witnessing the last gasp of fossil fuels: an industry that has burned us into a climate crisis and often works hand-in-hand in the lobbies of government agencies to ignore our hard-earned

legal protections of nature. Fortunately, citizens have grassroots Community Rights Ordinances at their disposal to non-violently block any corporate project within their town.

Now, who in the room knows who wrote the following? “ I hope that we shall crush in its birth the aristocracy of our monied corporations which dare already to challenge our government to a trial by strength, and bid defiance to the laws of our country.” ?? [ Anyone - Yes, Thomas Jefferson - door prize to this fine gentleman/woman!]

Thomas Jefferson wrote that at the inception of this country because he knew that corporate greed was and is a massive danger. Commissioners, I hope that you won't be bribed by the big bucks of Kinder-Morgan/Tennessee Pipeline.

No to 412 miles of leaky pipeline that would transport methane and deadly chemicals from Pennsylvania to Dracut only to be sold to Europe leaving us with scars and poison. And yes, it's true that on farms next to existing leaky fracking wells in Pennsylvania, calves are being born without irises or pupils in their eyes!

Common sense in the citizenry is a stalwart foundation. In the words of my at-home professor Robert Zimmerman, minimally adapted for tonight:

*Come senators, congressmen, multi-national C.E.O.s, please heed the call  
Don't stand in the doorway, don't block up the hall  
For he who gets hurt will be he who has stalled  
There's a battle outside, and it's ragin'  
It'll soon shake your windows and rattle your walls  
For the times they are a-changin'*

No to benzene in the plumbing of the good people of Fitchburg and Ayer. No to children in cancer wards with vacant eyes because of blow-off from nearby compressor stations.

Let now the clarion call for a new Green Governance\* ring forth from this beautiful hamlet of Lunenburg to then be heard in the hallowed, bespectacled halls of M.I.T. and Harvard where our clean-energy inventions are being born, southward still to our nation's capital where lawmakers are constitutionally required to respond to the will of the people, and then resound farther yet afield to a much greater power in Geneva and New York City.

The United Nations can be presented with an exposition of how this proposed project, like so many others now up and running away with profit and pollution, would also threaten human health, wildlife reproduction, and even decimate those pesky little insects critical to pollination and without which we will have no vegetables or fruits.

Crude oil from the B.P. Gulf disaster will lie under the sand for decades.

Love Canal has effected hundreds of families without mercy Minerals mining happens against Federal Law in our own National Parks. I consider these callous activities to be crimes against humanity, felonies against our defenseless feathered friends, and a stinging slap in the face to our grandkids.

I will use any non-violent, repeat non-violent civil strategy to practice damage control for anyone who continues to use the atmosphere as a sewer. No more destruction of lifeboat Earth: the only home that any of us will ever have.

So, I hope that my friends will indulge me to speak on their behalf just a tad. After all this hubris and criminal behavior of oil companies, we now have zero tolerance for government of the corporation, by the corporation, and for the corporation. We will not be bullied. We will be represented faithfully and with honesty. We will congregate, encourage, and fortify one another in protecting our precious and essential natural resources so that life itself shall not perish from this Earth.

\*The two-word phrase Green Governance was coined by Mary Christina Wood in her book Nature's must.  
Luke Olivieri, 22 Pine Street, P.O.Box 1145, Stockbridge, MA 01262

FERC Scoping Meeting August 12, 2015

**Jack Petropoulos**  
**Chair, Board of Selectmen**  
**Town of Groton Massachusetts**

1. On December 8 of last year the town of Groton was notified by KM in a letter to Secretary Bose that Groton was no longer on the proposed path. Specifically, in its letter, Kinder Morgan said:
  - a. “By increasing the percentage of co-location for the proposed pipeline segment, the revised route will reduce the construction of new pipeline facilities in undeveloped portions of the Market Path, thus reducing environmental impacts and avoiding habitat fragmentation. In addition, the proposed route change will enable Tennessee to avoid (in certain cases) Areas of Critical Environmental Concern in Massachusetts. “
  - b. No communication at all from Kinder Morgan to the Town of Groton. ~.\f.O..Sl.A request for contact information from Ron McClain, VP of Products at the Pipeline Safety Trust conference and a commitment to dialogue proved empty, as no contact was made.
  - c. Our town breathed a collective sigh of relief. No mention was made that the former routes were still considered viable and remained in contention.
  - d. There are certainly documents that can be found that will indicate that Groton is still on an alternative route/but the public is hard pressed to find any easily available information in the press that would alert them to same. The result is a public in Groton, and I am sure elsewhere, that is under the impression that the threat to their homes and land has passed. Rightly or wrongly this is the case, and Groton’s public participation in the process has predictably waned.
  - e. No public process that intends to engage in good faith with an ‘1’- informed public can move forward ignoring these human realities.
  - f. Request: If FERC sees fit to move the path of the proposed pipeline to include the Town of Groton, we would like the time to generate again, the public awareness that can bring to you the kind of concerns that you seek in these public meetings. We request that if the path moves to include Groton, that the process be delayed by 6 months to afford us that opportunity.
2. According to the same letter KM states that one of the “ ... primary reasons that led to Tennessee’s decision to adopt the <new path> is that it will enable a very substantial portion of the proposed new pipeline construction to be located adjacent to, and parallel with, existing utility corridors in the states of NY, MA and NH. I’ It is clear to me, and presumably to Kinder Morgan, that there is far less environmental impact to running along already disturbed routes. But it is equally clear to me that there is far less economic impact by running along routes that are already disturbed and in which property values and usage patterns have already been affected by the impact of the existing corridors.
  - a. Has FERC studied the assessed value of the land in the primary and secondary routes as part of an evaluation of the economic impact of bringing the pipeline through greenfield properties rather than already disturbed land?
  - b. Has FERC studied the impact to land usage in the primary and secondary routes?
  - c. Request that such an evaluations be completed and published and that land owners and affected constituents be provided with the ability to evaluate that study, and a forum be provided to discuss and affect the suggested impact prior to any decision on route being made.
3. How can FERC assure that there is Zero risk to the students and teachers at our High School, portions of which are within 600 ft of the proposed route?
4. Drilling under the Nashua River

- a. The Nashua, until recently, was among the most polluted rivers our nation.
- b. There has never been an assessment of the contaminants contained in the soils below the river.
- c. The proposed horizontal drilling beneath the Nashua poses a threat to the release of contaminants with the potential to impact ACEC of the Squannassit and Petapawag as well as other sensitive environmental areas surrounding the proposed crossing.
- d. How will FERC:
  - i. Assess this risk
  - ii. Prevent impact
  - iii. Mitigate impact if any
- e. Request that you require:
  - i. Study of the current levels of pollutants in the proposed crossing
  - ii. Creation of a plan for eliminating any impact
  - iii. Creation of regulations to stop activity and consult State and Federal Environmental agencies should any unanticipated condition
  - iv. Impose strict monitoring program post construction with leverage to require full remediation as prescribed by both State and Federal Environmental agencies

5. My understanding is that the number of TBD items in the current plan that is available to citizens is in the thousands. How can citizens be expected to participate in this evaluative and discovery process when they are given incomplete materials to work with?

- a. Why will you not wait until after the final plan is complete and impacted communities have had a chance to understand it and to meet to formulate educated questions?

Jack Petropoulos <jack.petropoulos@gmail.com>

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Petropoulos\_Groton MA\_PST Follow Up 4 messages

Jack Petropoulos <jack.petropoulos@gmail.com> To: ron\_mcclain@kindermorgan.com  
Fri, Nov 21, 2014 at 12:15 PM

Hi Ron

I want to thank you for reaching out to me at the PST Conference. This has been a great experience and has helped me to understand how much work there is left to do to bridge the gap between public perception and industry objectives. Our (Groton's) experience seems to reflect a number of those themes.

Yours is a very difficult task. There is intransigence on the side of many in the public and, I believe that this is to the detriment of the many. Though it is impossible to overcome every objection, failure to try is an invitation to unnecessary criticism.

I have no idea if there is ground that can be made up in our region but I am glad to work with you to try to help, or simply to take the time to give you our perspective as I see it.

Thanks,

Jack Petropoulos

McClain, Ron <Ron\_McClain@kindermorgan.com>  
To: Jack Petropoulos <jack.petropoulos@gmail.com>  
Fri, Nov 21, 2014 at 12:26 PM

Thank you and I agree there is much work to be done. I would like a contact phone number if you don't mind. A cell would provide greater flexibility for us to make timely contact.

Ron McClain

Jack Petropoulos <jack.petropoulos@gmail.com>  
To: "McClain, Ron" <Ron\_McClain@kindermorgan.com>  
Fri, Nov 21, 2014 at 1:00 PM

Hi Ron

Please feel free to call me any time.

My number is 508-259-7151 Jack

McClain, Ron <Ron\_McClain@kindermorgan.com>  
To: Jack Petropoulos <jack.petropoulos@gmail.com>  
Fri, Nov 21, 2014 at 1 :01 PM

Thank you.

Ron McClain

### **20150826-4019**

Hi, My name is Jennifer Schongar and I live in Mason, NH. I am not directly affected by this pipeline but I am here to talk about the unconstitutional act of taking personal property through eminent domain for corporate gain.

Everyone who has looked at the numbers knows that the energy shortage in New England two winters ago was fabricated. ISO New England tried to implement a new winter reliability program and it failed horribly and we all paid for it through higher energy prices. The root of the problem was they refused to buy electricity from gas generators using stored LNG. The lower costs we experienced during a much harsher winter this past winter were a clear indication that there is no shortage of natural gas. That is a fact.

The Maritimes & Northeast pipeline, which is the large pipeline from Dracut, MA up to Canada has asked to have it's flow reversed which will send the natural gas that is supposedly for New England up to the export facility in Canada. That is a fact.

Industry specialists have predicted that when this Natural Gas gets exported the price of Natural Gas will go up 200 to 500% to compete with the price of Natural Gas in Europe. That is a fact.

The town of Mason that this 12" high pressure lateral pipeline goes through will get NO benefit from this pipeline, ever! Mason can't even afford to run internet wires above ground. There is no way it will ever be able to afford to run NG to individual houses. That is a fact.

This pipeline and lateral will go through many state forests and conservation land. Land that has been set aside to help mitigate the destruction that is happening to other parts of the world. You can't effectively mitigate the areas that are already there to mitigate other contaminated areas. That is a fact.

100% of the NH towns that are affected by this pipeline OPPOSE this pipeline. That is a fact.

Property values are already being hit hard by this pipeline. Kinder Morgan, with FERC's approval, will be stealing thousands of dollars from each property owner, as well as from the other residents in each town who will now have to pay higher taxes because the properties directly affected will lose value. Just so Kinder Morgan, a private company, can make a profit selling this natural gas overseas. That is a FACT!

So, I am here today to express my OUTRAGE at the unconstitutional actions that Kinder Morgan is proposing and FERC is considering. This isn't just happening in New England. This push to export Natural Gas is happening all over the US right now. FERC needs to understand that the American people are outraged and we WON'T let this happen without a fight!

### **20150826-4020**

18 months ago I learned Kinder Morgan wanted to take land my family has protected for 100 years and also cut indiscriminately through a community I have worked for three decades to make a great place to live. I soon learned that the issues surrounding this massive project were much bigger than my own backyards and

hometowns. I found a corporation who has not diversified for the 21 st century - instead is still following a mid 20th century business model to maximize profits at the expense of not only our communities but even our earth.

I've learned that our current system provides a huge advantage to the power of money over the power of the people. There is indeed a built-in imbalance in the FERC process. Kinder Morgan not only has personnel with experience in this complex regulatory process, they've hired consultants, lobbyists, and PR people to advocate on their behalf - painting a picture of clear need when the truth is more murky. No wonder it seems like the process is on a fast track to approval and people are led to believe this is a done deal.

This is why we need FERC to protect our interests. We need your help to make our citizen voices and concerns heard.

Over the last 18 months two other things have become quite apparent:

1. It's unclear how much more new gas pipeline capacity, if any, we need
2. Lots of corporations are anxious to supply lots of natural gas to MA, New England and even the world.

In order to provide the best solution to what mayor may not be a problem, FERC needs to combine the various proposals from Kinder Morgan, Spectra Energy, Iroquois, and Portland Natural Gas into one regional Environmental Impact Statement and one coordinated FERC process. Added together these proposals could more than double the gas supply to New England at a time when we need to greatly reduce our consumption of fossil fuels.

Even KM acknowledges in its Resource Reports that the alleged NED need could be met by the competing projects. In a combined FERC process, all these projects could be analyzed together to see which one, if any, or which combinations of projects would satisfy any demand with the least impact to the environment and affected land owners.

The FERC review for these combined projects needs to determine:

1. What amount of gas, if any, is needed to meet the threshold of allowing eminent domain takings.
2. What is the best way to meet that need while minimizing project impacts.

My written comments provide more details on the analysis needed, requests that all information be shared with citizens and that comment periods be extended to allow the citizen-reviewers a chance to read and provide thoughtful comments on the lengthy documents.

Now is the time for FERC to take a step back and look at the larger picture of natural gas capacity in New England by combining these various proposals. This consolidated review would help you ensure reliable, efficient and sustainable energy for consumers as called for in your mission. Thank you.

Carolyn Sellars

## **20150826-4021**

My name is Fred Sellars; I am a resident of West Townsend. I am not only an affected property owner, but also an environmental consultant with over 35 years of experience in the siting and comprehensive environmental permitting of major energy infrastructure projects. I have directed or been a key contributor to the siting and licensing of over 25 power plants, most of them powered by natural gas, as well as thousands of miles of electric transmission, gas pipeline and other linear projects. I have been qualified as an expert witness in 8 states. I am confident that I have a pretty good understanding of the environmental impacts associated with energy projects, how to assess and minimize them, and, most importantly, how to identify and evaluate alternative sites and routes.

The Resource Reports for the NED project fall short in numerous areas as will be detailed in my written comments. Tonight I will focus on the project's evaluation of alternatives.

The alternatives assessment section of the Resource Reports is both inadequate and inaccurate.

- The analysis qualitatively dismisses alternative solutions such as increased use of the existing offshore LNG injection terminals that proved to be incredibly effective last winter, one of the most severe we've experienced in quite some time, completely avoiding the capacity constraints experienced in the milder winter the year before, when they were not in use. You, the FERC, approved those projects as being "necessary" just a few years ago, yet their proven ability to address short-term capacity constraints was virtually ignored in the Resource Report. Given the longer-term energy outlook in New England, particularly in response to the USEPA's Clean Power Plan goals set for the region, statewide initiatives such as the Massachusetts Global Warming Solutions Act, the recently issued Clean Energy RFP, and Governor Baker's proposal for contracting an additional 2,400 MW of hydroelectric capacity, I believe that any need for increased gas capacity is finite and short-term. These new regulations and initiatives must be fully considered in the assessment of the No Action Alternative. Further, the benefits of actually using the LNG infrastructure already approved by FERC, already built, and whose construction impacts have already occurred, must be quantitatively and comprehensively compared and contrasted to the proposed creation of new massive infrastructure across numerous ecologically sensitive areas, and entailing the forcible taking of private citizens' properties to address potential capacity constraints that may only exist for a few days a year and for only a few years to come.
- Even assuming for a minute that new pipeline capacity is needed, the alternatives analysis qualitatively dismisses the numerous competing proposals currently before the FERC or recently announced. Taken together, these proposals would double the gas import capability of the region, far more capacity than called for by even the most aggressive forecasts. I call on the FERC to either combine all of these projects into a single comprehensive FERC Proceeding and a single combined NEPA review consistent with Council on Environmental Quality guidelines for such situations, or at a minimum require fair, complete and quantitative treatment of them in the alternatives analyses of each of the projects, as opposed to the mere paragraph-long summary dismissal of them that currently appears in the NED Resource Report.
- Beyond the broader alternative solutions ignored by the current analysis, the Resource Report fails to identify a reasonable range of alternative routes for the NED project itself. Take the Fitchburg Lateral as an example. I only became an affected land owner a few weeks ago when the previously proposed alignment near West Meadow Road was abandoned in favor of traversing across a heavily wooded residential neighborhood that is entirely within a designated Area of Critical Environmental Concern. Yet, the previous preferred route does not even appear as an alternative that was considered and rejected in the Resource Report. How are we, and you, to determine if the previous route was really inferior to the new alignment if Kinder Morgan now pretends that this alternative never existed? The sole alternative to the entire lateral is a single in-street route down Route 31. If in-street construction is viable enough to be considered as an alternative, where is the alternative of placing the pipe under West Meadow Road, which would avoid cutting a 100-foot-wide swath across 7 private landowners' forested properties? What about other in-street alternatives that might be superior to the Route 31 alignment?
- The evaluation criteria used in the alternatives analysis are inappropriate and deeply flawed. As an example, based on the alternatives assessment criteria as applied in the Resource Reports, are we to believe that crossing "forested land use" under the pavement of Route 31 is the same as cutting a 100-foot-wide swath across privately owned forest, in an Area of Critical Environmental Concern, atop an esker that overlooks an important wildlife migration corridor and one of the state's few remaining true cold-water fisheries? Yet those two starkly different situations are treated identically with respect to the alternatives analysis criteria. Criteria for the comparison of alternatives must be based on the actual impacts of the project's construction and long-term maintenance not vague and meaningless surrogate indicators.
- Finally, the very need for the Fitchburg Lateral has not been demonstrated, yet a No Action Alternative for this lateral is not considered. The need determination for this lateral cannot automatically be tied to a more vague demonstration of alleged need for more gas into New England from Marcellus. The specific need for this lateral has not been demonstrated, nor has the proponent even attempted to demonstrate it. Without a clear demonstration of need, the FERC cannot include this element of the project in the larger NED project

and it should be rejected.

20150826-4022

**TOWN OF LUNENBURG  
BOARD OF SELECTMEN**

Jamie Toale, Chairman  
Robert Ebersole, Vice Chairman  
Tom Alonzo, Clerk  
Paula Bertram, Member  
Phyllis Luck, Member  
Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1 A  
Washington, DC 20426

17 Main Street  
P. O. Box 135  
Lunenburg, MA01462  
Phone 978-582-4144  
Fax 978-582-4175

August 12, 2015

Docket number: PFI4-22-000  
FERC Public Scoping Meeting  
Lunenburg H.S.  
Lunenburg, MA 01462

Thank you for letting me speak tonight and entering the attached proclamation, signed by the Lunenburg Board of Selectmen, into the public record.

This proclamation stands in OPPOSITION to the proposed Energy Direct Project and in OPPOSITION to the proposed Fitchburg Lateral within Lunenburg Boarders.

Sincerely,

Jamie Toale  
Chair, Lunenburg Board of Selectmen

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**PROCLAMATION**

WHEREAS, Kinder Morgan has proposed a new 36” high pressure gas pipeline through Massachusetts and New Hampshire, as part of a Northeast Energy Direct Project hereinafter called the “Project”; and

WHEREAS, the “Project” also proposes a new 12” high pressure (1460 psi) natural gas pipeline, which it calls the “Fitchburg Lateral, to be installed, not in Fitchburg, but in Lunenburg, Townsend and Mason, NH; and

WHEREAS Lunenburg is already crossed by a Kinder Morgan pipeline hereinafter called the “South Lunenburg Lateral,” which runs from Lancaster to the proposed southern terminus of the Fitchburg Lateral; and

WHEREAS, the South Lunenburg Lateral has already caused financial damage to Lunenburg citizens; and

WHEREAS, the completion of the Project appears to create a connection between the proposed Fitchburg Lateral and the South Lunenburg Lateral; and

WHEREAS, said connection could provide Kinder Morgan the opportunity to provide gas service to Worcester through Lunenburg including a possible future addition of a compressor station in Lunenburg, or other re-adaptation and re-use of the South Lunenburg Lateral; and

WHEREAS, Kinder Morgan has been silent about its plans to create such a connection, despite its proposing a metering station in Lunenburg at the Southern terminus of the proposed Fitchburg Lateral in its Resource Report I files with the Federal Energy Regulatory Commission; and

WHEREAS, the currently proposed pipeline route was chosen in a private, closed process so that there has been no chance for open, public discussion or debate of alternate routing possibilities and tradeoff’s; and

WHEREAS, Kinder Morgan identified properties in Lunenburg that it intends the Fitchburg Lateral to cross but declined to provide the town of Lunenburg with detailed and current information on the exact route it is proposing; and

WHEREAS, landowners are being asked to permit surveying on their property or to sign agreements to forfeit some of their property rights; and

WHEREAS, federal eminent domain powers may be used to forcibly take pipeline easements from unwilling landowners; and

WHEREAS, a high-pressure gas pipeline, by its nature, carries the potential for leak, rupture or devastating explosion causing untold damage to property and lives; and

WHEREAS, said pipeline goes against current Massachusetts commitments to renewable energies and combating global climate change; and

WHEREAS, our energy challenges are better addressed through investment in energy conservation measures as well as green and renewable energy solutions; and

WHEREAS, a high-pressure gas pipeline, by its nature, carries the potential for leak, rupture or devastating explosion causing untold damage to property and lives; and,

WHEREAS, Lunenburg and our neighboring communities have adopted comprehensive master plans, zoning bylaws, wetlands bylaws and other land use controls to provide for the orderly development of our communities and the conservation and protection of our communities for future generations to come, as good stewards of the land should; and

WHEREAS, the elimination of environmental threats to our forests and streams from improvident development is the fundamental purpose for the adoption of our land use controls and master plans; and

WHEREAS, Lunenburg and our neighboring communities have publicly and privately set aside large tracts of land and restricted their development for conservation and open space purposes as part of their master plans;

NOW, THEREFORE, be it RESOLVED that the Board of Selectmen of the Town of Lunenburg, do hereby declare that it”

STANDS IN OPPOSITION to Kinder Morgan’s proposed Energy Direct Project and to the Fitchburg Lateral, and

STANDS IN OPPOSITION to any effort to locate the proposed Fitchburg Lateral within Lunenburg’s borders, and

FURTHER COMMITS to participate in and provide comments to any meetings held under the Federal Energy Regulatory Commission (FERC) review process with regard to the proposed Fitchburg Lateral to oppose Kinder Morgan’s application, and

BE IT FURTHER RESOLVED, that the Board of Selectmen of the Town of Lunenburg do hereby call upon our State and Federal Legislators and Executive Branch Officers to enact Legislation and take any such other actions as are necessary to oppose such energy projects that go against our commitment to public safety, our environment, our economic well-being and our sense of community.

SIGNED THIS 10th day of February 2015.

Tom Alonzo, Chair

Paula J. Bertram, Vice Chair

Jamie Teale, Clerk

Robert Ebersole, Member

Phyllis M. Luck, Member

The Townsend MA Board of Selectmen greatly appreciates this opportunity to share our concerns about the proposed Northeast Energy Direct (NED) project with the Federal Energy Regulatory Commission's (FERC).

Townsend has a major interest in NED. In the original September pre-filing notice, the main pipeline route and a proposed lateral cut through Townsend. A large compressor station was also planned to be sited somewhere along a four mile path on the pipeline in our town. In the revised route released in December 2015, the mainline pipe moved north to NH but a lateral is still proposed to bisect Townsend from north to south, affecting many public and private landowners. In addition, the Townsend route is still listed as an alternative to the NH route and compressor station location.

The Townsend Board of Selectmen believe the proposed NED project as currently described is not necessary to meet the energy needs of New England. It would be an unwise use of our important conservation lands and natural resources and an inappropriate potential use of eminent domain for the benefit of a private corporation.

Kinder Morgan's proposed Northeast Energy Direct project would be an overbuilt and unnecessary solution to what may be a small temporary need for some additional energy sources to meet peak demand in winter-time months. There are many already existing and proposed projects that can meet that demand using existing infrastructure such as offshore LNG facilities or upgrades to existing gas pipelines along existing gas pipeline rights of way. We applaud Governor Bakers' continued insistence that upgrading existing pipeline infrastructure is the best way to meet any unmet needs for natural gas.

Townsend, like most of the communities along the proposed route, is a place where our citizens highly value our natural resources, historical areas, open space and conservation land. People come to Townsend to enjoy Willard Brook and Pearl Hill Brook State Parks, hike along our open space trails, and fish, kayak and canoe our cold water streams. The proposed Fitchburg Lateral bisects West Townsend, crossing significant ecological, historical and water resource areas including Willard Brook and Pearl Hill Brook State Parks and the heart of the Squannassit Area of Critical Environmental Concern. The proposed Main Street crossing of the lateral occurs between two two-hundred year old homes on a stretch of road that remains much as it has been since Townsend was settled.

This destruction of historical and natural resources is unnecessary. Kinder Morgan has yet to explain why the Fitchburg Lateral is needed. Indeed, Kinder Morgan has yet to give a straight answer about the "Fitchburg Lateral." They call it the "Fitchburg Lateral" even though it doesn't go to Fitchburg - it goes through Mason, NH, Townsend and ends in Lunenburg at a Tennessee Gas pipeline. Until which serves Fitchburg, Lunenburg and Townsend has NOT signed on for capacity and has said they do not need the capacity. Kinder Morgan claimed the lateral was to serve National Grid but the National Grid Capacity Agreement DPU Docket (15-34) did not mention this lateral or any gas needs in central MA. State Representative Sheila Harrington reported that Kinder Morgan told her someone in Townsend requested this lateral. This is not a distribution pipeline that someone can tap into. There is no large user of gas anywhere near the proposed lateral. Finally, some thought this "Fitchburg Lateral" was planned to deliver gas to the proposed North Worcester Lateral and were quite surprised that the Fitchburg lateral was not dropped when the North Worcester Lateral project was dropped in early June.

There doesn't appear to be any "public need" for this particular lateral yet Kinder Morgan is asking FERC for eminent domain authority to take 14 miles of land in three towns across two states to build it

This is not right Eminent domain authority should only be used very sparingly for projects that address a real public need. The proposed NED project and the "Fitchburg Lateral" in particular do not pass the threshold for a public need determination.

The Townsend Board of Selectmen have been following NED for more than a year. We first became aware of the project in early 2014, when Kinder Morgan land agents talked to individual land owners at their homes before contacting the town about the proposed project. It took months before Kinder Morgan pre-

sented information to the town. Following their presentation in June 2014, the Board of Selectmen voted not to provide survey access to any town land. On July 31, 2014, voters at a Special Town Meeting voted unanimously to adopt a resolution in opposition to the pipeline. Townsend is not the only community opposed to the project. Fifty-five communities in Massachusetts, representing more than half a million people (based on the 2010 Census), have taken at least one vote in opposition to the NED proposal.

While Townsend officials have shared our concerns about the project with FERC through letters from the Selectmen, Conservation Commission and through the Northeast Municipal Gas Pipeline Coalition, it is unclear how much weight our comments have with FERC. We are grateful for this opportunity to share some of our concerns with you directly and trust that you will take these concerns seriously in your project review. Thank you again for the opportunity to comment.

#### **20150826-4024**

Last summer former governor Deval Patrick signed legislation requiring the accelerated detection and repair of natural gas pipeline leaks in Massachusetts.

This was necessitated because one half of all pipes in this area are made of leak-prone materials and are more than 50 years old. There is one verified leak approximately every mile in the Greater Boston area.

A study initiated by Senator Ed Markey indicates that around \$1.5 billion has been lost through natural gas leaks over the past decade.

This is both economically and environmentally disastrous. More importantly it creates a very dangerous situation that has resulted in serious explosions such as the one in Springfield MA in 2012. My simple question is: Why not fix existing pipelines first?

1540 Lakeview Ave  
Dracut, MA 01826

#### **20150826-4026**

*{Testimony of Chairman, Tony Archinski, could not be OCR converted}*

#### **Resolution Opposing the Northeast Expansion of the Tennessee Gas Pipeline in Dracut, Massachusetts**

WHEREAS, a proposed High-Pressure Pipeline carrying natural gas may come through Dracut and our neighboring communities; and

WHEREAS, a high-pressure gas pipeline, by its nature, carries the potential for leak, rupture or devastating explosion causing untold damage to property and lives; and

WHEREAS, said pipeline may potentially destroy forests, wetlands, conservation land and farmland, and would pass beneath the Merrimack River, and require maintenance in perpetuity of an expanded utility right-of-way through the possible use of herbicides; and

WHEREAS, said pipeline may adversely affect property values, adversely affect residents' safety, livelihood and otherwise may negatively impact the integrity of the town's bucolic character; and

WHEREAS, the cost of said pipeline may require Massachusetts citizens to pay a utility bill tariff, as well as environmental costs not required by law for Tennessee Gas Pipeline Company, L.L.C. ("TGPII, a subsidiary of Kinder Morgan Energy Partners, L.P.), potentially making ratepayers bear financial risk for the endeavors of a private corporation; and

WHEREAS, our energy challenges are better addressed through investments in energy conservation measures as well as green and renewable energy solutions; and

WHEREAS, the currently proposed pipeline route was chosen in a private, closed process so that there has been no chance for open, public discussion or debate of alternate routing possibilities and tradeoffs; and

WHEREAS, federal eminent domain powers will be used to forcibly take pipeline easements from unwill-

ing landowners; and

NOW THEREFORE BE IT RESOLVED THAT the Selectmen of Dracut, Massachusetts:

1. Stand in opposition to Tennessee Gas Pipeline Company, L.L.C.'s Northeast Expansion pipeline and not allow it within town borders;
2. Oppose any pipeline that potentially threatens the safety of any Dracut residents, visitors, or property; and
3. Hereby request that our state and federal legislators and executive branch officials to enact legislation and take any such other actions as are necessary to disallow such projects that go against our commitments to life, the environment, our economic wellbeing and our bodily safety, and, instead, to legislate more stringent energy efficiency and further exploration of and subsidies for renewable energy sources.

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**BOARD OF SELECTMEN**

Board of Selectmen Minutes of January 13, 2015 Selectmen's Chamber, Town Hall

Present: Cathy Richardson, Chairperson, Joseph DiRocco, Jr., Vice Chairman, Tony Archinski, Clerk, Tami Dristiliaris, Alison Hughes, Jim Duggan, Town Manager, Glen Edwards, Assistant Town Manager/Planner, Attorney James Hall and Recording Secretary Shannon Rowe Beaulieu

The Chairman opened the meeting at 7:02 p.m.

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**COMMUNITY INPUT:**

- \* Ms. Caroline Zuk, 100 Old Parker Road, appeared before the Board and stated that a Community based Dracut Pipeline Awareness Group has been formed to deal with concerns with the proposed pipeline. Ms. Zuk discussed the Groups concerns with wetlands, public safety, farming, natural habitat, loss of property, homes, etc.
- \* Mr. Peter Clark, 135 Heather Road, appeared before the Board and stated that he is a direct abutter to the proposed pipeline and stated that the Town and residents are up against a large well organized Corporation.
- \* Mr. Jim Carr, 136 Fox Avenue, appeared before the Board and stated that Kinder Morgan is not here to preserve open space, Dracut is a great rural Town and the proposed pipeline is going through farm land.
- \* Mr. Rich Cowan, 12 Greenlawn Avenue, appeared before the Board and discussed the new proposed pipeline route and potential other ways to bring in gas.
- \* Mr. David Simpson, 161 Pelczar Road, appeared before the Board and discussed the fire and explosion aspects of the proposed pipeline, 12 major explosions and fires within the last year and discussed this could be a catastrophic event and they don't want the pipelines in their backyards.
- \* Mr. Daniel Mooney, 71 Heather Road, appeared before the Board and stated that the proposed pipeline is in his backyard and there is no upside for Dracut.

Motion made by Mrs. Dristiliaris to extend the Community Input for three minutes. Motion seconded by Mr. DiRocco. Motion passed unanimously.

- \* Ms. Colleen Garry, 55 Chapman Street, appeared before the Board and discussed the Kinder Morgan letter and her meeting with Kinder Morgan and the Town Manager regarding the proposed new pipeline route. Ms. Garry stated that they are in a critical junction and discussed the Non-Binding Resolution against the pipeline. Ms. Garry asked that the Board respectively postpone their vote on the Non-Binding Resolution for 30 days so herself and the Town Manager could continue their discussions with Kinder Morgan and allow them to continue with negotiations.

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**AGENDA ITEMS:**

\* Ongoing Discussion regarding Tennessee Gas Pipeline and Non-Binding Resolution Ms. Richardson discussed the Non-Binding Resolution drafted by Mr. Edwards. Ms. Richardson read the draft Non-Binding Resolution.

Mrs. Hughes stated that she appreciates Representative Garry's and Mr. Duggan's work with Kinder Morgan and she would like to see the vote on the Non-Binding Resolution postponed for thirty days. Mrs. Hughes stated that this is not an endorsement of the proposed pipeline.

Mrs. Dristiliaris stated that there are no environmental impact studies and the Board needs to take a stand and she would like the Non-Binding Resolution put forth.

Mr. DiRocco stated that he is not happy with the proposed route but Kinder Morgan would not come back to the table if a Non-Binding Resolution is done. Mr. DiRocco stated that he would rather have negotiation availability.

Mr. Duggan explained to the Board what would happen with the line of communication with Kinder Morgan if a Non-Binding Resolution is done. Mr. Duggan stated that he would like to continue the lines of communication and he doesn't see a unanimous vote with the Board right now. Mr. Duggan stated that the vote should be unanimous when the times comes and it is his opinion to postpone the vote.

Mr. Archinski stated that it is time for the Board to weigh in on the proposed pipeline. Mr. Archinski stated that he does not see any benefits of the proposed pipeline.

Mrs. Hughes discussed her concerns with Kinder Morgan, FERC and the Government's relationship.

Ms. Richardson stated that she appreciates the efforts but with corporate America there is no guarantee that what Kinder Morgan's says is the truth. Ms. Richardson stated that she does not trust them, she has seen their presentation and the Board needs to stand up for the residents.

Motion made by Mrs. Dristiliaris to Sign the Non-Binding Resolution as read by the Chairperson. Motion seconded by Mr. Archinski. Under Discussion:

Ms. Colleen Garry, 55 Chapman Street, appeared before the Board and stated that if the resolution is passed it ties her and the Town Manager's hands with their discussions with Kinder Morgan.

Ms. Richardson stated that the next Coalition meeting will be held in Dracut.

Mr. Peter Clark, 135 Heather Road, appeared before the Board and stated that Kinder Morgan is a for profit organization.

Mr. Rich Cowan, 12 Greenlawn Road, appeared before the Board and discussed the permitting process with the other pipeline proposals.

Ms. Karen Pelletier, 32 Cart Path Road, appeared before the Board and asked if postponing the vote for thirty days would help or hurt the negotiations with Kinder Morgan?

Ms. Richardson stated that Kinder Morgan has to negotiate with the Town anyway. Ms. Richardson stated that the Conservation Commission needs to make sure everything pertaining to wetlands is documented.

Mr. Thomas Pelletier, 32 Cart Path Road, appeared before the Board and discussed his concerns with Kinder Morgan and stated that he does not trust Kinder Morgan.

Mr. Dave Simpson appeared before the Board and stated that the Town Manager is looking for additional income and stated that one fire truck is not going to help.

Mr. DiRocco stated that he would like to see the vote postponed for thirty days as he does not have enough information to vote on the Non-Binding Resolution tonight.

Mrs. Dristiliaris requested that the motion be voted on.

Roll Call Vote:

Mrs. Dristiliaris - Yes

Mrs. Hughes - No

Mr. Archinski - Yes

Ms. Richardson - Yes

Mr. DiRocco - No

Motion passed 3 to~2.

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BOARD OF SELECTMEN  
Cathy Richardson, Chairperson  
Joseph DiRocco, Jr., Vice Chairman  
Tony Archinski, Clerk  
Tami Dristiliaris  
Alison Hughes

**20150826-4027**

Hand written letter, 2 pages, Mary Bickerstaffe, 196 Trout Brook Rd, Dracut, MA, concerned, opposing *{included: copy of article “Why is Kinder Morgan (KM) Proposing Huge Gas Facilities Near Homes in Dracut?”, source not specified, plus second article and a TGP map}*

**20150826-4028**

*{copy of “Resolution Opposing the Northeast Expansion...” already included in 20150826-4026 above}*

**20150826-4029**

*{copy of Selectmen’s Minutes, already included in 20150826-4026 above}*

**20150826-4030**

Good evening. My name is Josh Chase, from the **Merrimack River Watershed Council**, a 39 year-old regional environmental nonprofit based in Lawrence. First let me thank you for having this event.

I want to make two points on our reasons for opposing this project.

First, the main concern we have is the effect that the pipeline construction will have on our drinking water and the health of the river due to the chance of re-suspension of toxic chemicals and heavy metals in the sediment that may end up in our water supply.

The Merrimack River is the second largest surface-water source of drinking water in New England. The river provides drinking water to nearly 300 and 60 thousand people in New Hampshire and Massachusetts. This number is projected to grow to over half a million in the coming years. The Merrimack was one of the 10 most polluted waterways in the US in the 70’s. Today, the water quality is dramatically better, but the pollutants of the past are still there in the sediment. We are very concerned that these past problems will come back to haunt us and end up in our drinking water.

The currently proposed path crosses the Merrimack and its tributaries many times, but some of these crossings have a chance to re-suspend some harmful chemicals and heavy metals that could impact our drinking water and the health of the river. For example, the proposed pipeline crosses the Souhegan River in Wilton, NH. According to the New Hampshire 303 d list of impaired waters, this segment of river contains high levels of aluminum, iron, and lead in the sediments.

Another example, the Lynnfield lateral pipeline is proposed to cross the Merrimack River between Dracut and Tewksbury. That particular stretch of the river is listed by Massachusetts as being contaminated with mercury and PCBs. These are just two examples.

From the site where the pipeline would cross from Dracut into Tewksbury it is under 10 miles to the intakes for the public water supplies for Tewksbury, Andover, Methuen, and Lawrence. From the section of the Souhegan River that contains lead and aluminum, there is less than 20 miles of river until Nashua gets its water from the Merrimack.

Second, the other major concern we have is the loss of forested land and the impact of permanently losing

this land on water quality. In a study from the US Forest Service, the Merrimack River watershed was rated the most threatened watershed in the country for loss of privately owned forested lands, 4th in the country for threats to water quality, and 7th in the country for loss of habitat for species at risk. The completed project is going to occupy over 1 thousand acres of land that will never have trees on it again. We will lose 38 hundred acres during construction. The Merrimack watershed can not afford to lose that land. The American Water Works Association studied 27 water supplies and found that a 10% increase of forested land lead to a 20% drop in treatment costs, and the EPA found that every dollar spent to protect the water reduced treatment costs by 27 dollars.

So, when I say we can not afford to lose this land, I really mean we can't afford it.

Because of these reasons, the MRWC has some major reservations about this project. We hope that FERC will take these important public health concerns into account, especially if the project goes forward. All parties involved must take the National Environmental Policy Act review process, along with the Clean Water Act, very seriously, or those of us who depend on the Merrimack River for our drinking water will end up paying for it.

Thank you.

AI: In 1988, a population of about 20,000 individuals in Camelford, England, was exposed for at least 5 days to unknown but increased levels of aluminum accidentally distributed to the population from a water supply facility using aluminum sulfate for treatment. Symptoms including nausea, vomiting, diarrhea, mouth ulcers, skin ulcers, skin rashes, and arthritic pain were noted. (WHO, 2003)

**20150826-4031**

*{duplicate of 20150826-4031 above}*

**20150826-4032**

Hand written letter, Virginia Costa, 191 A North Lowell St, Methuen, MA 01844, opposing

**20150826-4033**

GOOD EVENING. My NAME IS STEVEN FERRI AND MY HOME IS LOCATED AT 217 TROUT BROOK RD, IN DRACUT, WITHIN A FEW HUNDRED FEET OF THE PROPOSED DRACUT PIPELINES AND COMPRESSOR STATION.

YOU KNOW MUCH OF WHAT I AM ABOUT TO SAY. YOU KNOW THAT THE PROPOSED PROJECT IS FAR TOO BIG FOR THE NEEDS OF MASSACHUSETTS, MUCH LESS DRACUT. You KNOW THE OBVIOUS DANGER TO HUMANS, DUE TO THE TOXIC EMISSIONS FROM COMPRESSOR AND METERING STATIONS, AND THE METHANE GAS THAT IS EMITTED FROM LEAKY GAS PIPES. You KNOW THAT MY PROPERTY VALUE AND THE PROPERTY VALUE OF MY NEIGHBORS WILL DECREASE. You KNOW THAT MY HOMEOWNERS INSURANCE MAY INCREASE. You KNOW THAT THE QUALITY OF LIFE FOR THE RESIDENTS WHO LIVE ON AND AROUND THE PIPELINE WILL BE NEGATIVELY IMPACTED DUE TO

THE NOISE AND ODOR OF THE COMPRESSOR AND METERING STATIONS, AND You KNOW THERE WILL BE A CHANGE IN THE OVERALL LANDSCAPE. AND YOU ALSO KNOW THE DEVASTATING IMPACT A PROJECT LIKE THIS WOULD HAVE ON OUR ENVIRONMENT. You KNOW ALL OF THIS.

SO THE OBVIOUS QUESTION IS THIS: WHY YOU WOULD CONSIDER GIVING A COMPANY LIKE KINDER MORGAN, A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AS A WAY FOR THEM TO MAINTAIN AND INCREASE THEIR PROFITS, TO BUILD A PROJECT THAT WOULD PUT SO MANY OF US AT RISK AND RISK THE NATURAL AREAS AROUND US. WHEN IN THE PAST THEY HAVE BEEN CHARGED WITH FAR TOO MANY 'SIGNIFICANT INCIDENTS' AND BEEN ACCUSED OF 'DEFERRED MAINTENANCE.'

KINDER MORGAN'S ANSWER, AS STATED IN THEIR CURRENT AND PREVIOUS PROPOSALS, IS THAT THE NED PIPELINE IS NEEDED TO MEET LOCAL DEMAND.

BUT WHY THEN ARE THEY STRUGGLING TO FIND ENOUGH NEW ENGLAND CUSTOMERS FOR THEIR GAS? THE REAL REASON FOR THE PROJECT SEEMS QUITE OBVIOUS. THE REAL REASON, AS EVIDENCED BY THE MANY APPROVED AND PROPOSED LIQUID NATURAL GAS EXPORT TERMINALS IN THE US AND CANADA AND THE SHEER SIZE AND SCOPE OF THIS PROJECT, IS THAT KINDER MORGAN PLANS ON EXPORTING THIS GAS, WHERE THEY WILL BE ABLE TO GET FAR HIGHER PRICES.

IT WOULD BE EXTREMELY UNFAIR OF FERC TO FORCE US, THE LANDOWNERS AND TAXPAYERS, MOST IMPACTED BY THIS PIPELINE PROJECT, TO BEAR THIS GREAT BURDEN FOR A PRIVATE CORPORATIONS' 'FOR PROFIT' PROJECT, WITH ABSOLUTELY NO BENEFIT TO US. INSTEAD, THE PROJECT WILL LEAVE US WITH LONG TERM ENVIRONMENTAL HARM, LOWER PROPERTY VALUES, AND POTENTIAL HEALTH RISKS. SO I WOULD LIKE TO ASK FERC TO DEFINE THE WORD 'NEED' AND THE PHRASE 'PUBLIC CONVENIENCE AND NECESSITY'. SPECIFICALLY, PLEASE TELL US WHAT PORTION OF THE CAPACITY RIGHTS THAT ARE MADE AVAILABLE BY A PIPELINE PROJECT HAVE TO BE SPOKEN FOR BY POTENTIAL CUSTOMERS IN ORDER FOR YOU TO APPROVE A PIPELINE PROPOSAL?

SO IF THERE IS NO NECESSITY AT THIS TIME AND EXPORTING GAS IS THEIR OBJECTIVE, PLEASE DO NOT CONSIDER GIVING KINDER MORGAN A CERTIFICATE. EXPORTING NATURAL GAS WOULD OBVIOUSLY DO NOTHING TO ADDRESS MASSACHUSETTS ENERGY NEEDS. EXPORTING GAS WILL CREATE A SPIDER WEB OF WINDING PIPELINES AND NOISY, POLLUTING COMPRESSOR STATIONS THAT WILL RISK LIVES, DAMAGE THE ENVIRONMENT, POLLUTE THE AIR WE BREATHE AND THE WATER WE DRINK. PLEASE THINK LONG TERM AND TELL KINDER MORGAN NO.

THANK YOU FOR LISTENING.

**20150826-4034**

August 11, 2015

Kinder Morgan/Tennessee Gas Pipeline  
Testimony for Scoping Session - FERC Docket 14-22  
**John P. Hess, Andover Pipeline Awareness Committee**  
145 Chestnut Street, Andover, MA 01810  
978 470-0806

My name is John Hess, H\_E\_S\_S. I am a resident of Andover, Massachusetts. Today I represent the Andover Pipeline Awareness Committee. The Lynnfield Lateral of NED will go through Andover as well as other cities and towns south and east of Dracut.

KM has changed the route several times as well as made changes in compressor stations and other features of the pipeline, including the amount of natural gas to be transported. These actions confuse local citizens and create a sense of competition among communities and even among states. We look to FERC to fully analyze this project and to assure the citizens that it is needed for the public good.

I would like to ask you to pay particular attention to the following four points:

1. There are Questions about the need for NED
  - a. Is the Lynnfield Lateral needed? - NED proposes two parallel Laterals out of Dracut (one through Andover and one through Methuen). Both go to or near Danvers. Why are two Laterals needed?
  - b. Proponents of NED state that there is not enough capacity in alternatives to NED. This is refuted by an official from GDF Suez, an LNG gas supplier, who was quoted in a March 23, 2015 article in the Boston Globe as saying that "There's no need for major changes or new fees to pay for new pipelines."
  - c. Is the entire project the correct place for our country to be spending so much time and money? In light of the recent White House announcement on global warming, FERC should focus on alternative energy sources rather than condoning additional construction of fossil fuel infrastructure.
2. Given the large number of people who live in the communities south and east of Dracut that are affected by the NED project FERC should schedule more Scoping Sessions in these communities. It is completely unfair to the residents of those cities and towns to require them to travel such a large distance to be heard. If not, FERC is rushing the process and is ignoring the impact of a significant segment of this proposed pipeline.
3. As of July 24, 2015, the size of the pipeline through Andover has been upgraded from a 20" to a 24" pipe at a time when the diameter of the main line has been decreased. I ask that FERC fully explore the reasons for this increase in diameter.

4. In closing, I would like to let you know that this past May, the Andover Town Meeting overwhelmingly supported a resolution against the NED pipeline. Andover is designated as a Green Community. The Town Meeting voters believed that emphasis should be on repair of existing lines, use of renewable energy sources, and reduced energy consumption. Voters agreed that the size of the pipeline is too large for what is needed - Town Meeting was concerned that the excess capacity could be exported, increasing the price of natural gas for local consumption.

Thank you for your consideration of my comments.

## **20150826-4036**

John Hovanasian

Background: I grew up in Methuen which abuts Dracut and is just east of here. My father was a third generation farmer and we worked with and knew some of the farmers in Dracut. So I've known about and have been associated with Dracut and the community as long as I can remember.

My wife Debbie and I we knew we wanted to live in Dracut and bought our house on Pelczar road in 1983. We are proud to live in Dracut and the efforts we collectively participated in over the decades to keep our town a great place to live.

The Dracut community has always worked together to expand and improve the infrastructure to keep this town viable now and for future generations like the families before us ha~one.

32 years: During our 32 years we raised 2 daughters in the Dracut School System. These were challenging but our town came together for a new library, new schools, new fire stations, a new police station, and most recently a new town hall. And everyone has always been concerned about and supported saving open space. This was all possible because the people of Dracut cared about their town and each other.

Our dream was to stay in our house in retirement and enjoy our community hoping one day in the future our daughters would live in Dracut and maybe even in our house.

Changes: Kinder Morgan with the proposed pipe line has taken that dream away:

- Our house like many others is now in an area they are calling the incineration zone
- Our planning for retirement now fraught with uncertainty and anxiety
- We wouldn't risk having our daughters or later their families here; we are staying in Dracut, it is our home
- After all these years, we now have in our Town a challenge from which we cannot overcome and never recover
- It's a conscious decision imposed upon us from outside our community and which is completely unnecessary

Different :. We can't imagine why anyone would allow this to happen and would do this to this to our town and its people

- For us it's inconceivable, and leaves us at a complete loss over this numbing potential
- Just think about it as if it were you; would you want to live in an incineration zone
- Would they want your children and grandchildren in this situation

Call to action: We're here tonight because we need your help:

- 1.)We need you to hear us
- 2.)We need you to listen and truly understand what this will do to us and the surrounding towns
- 3.)We need you to help us stop this project now

Thank you for allowing me to view my concerns.

My name is Lisa Lipomi - I hold a degree in Chemistry and Masters in Chemical Engineering and I am a certified Master Gardener.

I am in the progress of setting up a small business called Dracut Daylilies which may or may not happen now.

I have worked for 2 chemical companies, a water testing facility and presently for the Department of Defense. I have remotely monitored manufacturing facilities and monitored gas pipelines in lieu of terrorist's attacks, when we have been at heightened security alerts.

I am not in the "Incinerator Zone", but nearby and I have already submitted via EComment a lengthy comment about the infrastructure and environmental issues with the proposed compressor/metering stations.

I have lived in Dracut for 50 years and I can remember clearly driving down Route 113 and seeing all the contaminated well signs from the Exxon Terminal!

I am gravely concerned with the environmental impacts and risks this proposal presents to Dracut and the surrounding towns.

Methane Gas is going to be produced by the 7/24 compressor station. Methane Gas is highly explosive and when combined with other substances is poisonous.

In high concentrations, it is deadly.

These substances are going to be dispersed in certain concentrations in our area.

Other substances such as benzene, lead, toluene, formaldehyde, ethylene glycol (or anti-freeze) and radioactive sludge (or Radon) (Radium 226 and Radium 228 ) are some of many hazardous and carcinogenic chemicals that will be present due to this proposal. These substances will also compromise public health, safety and environmental quality in the area.

We have no idea what long term issues this will leave our environment and ecology with, since this pipeline and compressor/metering stations are being situated in a High Consequence Area (and technically in the Valley -the Merrimack Valley) as per the last FERC submittal in June.

The US Department of Transportation - Pipeline & Hazardous Materials Safety Administration States under their Quick Facts on High Consequence Areas:

- Consequences of inadvertent releases from pipelines can vary greatly, depending on where the release occurs, and the commodity involved in the release.
- Releases from pipelines can adversely affect human health and safety, cause environmental degradation, and damage personal or commercial property
- Pipeline safety regulations use the concept of "High Consequence Areas" (HCAs), to identify specific locales and areas where a release could have the most significant adverse consequences

The other concern of mine is our water.

Many of us have well water. My area of town is on private wells only. I depend on my well for drinking, washing, sewerage and watering my flowers and crops.

Many people, farms, businesses, and our environmental habitat in this area depend exclusively on this water too!

Once a community's water system is made toxic, property values plummet. Homeowners end up with homes that they cannot sell at anywhere near their original value. They are forced to live in their unsellable homes and continue to be exposed to a toxic environment. WE SAW THIS AS A RESULT OF THE EXXON SPILL.

We do not need the possibility of our water being contaminated!

I first experienced chemo at 17 years old - so I know what chemicals can do and also the “side effects” that one has to live with after the fact - And that these “side-effects”- may take a considerable amount of time after the fact to manifest.

The real questions are: Do we really need this pipeline?

And does the Safety, Health And Environmental Impacts outweigh the benefits of this proposal?

We already have serious issues with a metering station on Brigham Rd and a small compressor station in Pelham - these will probably never get fixed due to the exemption of gas companies from the Clean Water, Clean Air and Safe Drinking Water Acts.

Thanks you.

*{photographs omitted}*

Library # 20150603-5017 RE: Docket PF14-22

Dear Federal Energy Regulatory Commission:

As a long-time resident of Dracut, Massachusetts, I am not convinced that a 36-inch compressed natural gas pipeline with a compression and metering station proposed by Kinder-Morgan{Tennessee Gas Corporation pumping (bi-directionly) 2.2 billion cubic feet of gas per day through the town of Dracut is necessary and that the benefits (if any to us) outweigh the huge risks and impacts to Dracut and its surrounding areas.

The location of the proposed pipeline compression station, metering station and large gas pipelines are proposed to be constructed in a High Consequence Areas (HCA) with a Potential Impact Radius of 900-2000 feet. This megaplex is near places of assembly such as the Campbell School, St. Francis Church and adjacent to prime farm land, conservation land, electrical utility lines as well as a quarry where blasting happens daily. Residents will have to deal with construction, blasting, losing land (resulting in non-conforming lots), closed streets and possibly no access, lots of noise, stadium lighting, air pollution (methane and other carcinogenic chemicals), global warming, pigging, diminishing property values, increased insurance costs, potential well water pollution/contamination, and the some, the anxiety of being in the “incinerator zone” - never knowing if you were going to lose your life and that of your family in 59 seconds.

The colonial town of Dracut with its active farms and open space/conservation areas are doomed if this pipeline becomes reality, not to even guess at the potential health impacts for future generations. Note, I have been told that someone will be monitoring this compression station from Texas if anything should happen - that really sets off alarms to me.

On a personal note, I am saddened that Kinder Morgan{Tennessee Pipeline would even consider impacting the Ogonowski Farm. Hasn't this family lost enough with their son being the first victim of 9/11? All this so Kinder Morgan{Tennessee Pipeline can export the natural gas to other countries? (See page 2 for a KM Presentation Oct 2015) Before issuing any certification to this company, please examine all the impacts thoroughly and think about what the permanent losses and impacts are to our town and New England too.

Lisa Lipomi

34 Gilbert Street Dracut, MA 01826

*{“System Flows - 2016, 2017, Beyond “ graphic omitted}*

library #20150603-5056

Kimberly D. Bose, Secretary

Federal Energy Regulatory Commission 888 First Street NE, Room 1A Washington, DC 20426

Re: Tennessee Gas Pipeline Northeast Expansion Project

RE: Northeast Energy Direct, PF14-22-000

Dear Secretary Bose,

The NEW map of area of the NED pipeline was published from Kinder Morgan that reflects the 1/2 mile radius around the proposed compressor station. Did anyone look at the map and realize that the Fire Depart-

ment at the corner of Jones Avenue is within the radius and the Police Department is just on the edge of that radius?

Dracut has more affected homes than any other community with a compressor/metering stations, can't we have an Environmental Scoping Meeting here in Dracut? We wanted an open house but never got that.

Compressor Stations push out heat from multiple generators. This heat is exhausted 24x7 at an avg. temperature of 950 degrees. Climate change! If station is unoccupied, managed via "remote control" from Texas, who locally in Dracut will know how or if valves are properly shut if there is a catastrophic "event". Random spewing of toxic gases will rise rapidly into the air we breathe as we race to take cover when you hear the "jet engine noises" called a "blow down". Blown downs can happen anytime. Not much is known yet about how long you need to remain indoors with windows and doors shut until it is safe to re-emerge. Where will you be if a warning siren sounds? Jogging? Pushing your baby's carriage? Walking your pet? What are we (including our animals) going to eat or breathe if the wells are contaminated so our crops and animals do not have potable water or clean air? Bad news for Dracut!

Lisa Lipomi  
34 Gilbert Street Dracut, MA 01826

*{TGP areal map omitted}*

### **20150826-4038**

To: Federal Energy Regulatory Commission

From: Julia Steed Mawson, 17 South Shore Dr. Pelham, NH 03076

Re: Kinder Morgan Northeast Energy Direct (NED) Pipeline Docket # PF 14-22-000 Date: August 11, 2015

My name is Julia Steed Mawson, I am a biologist and UNH Emeritus, I am an abutter to this pipeline proposal -land that I inherited from my family to steward as open space. Further I live on Little Island Pond, which is located less than 2,000 feet from the proposed pipeline. Finally, I am a neighbor of Dracut MA and I am seriously concerned about the loss of precious agricultural lands and the industrialization of Dracut. A 22,000 hp compressor station in Dracut is not a welcome neighbor to them or to us who live less than 3 miles away. Here is just one of my concerns.

In 1973 there were no loons on Little Island Pond, caused by the unintended consequences of DDT. Thirty years later, a loon returned. Since 2012 a breeding pair has successfully raised two chicks each year. Our story is a positive one, but in general this Threatened species, is not doing well in southern NH and MA.

Mercury and other contaminants have been found to be a causative factor in population decline in loons. Other species along other biomagnified food chains are affected, including fish, songbirds and bats. In general, Mercaptan and the long list of emissions produced by compressor stations, metering stations and leaking pipes as well as other construction contaminants is of grave concern but is little researched.

As recommended by the Biodiversity Research Institute in their report, "The Extent and effects of Mercury Pollution in the Northeast of North America", long term monitoring is essential. I extrapolate their recommendations to say that such research regimes need to be done on existing pipelines, metering stations and compressor stations of comparable size in order to identify potential hazards. Not enough information is available to ensure that endangered and threatened species and prime habitat is conserved. Unintended consequences over the years have cost our communities untold loss of human life, health and species diversity.

At one meeting this spring, one of Kinder Morgan's staff said "this (pipeline) is not something that you are used to." I later heard an interview of a survivor in Syria who noted that "We humans have an incredible ability to get used to things." I contend that that may be true, but it does not mean that it is right. Deny this pipeline.

### **20150826-4039**

Good Evening,

My name is Edward Nadolny. I live at 155 Heather Road in Dracut. I would be both a pipeline abutter and a resident within a quarter mile of the proposed compressor station. I am concerned about the negative impact this project will have on property values and the analysis surrounding this subject. For Kinder Morgan to propose placement of a massive compressor station in close proximity to two previously established, densely populated residential neighborhoods indicates their lack of commitment to minimize the economic and environmental impact of pipeline construction. This is unacceptable.

There are several studies on the effects of pipeline construction on property values referenced by Kinder Morgan. Each states that there is little to no affect from pipeline construction on property values. Many studies are performed in areas with low population density. Some have been performed in arid climates where the clear cutting of mature forest and loss of privacy are not factors.

The studies are old and do not reflect current data available on mortgage appraisal techniques, health risks, fear of terrorism, and the impact of social media.

Most importantly, none of the larger studies adequately quantify the financial impact of living within close proximity of a compressor station or metering station; and none adequately define the impact of decreased property value and the resulting loss of revenue for the town.

The editor and publisher of the Marcellus Drilling News, a pro pipeline publication, just this week has admitted that property values within

one half mile of a compression station may be negatively impacted. He goes on to state:

“We’ve heard, first hand, from people living very close to compressor stations whose property values are affected - because of the noise and odors. This is a valid issue”

(Jim Willis, Editor and Publisher, Marcellus Drilling News; Natural Gas Now Guest Blogger, posted 8/5/15)

What is not admitted is that massive pipeline compressor stations and metering stations have a long lasting devastating impact on families, neighborhoods and farms.

Therefore, I would like FERC to study and quantify the loss of property value for homes within one half mile of 30 comparably sized compression stations where 100 or more homes are affected.

I would also like FERC to study and quantify the loss of property value for homes within one-quarter mile of 100 comparably sized metering stations where 50 or more homes are affected.

Both of these studies should include the impact of current day social media, contemporary property appraisal techniques and the impact of decreased residential tax revenue for the town.

Thank you for your attention to this matter.

Edward Nadolny  
155 Heather Road  
Dracut, MA 01826

## **20150826-4040**

Scoping Meeting Testimony

August 11, 2015, Dracut, MA

Re Docket PF 14-22 (Kinder-Morgan / Tennessee Gas Pipeline proposed Northeast Energy Direct (NED) pipeline)

I would like to address concerns about pipeline and compressor station safety. There is established evidence that transport of natural gas through pipelines is inherently unsafe. Since January of 2014 the Pipeline and Hazardous Materials Safety Administration (PHMSA) statistics indicate that there have been 1093 pipeline incidents, 25 fatalities, 134 injuries and over \$500 million in property damage. Close examination of PHMSA’s incident reports for Kinder Morgan’s onshore gas transmission pipelines shows that in Texas alone from 2003 to 2014, Kinder Morgan experienced 36 “significant incidents”, resulting in fatalities, hospitalization, fires, explosions, or spills.\* Throughout the U. S, since 2003, Kinder Morgan and its subsid-

aries' pipelines have been responsible for at least 180 spills, evacuations, explosions, fires, and fatalities in 24 states. \*\* Kinder Morgan states in their F AQ from the town of Londonderry NH that it is "committed to public safety, protection of the environment and operation of its facilities in compliance with all applicable rules and regulations" but that statement does not line up with the facts.

The facts are these: In 2007, the US Environmental Protection Agency (EPA) fined Kinder Morgan \$613,000 for violations of the US Clean Air Act after regulators discovered that the company had been illegally mixing an industrial solvent-a dangerous hazardous waste described as a "cyclohexane mixture"- into unleaded gasoline and diesel. The company distributed 8 million gallons of the contaminated fuel \*\*\* In 2010, the federal government fined Kinder Morgan \$1 million for repeatedly violating the Clean Air Act at its Port Manatee Terminal in Florida. The US Department of Justice found that, among other crimes, Kinder Morgan managers lied in permit applications, stating that the company would control its pollution when they knew the control equipment was not being used or even properly maintained.

These are only two of a myriad of examples of not only Kinder Morgan's failure to maintain commitment to the environment and guard public safety, but also to engage in criminal activity and deception that placed the public at grave risk. They are great at talking the talk with regard to safety, but when it comes to walking the walk they get a failing grade. So what are you, FERC going to do to hold them accountable? What kind of inspections will be required before, during and after construction to ensure that there is NO harm to the environment, to the residents of Dracut and the other communities along the pipeline? This company cannot be trusted to guard the health and safety of its neighbors. Permitting a company with a track record of neglect and abuse to move ahead with a project associated with such high risk would be fool hardy at best and criminal at worst.

"Building Safe Communities: Pipeline Risk and its Application to Local Development Decisions, (Washington D.C.: U.S. Department of Transportation Office of Pipeline Safety: 2010), p. 10, at <http://primis.phmsa.dot.gov/comm/publications/PIPA/PIPA/PipelineRiskReport-Final-2010J021>", Rdf, accessed June 18, 2014.

\*\* PHMSA Pipeline Safety State Pages at <http://primis.phmsa.dot.gov/comm/States.htm?nocache=3971>.

\*\*\* US Environmental Protection Agency, "Kinder Morgan Consent Agreement and Final Order Fact Sheet," <http://www.aov/enforcement/kinder-mo..rsan-consentagreement-and-final-order>.

\*\*\*\* Kinder Morgan, "Port Manatee Terminal," <http://www.kindermorgan.com/business/terminals/southeast/PortManatee.pdf>; US Department of Justice, "Kinder Morgan Port Manatee Terminal LLC To Pay \$1 Million Penalty for Environmental Crimes," US Environmental Protection Agency, June 22, 2010. [http://cfpub.epa.gov/compliance/criminal\\_prosecution/index.cfm?action=3&prosecution\\_summary\\_id=2065](http://cfpub.epa.gov/compliance/criminal_prosecution/index.cfm?action=3&prosecution_summary_id=2065).

Submitted by:

Jean Nigro  
Temple, NH

## 20150826-4041

HEARING REMARKS 08/11/2015

Good evening:

My name is Michael Payette, and I am a Dracut resident,

I appreciate this opportunity to voice my concerns about the proposed pipeline, which are as follows.

One of the alleged benefits of this project is that the added supply the pipeline will provide will cover any shortfalls currently experienced. The truth is that our current supply of Natural Gas meets our needs on all but a few of the coldest days of the winter, which can be offset in many ways.

- We should continue using LNG as we already do during the winter months.
- We can continue to liquefy pipeline gas at facilities in Boston, Hopkinton, and Connecticut for winter

use. In fact, the gas companies have plans to update all of these facilities!

- We can access stored LNG from imports at ports along the Maritimes Northeast pipeline that flows into Dracut - from Canaport in New Brunswick, the largest import terminal now in use.
- We can access compressed gas storage now being built right along the Halifax Lateral in Nova Scotia & Northeast pipeline that is under-utilized, and that already feeds from Canada into Dracut.

If our gas companies contract for this storage, it will be available some time in 2018 - at a cost that could be even lower, with less overall environmental impact, than building a 400 mile greenfield pipeline across three states that would remove thousands of acres of trees and put compression stations right next to the homes of many of my East Dracut neighbors.

One of the allegations made by Kinder Morgan was that we should not be using LNG to meet peak demand since there is no place to dock the tankers. A report funded by Kinder Morgan released in June stated, "Siting new port facilities to receive tankers has long been a contentious issue." [1]

This is a ridiculous argument. They are trying to confuse lawmakers. FERC and Kinder Morgan are well aware that there is no siting problem because we have two mostly unused terminals, built in 2008, located off the coast of Gloucester.

[1] <http://www.sentinelenterprise.com/news/ci28379094/beacon-hHl-institutesees-economic-benefit-building-kinder>

Kinder Morgan is also telling law makers that LNG is 5x as expensive as other fuels. Not true. On peak days when it is really needed, LNG has often been Less expensive than the natural gas prices in all of New England.

It would also seem that the case for this pipeline has been built on questionable demand forecasts. The ISO NE has issued predictions that power demand will go up. In reality, thanks to the switch to energy efficient bulbs and appliances, and the proliferation of Solar Panels on many homes in the area, power demand has gone down by 6% since 2005 and the need for power generation has declined by over 15%, and continues to decline.

So why do we need a pipeline again?

I would respectfully request that FERC use the more realistic estimates for both power generation demand and heating demand for natural gas, which were incorporated into the recent Maine PUC study, conducted by London Economics. This study validates our contention that this pipeline has bqen proposed to serve a need that simply does not exist.

Finally I ask that FERC use all due dilligence reviewing any statements made by Kinder Morgan on projected future gas prices. Current Winter Gas futures prices are down over 40% from last year, which i' contrary to he message they have been spreading via the media.

FERC should view the high cost of LNG as a temporary occurrence driven by events in Japan like the shut-down if their nuclear reactors in 2013, not as an indication that the usefulness of LNG as a bridge fuel to the future has ended,

Thank you for allowing me the opportunity to address the Commission,"

## **20150826-4042**

Hand written letter, Cherylann Pierce, 23 Mayflower Drive, Londonderry, NH 03053, opposing.

*{enclosures: several articles, not reproduced here, and copy of }*

*{ Londonderry Town Council Resolution 2015-04, adopted 7/20/2015, below }*

RESOLUTION 2015-04

A RESOLUTION REGARDING NORTHEAST DIRECT PROJECT

First Reading: 07/20/2015 Adopted: 07/20/2015

WHEREAS Tennessee Oas Pipeline Company, L.L.C., (“TOP”) a subsidiary of Kinder Morgan Energy Partners, L.P. , has proposed to construct a new natural gas distribution pipeline in southern New Hampshire, known as the Northeast Energy Direct Project (“NED”); and

WHEREAS TOP has filed proceedings in the United States Federal Regulatory Commission (“FERC”), Docket No. PR14-22-000, requesting comments on environmental issues and other matters, and meetings for receipt of public comments are scheduled in New Hampshire in July; and

WHEREAS In addition, related proceedings have been or may be filed in the future with the New Hampshire Public Utilities Commission (“PUC”) and the New Hampshire Site Evaluation Committee (together, the “State Agencies”); and

WHEREAS A portion of the proposed NED pipeline is proposed to be constructed in Londonderry; and

WHEREAS The proposed pipeline will create no direct benefit to the residents of Londonderry, and the disruption to the residents of Londonderry caused by the construction of the new pipeline may outweigh the benefits to the Town and its residents.

NOW THEREFORE BE IT RESOLVED by the Londonderry Town Council that the Town of Londonderry does not support the location of the proposed pipeline in the Town of Londonderry, and

BE IT FURTHER RESOLVED that the Town Manager is authorized to file such statements at the proceedings and meetings held by FERC and the State Agencies as he determines appropriate to convey the foregoing resolution to TGP and to FERC and the State Agencies.

John Farrell, Chairman Town Council

Serry Farrell, Town Clerk

A TRUE,COPY ATTEST: 0712012015

## **20150826-4043**

Comments of Vince Premus at FERC Scoping Session

August II, 2015

The singular weakness of this entire proceeding is the case for need. last December, I sat across the table from Gordon Van Welie, CEO of ISO New England, to discuss his unabashed advocacy for pipeline expansion. Mr. Van Welie has not been the most ardent defender of ratepayer interests. Rising utility rates have far more to do with his actions, and inactions, than alleged pipeline constraints. I give you two examples.

last September, FERC Commissioners Bay and Clark openly criticized ISO’s failure to address the exercise of market power in the 2014 Forward Capacity Auction. Just prior to the auction, a broker bought Brayton Point with the intention to close it. Unable to meet the installed capacity requirement, the auction defaulted to a non-competitive price, resulting in a \$75 million dollar windfall forthe broker and a record \$3 Billion dollar price tag on us for future capacity payments. Your Commissioners asserted that “ISO-NE may have violated its tariff by failing to carry its burden of establishing that the auction results were just and reasonable.” ISO, and FERC, declined to take action, despite being urged to do so by no less than 16 members of New England’s Congressional delegation in a joint letter to Chairman LaFleur last October.

This winter, electricity cost 30% less than last winter thanks to peak-shaving LNG. This despite suffering the most severe winter in 80 years. Recall that in 2013, ISO prohibited LNG from participating in its Winter Reliability Program out of concern for sending the “wrong signal” about the scarcity of natural gas. Electricity prices soared when it could have been prevented. This action bore the unmistakable appearance of market manipulation with the aim of propping up the weak case for pipeline expansion. This is fuel source agnostic?

New England’s natural gas annual inflow capacity is nearly twice the region’s demand. Energy efficiency, demand response, recovery of gas lost to leaks, and commercially available storage technology all combine to refute the specious case for need. Our actionable request of this Commission is: DO-YOUR-JOB! Regu-

late. Your job is NOT to “put steel in the ground” as Cheryl LaFleur quipped at an Energy Roundtable last October. Your job is to confirm what the numbers clearly show-the case for need is not made.

The export plan of a wealthy Texan is no justification to impose eminent domain on THESEWORKING-FAMILIES. China may need this gas. But the New England ratepayers that will bear the burden surely DO NOT.

**20150826-4044**

**Commonwealth of Massachusetts  
MASSACHUSETTS SENATE**

SENATOR BARBARA A. L'ITALIEN

Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

Federal Energy Regulatory Commission Scoping Meeting  
Dracut High School  
1540 Lakeview Avenue  
Dracut, Massachusetts 01826

August 11, 2015

**Testimony of Senator L'Italien on the Kinder Morgan/Tennessee Gas Pipeline**

Good evening. My name is Barbara L'Italien and I serve as the State Senator representing the communities of Dracut, Andover, Tewksbury, and Lawrence. Like many here tonight, I am deeply concerned by the Kinder Morgan/Tennessee Gas Pipeline proposal and how it may impact the communities of my district.

Since the legislative term began in January, I have actively worked to address many of my constituents' concerns related to this issue. I have met with representatives from Kinder Morgan and urged for more transparency from the company as they continue to craft their proposal for the construction of a gas pipeline in our region. I have continuously stressed the need for public input, particularly in the communities most impacted by this proposal, and have advocated for local scoping meetings so that residents can have an opportunity to formally express their concerns to the federal government. I, as well as my staff, have also engaged with activists throughout the district to learn more about how this pipeline will shape our communities moving forward and how it poses a significant risk to homes and local resources.

Over the past six months, Kinder Morgan has continued to alter details of the pipeline proposal and residents have had little time to digest these new plans. Residents of affected communities need additional time to process the information and understand the extent of the impact of the construction so that they can contribute their voices to the process during the public comment period. I come here tonight urging you, the Federal Energy Regulatory Commission (FERC), to extend its public comment filing deadlines for this project and ask that you schedule an additional scoping session in our region aimed at the communities impacted by the proposed Lynnfield Lateral pipeline. The solicitation of public input is essential throughout the process of evaluating the pipeline proposal, and as Kinder Morgan continues to alter details of its plan, citizens deserve adequate time to fully understand the potential impacts of these new changes, as well as opportunities to interact with federal authorities and express their concerns. As this pipeline proposal continues to take shape, our communities also require more transparency from Kinder Morgan so that we may accurately measure the pipeline's potential impacts on property values, the environment, and public safety.

Like many constituents who have contacted my office over the past months, I am concerned that the pipeline will negatively impact individual homeowners and the values of their properties as a result of permanent easements related to the construction and operation of the pipeline, permanently altered land features resulting from the pipeline's construction, increased risks of air and noise pollution from the pipeline and compressor stations, and the use of eminent domain as a means of construction.

I am fortunate to represent a district that is home to multiple multigenerational, family-owned farms. For these individuals in Dracut, Andover, and Tewksbury, their livelihoods depend on the ability to raise and sell crops to individuals as well as commercial vendors. The construction of a pipeline in close proximity to their lands raises serious concerns about how the pipeline might impact the safety of local food sources or detriment farmers' abilities to tend their land and maximize their profits. As the proposed route of the pipeline continues to shift, many questions are left unanswered. Property owners in my district need additional time to consider how the pipeline might impact their communities, and as newly drawn maps indicate additional neighborhoods impacted by the pipeline route, residents should be afforded more time and opportunities to fully analyze the proposal and ask questions to Kinder Morgan's company representatives.

I am also concerned that this pipeline will threaten the natural beauty and resources of protected open and agricultural spaces in my district. Some of the lands lying in the current path of the pipeline include local habitats, water supplies, vegetation, and recreation spaces protected by private conservation trusts. Over one hundred land parcels in the path of the pipeline are protected by Article 97 of the Massachusetts Constitution, and their use for the public good could be threatened by possible invocation of eminent domain during the pipeline's construction. Many of the aforementioned farms located in my district are protected by federal open space laws and agricultural preservation restrictions, and the construction of this pipeline could threaten the purity and safety of their fertile soils.

I worry that the pipeline may also pose a Significant threat to local water sources and waterways. Kinder Morgan currently plans to employ methods of Horizontal Directional Drilling when constructing the pipeline under wetlands or major water bodies, including the Merrimack River. Moving forward, it is important that we analyze how this mode of construction will impact downstream communities such as Lawrence, which depend on the Merrimack River as their primary water source and could be threatened by the disruption of river sediments from past milling and farming activities. I believe this pipeline project requires ongoing monitoring to address any negative impacts of blasting and drilling on local wells and wetlands, as well as any negative effects to properties as a result of water displacement. As Kinder Morgan continues to alter its reports, it is difficult to generate an accurate environmental impact study. Prior to FERC's approval, we must gather more data to analyze how a pipeline will impact air and water qualities, archaeological resources, socio-demographically diverse populations, natural resources, and existing agricultural infrastructure.

I am gravely concerned about how pipeline failures during construction might pose a safety risk to individuals and properties in my district. In Dracut, the combination of a proposed main line with 30" diameter and pressure of 1460 PSI, in addition to a remotely controlled and monitored 23,000 horsepower compressor station, poses a significant risk to the community with large potential impact radii should anything go awry. In Andover and Tewksbury, the recent increase in diameter of the Lynnfield Lateral from 20" to 24" suggests that those communities will also face significant risks associated with the piping of high-pressure natural gas. I ask you to address some of these public safety concerns with elected officials, homeowners, and safety response teams before approving this pipeline proposal. Possible incidents related to pipeline failure have the potential to overly burden our public safety infrastructure, and Kinder Morgan must develop a detailed public safety response plan to address any issues with the pipeline or compressor stations. If Kinder Morgan expects local public safety officials to respond to such incidents, the company must develop a strategy to adequately train these public safety teams.

As you will see tonight, this pipeline proposal has generated much concern among state officials, Boards of Selectmen, Town Meetings, local businesses, activist groups, and individual homeowners. While Kinder Morgan continues to alter details of the pipeline proposal, it is nearly impossible for local entities to generate accurate studies of the pipeline's possible impacts to public safety, individual properties, and the local environment. Additionally, the (FERC) public comment-filing deadline of August 31, 2015, is too soon for citizens to have an adequate opportunity to comment on the most recent plan revisions released by Kinder Morgan. Additional scoping sessions are needed to ensure that the public has had a fair opportunity to express their concerns about this plan and suggestions for compromise or other improvements.

With the most recently revised Resource Reports having been issued by Kinder Morgan on July 24, 2015, it

is particularly difficult for community members to fully analyze and comprehend the most current details of the proposal. Furthermore, no scoping sessions have been scheduled in communities specifically impacted by the Lynnfield Lateral, including Andover and Tewksbury, and I believe that the residents of these densely populated areas should also have an opportunity to voice their concerns. The proposed pipeline has the potential to dramatically impact the communities of my district and add increased pressures to our existing public infrastructure, and Kinder Morgan must address some of the aforementioned concerns related to impacts on home values, the environment, and public safety, before FERC makes its final decision to approve this pipeline.

**20150826-4046**

*{duplicate of 20150824-4118 above}*

**20150826-4047**

*{partial copy of 20150814-0030 above (missing pages 4 and 5), followed by:}*

Aug 11, 2015

John Yurka

63 Cranberry Rd Dracut, MA 01826

Ref.: High Pressure Compression Station in Dracut, MA Dracut town meeting Aug 11

Tennessee Gas Pipeline Company, L.L.C. / Kinder Morgan NORTHEAST ENERGY DIRECT PROJECT  
Good Morning

1. A few years ago my understanding some gas lines were put through Dracut for gas coming from Canada to USA. Last town meeting, we were told Kinder Morgan is going to continue this pipeline to Canada, so to send Canada gas. I am confused - Canada is sending USA gas and Kinder Morgan wants to send Canada gas. This makes no sense. How can FERC allow this to happen?
2. My insurance company tells me they will not cover any gas pipeline/compression plant accidents/damage. I will have to hire a lawyer to go against a 100+ billion dollar company. My guess the likelihood of winning a case is probably is zero. Which would mean I probably have no coverage to my home if a problem occurs from the plant! pipeline. How is that even close to being logical just so Kinder Morgan can sell their gas over seas for profit. Why doesn't Kinder Morgan have to take a bond out to cover all the home property in the blast zone?
3. FERC my understanding is involved in all these pipeline issues from the gulf coast to New England. Why doesn't FEAC let the people know
  - a. If our property values go down and by how much
  - b. Will our home insurance increase and by how much
  - c. What other issues have other towns had that we don't know about yet

FERC should already know these answers. Please tell us, why keep the people in the dark?

4. We have so many questions, who is going to answer our questions?

5. Why do people have to take property value drop so Kinder Morgan can make a profit exporting gas? Average people could loose 10's of millions if not more, why?

Please stop the high compression plant and pipeline

John Yurka

**20150826-5000**

Nancy Hann, Winchester, NH.

President Barack Obama is at the National Clean Energy Summit in Las Vegas, NV. His very recent speech

yesterday mentioned attaining the goal of 20% renewable energy by the year 2030, and that is beyond hydroelectric power. Here is a link to his speech: [http://www.nytimes.com/2015/08/25/us/obama-solar-power-renewable-energy.html?\\_r=1](http://www.nytimes.com/2015/08/25/us/obama-solar-power-renewable-energy.html?_r=1)

His point is, "It's a debate between those who fear the future as those who are eager to seize the future."  
STOP Northeast Energy Direct Project PF14-22-000

Thank you very much, Nancy Hann

## 20150826-5001

Mark Shoemaker, Nassau, NY.

Re: Scoping Notice; Tennessee Gas Pipeline Company, LLC, Docket No. PF14-22-000 Northeast Energy Direct Project

My name is Mark Shoemaker and I reside at 1208 Nassau Averill Park Road which is located across the street from the site where the proposed fracked gas compressor station would be built. I have lived at this location with my wife Gail for the past 38 years.

The following are verifiable facts and reasons why the compressor station should not be built at the Clarks Chapel Road, Nassau, N.Y. location.

- I know the property of the proposed site better than anyone alive, being a good friend of the former owner and hunting the area for over 30 years. I am not sure why, but I can tell you that noise in this particular area travels an unbelievable distance. The geography is such that sound somehow amplifies. On many occasions I can remember clearly hearing the conversations of my children while they waited for the school bus while I was hunting approximately 300-400 yards away. At my house you can clearly hear motor boats that are on the second Burden Lake which is over a mile away.
- There are two small feeder streams that run near and along both the east and west boundaries of the proposed site. Any contamination at this site would most likely end up in these two small streams that run into the Valatie Kill creek which feeds both Nassau and Kinderhook Lake.
- There are approximately fifty small children that live within the half mile buffer zone that was established by Kinder Morgan, five of them are my grandchildren. Located less than two miles to the south of the proposed site is a summer camp for children named Camp Schodack. On any given summer day up to 500 children spend most of their time outside participating in outdoor activities. The Valatie Kill creek also runs directly through the camp property.
- This community is already struggling with the effects of the former Dewey Loeffel landfill, a Superfund site which is less than a mile away from the proposed site. The combined effect from both sources polluting the area would be devastating to the health of the people living in this area.
- A portion of the third Burden Lake is located within the half mile buffer zone. Water from the third lake empties into the second lake, then into the first lake. Any stack exhaust pollutants emitted from the compressor station will most likely contaminate all three lakes with the potential of affecting hundreds of people and wildlife.
- The subsoil at the selected site is composed of coarse gravel which runs the entire length of the property. No outside fill would need to be brought in for construction purposes. This feature would save the gas company a tremendous amount of money. This fact along with the current owners' relationship with surrounding land owners and willingness to sell is more than likely the reason that this site was selected.

Sincerely

Mark Shoemaker

**20150826-5003**

John Leoutsacos, Temple, NH.  
John Leoutsacos  
79 Mountain View Drive  
Temple, NH 03084

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426 !

Docket # PF14-22-000

My name is John Leoutsacos. I live in Temple, NH.

I have several serious concerns regarding the water sources for hydrostatic testing.

There is a definite need to identify the water sources to be used for hydrostatic testing during construction.

As typical hydrostatic testing utilizes MILLIONS of gallons of water, will these sources be replenished and if so, how?

Is monitoring of “used” hydrostatic testing water for toxins required?

If this water is found to be contaminated,

who is this information reported to?

how is this water purified or disposed of?

An extremely high number of New Hampshire residents rely on private wells as their sole water supply. Being that Gas companies are currently exempt from the Safe Drinking Water Act and do not have to disclose the chemicals in the pipeline; a pipeline leak could contaminate water sources with undisclosed chemicals. In addition to potential damage caused during the construction process, these wells may be negatively impacted by contamination from ground and surface waters.

**20150826-5007**

Evelyn Taylor, New Ipswich, NH.

I just read that Kinder Morgan would ensure no farms would be harmed by the NED pipeline or compressor station. I am in the 1/2 mile radius from the proposed New Ipswich, NH compressor station. I have been growing an organic garden for over 20 years to obtain clean food free from pesticides. How does Kinder Morgan propose to keep my land free of toxins? I deserve equal opportunity to be able to continue my organic farming. FERC needs to hold Kinder Morgan responsible to ensure that I can continue to grow an organic garden free from toxic air, soil and water spoiled by the compressor station or other pipeline equipment, product and activities.

**20150826-5011**

Evelyn Taylor, New Ipswich, NH.

Kinder Morgan makes the following claim to Product Quality and Safety:

“Federal laws require the reporting of suspect chemical hazards and/or defects in consumer products to the proper authorities. Failure to report can result in substantial civil and criminal penalties for the Company and for individuals aware of the hazard.”

To what proper authority has Kinder Morgan reported the suspect chemical hazards released from Fracking, compressor stations and fracked gas pipeline activities? We have asked Kinder Morgan about the hazards but they have not disclosed the chemicals and hazards to us. I will ask again during the upcoming Open House.

**20150826-5014**

Benjamin Martin, Wallingford, CT.  
Connecticut does not need more gas.

Connecticut does not need more pipelines.

The pipeline proposed in this docket would be use to transport highly volatile, highly explosive and highly toxic gas through my state so it can be exported from ports in New England and Canada. The people of CT do not need or want this gas or pipeline. We do not want to worry about explosion similar to the ones that destroyed buildings in Springfield, MA, Brooklyn, NY or Middletown,CT where 6 people were killed at the Kleen Energy plant. We do not want the methane leaks from these pipelines or the gas released from the compressor stations when maintenance is performed. Our energy demand has been declining due to energy efficiency programs and installation of renewable energy. This project is neither wanted nor needed by the people of CT.

I urge FERC to reject this project and any other pipelines carry fossil fuels. We demand renewable energy projects to power the future and that FERC abandon the energy of the past.

Thank you,

Ben Martin  
329 Ward St  
Wallingford, CT 06492  
203-215-0395

**20150826-5015**

audrey m greene, Windsor, MA.

I am a resident of Windsor, MA a town that is slated by Kinder Morgan to have a compressor station.. I feel there is not enough research concerning the long term effects of emissions for FERC or Kinder Morgan to say it will be safe..for the residents of this town, not only the humans but the wildlife..I would like to know what studies Kinder Morgan has done re: the safety of these compressor stations and how emissions and their effects are monitored..also how will the noise and emissions from the proposed compressor station impact both our local birds and the migratory species affected. Because of I am unable to reliably find any objective scientific studies that assure me these compressor stations and their omissions are safe for humans and birds ..this is one reason why I Object to this pipeline.

audrey greene

**20150826-5016**

Emily Koester, Northfield, MA.

It is my sincere belief that NED is the worst option for meeting the energy needs of Massachusetts and the rest of New England. There is really no acceptable route for the pipeline without significant damage to pristine woodland.

Repairing leaks of existing pipelines and encouraging energy conservation would be much less expensive and more environmentally sound options, as would the encouragement of solar and wind power.

I duly request that FERC's analysis of the impacts (positive and negative) of alternatives be studied as thoroughly as the impacts of the proposed project, so that a meaningful evaluation can be made of the alternatives versus the proposed project.

Finally, please note that the Connecticut Expansion and NED are improperly segmented, and the projects should be reviewed together by FERC to best achieve solutions that meet our energy needs with the least risk to ratepayers and the least impact to landowners and the environment.

**20150826-5023**

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission 888 First Street NE  
Washington, D.C. 20426

August 16, 2015

Re: Tennessee Gas Pipeline Company, LLC Docket No. PF14-22-000  
Northeast Energy Direct Project

Dear Secretary Bose,

Please find below my testimony, with accompanying footnotes, submitted into the record last week at the FERC Scoping Session held in Lunenburg, MA on August 12, 2015.

Good evening. My name is Vince Premus, P-R-E-M-U-S, from Pepperell, MA. I am here once again to challenge the case for need.

According to the U. S. Energy Information Administration, the six New England states consumed a total of 889 billion cubic feet of natural gas in 2013. Their data also show that New England's natural gas inflow capacity is currently 1,709 Bcf/yr. 1 This is exclusive of the region's three LNG import facilities, which sit virtually idle of late, yet in the past have contributed additional capacity of up to 150 Bcf/yr.2 So why, despite a natural gas inflow capacity that is nearly twice the region's annual demand, does Gordon Van Welie, the CEO of ISO New England, persist in his claim that we must expand our gas pipeline infrastructure to keep electricity prices down and avoid the threat of rolling black outs?

It is well known that during a handful of days per year, generators in New England who have not contracted for firm pipeline capacity may be forced to sit idle." They do not commit to long-term contracts with their suppliers, and are thus lower on the priority list than local distribution companies that commit to firm supply to heat people's homes. What this means is that electricity price spikes in winter have much more to do with market practice than pipeline constraints, especially given that the same winter price spikes have been observed in parts of the United States where supply and access to natural gas is abundant. 4

If you were to add up all of the gas required to get through these so called "peak-shaving" intervals during the course of one year, it is estimated to total on the order of 5-10 Bct, or about 1% of the region's annual demand-roughly the equivalent of one or two LNG tankers"

To the businessman looking to export natural gas to global markets, a massive overbuild of pipeline infrastructure looks like the perfect solution to the peak shaving problem. However, to the people, many of them before you tonight, whose lives are about to be turned upside-down due to a forcible land taking via eminent domain, it is unconscionable. If ISO New England is truly fuel source agnostic with regard to power generation, then the sword dangled over the heads of these working families demands that we ask: "Is there another way? "

YOU BET YOUR GAS THERE IS. Energy efficiency, demand response, recovery of gas lost to leaks, and commercially available storage technology all add up to a resounding YES to the question, "Is there another way?" Last night at the Dracut Scoping Session, you asked for inputs to help in developing a mitigation plan. I can think of three: 1) Direct ISO New England to facilitate the purchase of 1 or 2 or 3 LNG tanker deliveries each winter, 2) Make sure ISO New England correctly accounts for distributed generation and renewables in the calculation of their Installed Capacity Requirement prior to each year's Forward Capacity Auction/ and 3) Hold ISO-NE accountable!

I will close by saying that I implore you to consider the NO BUILD OPTION as FERC reviews environmental impact, socio-economic impact, and any other impact that is within your commission's jurisdiction to consider. As I requested in Dracut last night, please confirm what the numbers clearly show, the case for need IS NO T MADE.

In addition, I wish to add the following points to the written record, which were not included in my verbal

statement due to the three minute time constraint on each speaker:

By the very words of Mr. Eric Tomasi, FERC Project Manager of the Northeast Energy Direct application, the scoping sessions are aimed at the development of an Environmental Impact Statement and measures for the mitigation of the negative impact the proposed project will have on the homeowners and stewards of protected open space of the Commonwealth of Massachusetts.

As such the implication is that the approval of the Northeast Energy Direct project is all but a foregone conclusion.

**Therefore, I respectfully request that a new set of scoping sessions be convened by FERC to address the issue of need in a quantitative, public, and transparent forum.**

The comments submitted to this docket have shown there has been a pattern of behavior on the part of ISO New England, and other energy policy makers, which clearly signals an intent to promote an over-reliance on natural gas infrastructure development. I believe that by doing so, they have placed the region at risk. If anything, there is now a vital need to pump the brakes on the development of new natural gas infrastructure and accelerate the development of distributed, renewable resources to counter balance the region's over-reliance on gas fueled generation. Ann Berwick, the former Chair of Massachusetts' Department of Public Utilities, would seem to agree. In her recent op-ed piece published in The Boston Globe, she wrote, "Natural gas now accounts for about half of the electricity produced in the region, compared with 15% in 2000 ... just as we diversify financial investments, we need to avoid becoming over-dependent on one source of energy."?

The issue of need is of paramount importance as FERC deliberates whether the standard of "public need and convenience" has been met by the applicant. However, public comment on the subject of need is not of immediate relevance to Mr. Tomasi's task of developing an Environmental Impact Statement. The standard of need must be reviewed in an objective and public manner, with an opportunity to comment by all concerned, not just industry stakeholders and energy policy makers with a perceived, or actual, conflict of interest. I urge you to open a new set of public hearings specifically dedicated to the assessment of need, at which informed testimony may be delivered by local elected officials, affected homeowners, and utility ratepayers.

Respectfully submitted,

Vincent E. Premus, Ph.D.  
Pepperell, MA

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1 Natural Gas Consumption by End Use, <http://www.eia.gov/dnav/ng/ngconssumaEPGOVCommcfa.htm> (last accessed March 23, 2015).

2 <http://www.northeastgas.org/about/Ing.php> (last accessed April 1, 2015)

3 Gordon Van Welie, "Infrastructure Needs: Electricity-Natural Gas Interdependencies," Regional Energy Forum, June 30, 2014, Manchester, NH

4 Peter Shattuck, "An Electric Solution to a Gas Problem," Restructuring Roundtable on Gas Supply & Electricity Rates in New England, November 21, 2014, Boston, MA

5 <https://jstrausscenter.org/hormuz/Ing-tankers.html>

6 NESCOE Statement at the NEPOOL Participants Committee on ISO-New England's Installed Capacity Requirement Values for the 2018-19 Capability Period (FCA9), October 3, 2014 in which they criticized ISO New England for under-estimating the region's Installed Capacity Requirement (ICR) by not fully accounting for distributed generation (DG), in particular smaller net-metered solar photovoltaic installations. NESCOE was quick to point out that such inaccuracies can lead to "electricity consumers paying for unneeded future capacity." Their current underestimate of the ICR, by some accounts almost 1,000 MW, is the approximate difference in net capacity that triggered the non-competitive administrative pricing scheme in FCA-8 that was met with the disapproval of the FERC commissioners Bay and Clark in 2014.

7 "Don't fall in love with natural gas," Ann Berwick, The Boston Globe, March 26, 2015

**20150826-5030**

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE

Washington, D.C. 20426

August 16, 2015

Re: Tennessee Gas Pipeline Company, LLC Docket No. PF14-22-000 Northeast Energy Direct Project

Dear Secretary Bose,

Please find below my testimony submitted into the record at the FERC Scoping Session held in Dracut, MA on August 11, 2015.

My name is McKenna Premus and I am from Pepperell, Massachusetts. I was thirteen when a Kinder Morgan representative came to our door in January of 2014, and asked to survey our land for the proposed pipeline. We soon came to find out that the path for the pipeline was going to cut through a piece of our 2 acre property, only about 100 feet away from both mine and my brother's bedroom windows. Ever since then my family and countless others, both affected and not affected, have been putting in almost all of their free time to fight this major corporation.

Now, on the FERC website, it states that the job of FERC is to regulate and review proposals to build LNG terminals and natural gas pipelines. But regulating shouldn't mean that hard-working individuals lose their land to a multi-billion dollar corporation. Regulating shouldn't mean that people must pay a tariff to build the actual pipeline. And regulating shouldn't mean that they should have to fight and defend what is rightfully theirs.

What I'm wondering is how can a federal board compromised of former energy industry executives approve pipeline installations that destroy people's land? Who's in charge here? Who are we the people relying on to represent us? Who can we "the homeowners", the ratepayers, rely on to represent OUR interests?

This is MY generation's future.

I have asthma; I want my air contaminant-free.

Keep our air clean. Keep our water pure. Keep our skies dark.

And our protected lands should remain just that: protected.

With power comes responsibility, and I would ask you to listen to each of these people here tonight, and as a federal agency represent us, the people, in this fight for our rights, our freedom, and our property.

Regardless of where the pipeline is proposed to be placed, it is wrong. Even as a teenager, I know that. My 11-year old brother knows that. If kids were allowed to hold positions in government, I can assure you that we would not be here tonight.

**Review the issue of need.** I know the difference between right and wrong, do you?

Respectfully submitted,

McKenna Premus (Age 15)

Pepperell, MA

**20150826-5035**

**Warwick Conservation Commission**

Town Hall

12 Athol Rd., Warwick, MA 01378

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, D.C. 20426

August 25, 2015

Re: Tennessee Gas Pipeline Company, L.L.C.

Proposed Northeast Energy Direct Project, FERC Docket No. PF14-22-000

Dear Secretary Bose,

The Warwick (MA) Conservation Commission (further – Commission) is writing to offer its comments on the scope of studies to be done for FERC’s Draft Environmental Impact Statement on the proposed North-east Direct natural gas pipeline project.

To ensure proper determination of environmental impacts from proposed pipeline construction and maintenance activity Commission would like to request the following studies and surveys to be performed in course of EIS draft preparation:

1. On-the-ground delineation of wetlands and streams for the entire project corridor and buffers.
2. On-the-ground surveys for vernal pools within 1,000 feet of the potential project corridor. These surveys should be performed during the relevant breeding seasons. The time frame for preparation of the Draft EIS should be extended accordingly.
3. Identification and prior testing of drinking water sources within 5 miles of the potential project corridor.
4. Baseline sampling of ambient air quality and noise levels within 5 miles of proposed compressor stations and other pipeline facilities.
5. Baseline study of bird migration in the nearby portion of the Connecticut River flyway.

A number of reasons for these studies and surveys were listed in our previous letter filed with FERC 8/4/2015 Submission ID: 597295.

In addition, we would like to bring to your attention our experience that wetland resources in the town of Warwick, as shown on Massachusetts Department of Environmental Protection map layers, are under-represented by a factor of several times. We believe that forested wetlands, intermittent streams and vernal pools are the most seriously under-represented types of wetland resource areas. We also believe that this under-mapping of wetlands is typical of all the Massachusetts municipalities where the proposed NED project would be located.

This under-reporting is due to the fact that map layers are developed chiefly by interpretation of aerial photos. The great majority of land in our town, as well as in many other towns along the proposed pipeline route, is forested and large numbers of wetland resources are hidden by the forest canopy, especially in areas dominated by coniferous trees.

The thorough delineation of vernal pools, almost all of which are located under tree cover, is of particular concern to us. This Commission has devoted attention each spring to certification of vernal pools in Warwick, and it is our experience that their actual frequency is several times greater than what is suggested by the DEP map layer for potential vernal pools. Based on our findings, the Massachusetts Natural Heritage and Endangered Species Program certifies several vernal pools a year. Nevertheless, we believe that only a small fraction of certifiable vernal pools along the potential NED corridor have actually been certified.

Obligate amphibian species, including several identified as rare under the Massachusetts Environmental Policy Act, are entirely dependent on these vernal pools for breeding. Since these species have an upland range of up to 1,000 feet from their breeding pools, we would like to request on-the-ground surveys for vernal pools within 1,000 feet of the potential project corridor. Reconnaissance in our area must be done during the brief breeding season in April and May. Not accurately delineating these pools risks destroying whole local populations. Vernal pool habitat cannot be reliably replicated, making mitigation all but impossible.

The protection of perched wetlands, which form in depressions in the underlying bedrock, is also a great concern for us. Perched wetlands are particularly vulnerable to destruction by the opening of drainage fissures resulting from blasting during pipeline construction. Mitigation by replication is not possible for this class of wetlands. Because of so much shallow bedrock topography along the proposed pipeline corridor in Warwick and other hilltowns, thorough on-the-ground delineation of perched wetlands is imperative.

Identification and prior testing of drinking water sources is another important concern of the Commission. The town of Warwick is entirely dependent on private springs and wells, both shallow and artesian, for its entire drinking water supply. Also, the Grandin Reservoir and its watershed of over 400 acres lies immediately downgradient of the proposed pipeline route in Warwick. The steep watershed of this reservoir is particularly vulnerable to erosion and pollution. Because much of the hydrology of our area is unknown, we request that the Draft EIS include testing of all private wells and public drinking water supplies within 5 miles of the proposed pipeline corridor. We believe that testing has to be performed by an independent party. It is important to establish an objective baseline for water quality prior to natural gas pipeline construction.

Because the town of Warwick is immediately adjacent to and downwind of the proposed super powerful gas-fired compressor station in Northfield, the Commission also requests that the Draft EIS include prior baseline sampling of ambient air quality and noise levels within 5 miles of the proposed facility. Negative impacts from compressor stations, including noise and air contamination within a 5-mile radius, are well documented. Since the Warwick State Forest is one of very few unbroken wildlife habitats remaining in Massachusetts, this sampling should be performed year round and at different times of day. In addition, we request a baseline study of bird migration in the nearby portion of the Connecticut River flyway, a major migration route.

The Commission also wants to see the Draft EIS include an evaluation of the cumulative effects of the project on the large contiguous blocks of forest that comprise most of the potentially affected towns in Franklin and Berkshire Counties. Over 90% of our town is forest and over 50% of our land area is public conservation land protected under Article 97 of the Massachusetts Constitution. This largely unfragmented forested area is relatively free of invasive species and provides ideal habitat for a wide variety of animal and plant species, both common and rare. The combined effects of the proposed pipeline route drawn across this intact landscape could severely degrade its ecological integrity.

The Conservation Commission also requests that the timetable for studies used in the preparation of the Draft EIS be extended to a minimum of one full year. We do not believe that complete and accurate delineation of wetlands resources, particularly those which serve important seasonal functions in breeding and migration for wildlife, can be conducted in a shorter time frame.

Sincerely,

Gregory Brodski, Co-Chair  
Warwick, MA Conservation Commission

cc: Governor Charlie Baker

Attorney General Maura Healey

Senator Stanley Rosenberg

Representative Susannah Whipps Lee

Matthew Beaton, Secretary, MA Executive Office of Energy & Environmental Affairs

Angela O'Connor, Chairman, MA Dept. of Public Utilities

Martin Suuberg, Commissioner, MA Dept. of Environmental Protection

George Peterson Jr., Commissioner, MA Dept. of Fish & Game

Carol Sanchez, Commissioner, MA Dept. of Conservation & Recreation

U.S. Senator Elizabeth Warren

U.S. Senator Edward Markey

U.S. Representative James McGovern

Eugene Benson, Executive Director, MA Association of Conservation Commissions

Stephen August, Presiding Officer, MA Energy Facilities Siting Board

Northfield (MA) Conservation Commission

Erving (MA) Conservation Commission

Montague (MA) Conservation Commission

Deerfield (MA) Conservation Commission

Shelburne (MA) Conservation Commission  
Conway (MA) Conservation Commission  
Ashfield (MA) Conservation Commission  
Winchester (NH) Conservation Commission  
Richmond (NH) Conservation Commission  
Franklin Regional Council of Governments  
Leigh Youngblood, Executive Director, Mount Grace Land Conservation Trust  
Millers River Watershed Council  
Athol (MA) Daily News  
The Recorder, Greenfield MA

**20150826-5036**

August 25, 2015

Matthew Zinicola  
55 Green Farm Road  
New Ipswich, NH 03071

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

Re: Tennessee Gas Pipeline Company, L.L.c., Docket No. PFI4-22-000 Northeast Energy Direct Project

Dear Ms. Bose:

I would like to formally express my staunch and complete opposition to this project. From its initial, deceitful description of purpose, to its false representation of need, to its thousands of pages of vague rhetoric that do not address the questions or concerns of impacted residents along the proposed pipeline route, this project is completely unnecessary and should not even be considered as a possibility. Please allow me to explain ...

First, on the matter of need, please refer to the comments of New Hampshire State Representative Jim Parison made at the July, 30 2015 FERC Scoping meeting in Milford, NH:

*“I’ve also learned from talking with Kinder Morgan representatives, that they actually .. besides the rumored doubling, maybe, of Liberty Utilities customers, that they actually haven’t got any agreements with any utilities for this gas to be used to generate electricity. So I don’t see it as satisfying any kind of shortfall in the electric grid anyway, because they don’t have any contracts with electric generators.”*

This in and of itself is in direct conflict with TGP’s own filings which state that it will be used to secure electric generation for New England,. This alone should be ample reason to deny the approval of this project.

I would also like to call the FERC’s attention to recently published articles that further reinforce this point:

**More gas pipelines may not be the energy answer**

(Boston Globe, August 16, 2015) <https://www.bostonglobe.com/opinion/2015/08/16/more-gas-pipelines-may-not-energyanswer/p.Ilnofiu1wtRgWWbMH5NyrO/story.html>

**Winter Reliability Analysis of New England Energy Markets** report, which concluded “Even during extreme winter conditions, new pipeline capacity is not required to meet New England natural gas demand needs given existing infrastructure, current market conditions and policy initiatives.”

Second, regarding the FERC’s obligation to consider better alternatives, please refer to further comments made by Representative Parison during that same scoping meeting which went on to say

*“I know that the Spectra Energy projects would be much less disruptive than the one being proposed to go through the state of New Hampshire because they are proposing to increase capacity within existing*

*pipeline corridors.* “

Third, pertaining to the subject of **environmental impact and safety,**

**Kinder Morgan and its subsidiaries have had an unacceptable safety record with their transmission infrastructure thus far:**

<http://nhpipelineawareness.org/lwp-content/uploads/2014/05/Kinder-Morgan-Accidents.pdf>

**Project reveals 20,000 leaks in Mass. gas lines**

(Boston Globe, August 20, 2015) <https://www.bostonglobe.com/metro/2015/08/20/new-law-casts-light-state-natural-gasleaks/qJJPCjRZITc5aiOJeHNOqO/story.html>

**Methane Leaks in Natural-Gas Supply Chain Far Exceed Estimates. Study Says**

(NY Times, August 19, 2015) [http://www.nytimes.com/2015/08/19/science/methane-leaks-in-natural-gas-supply-chain-far-exceed-estimates-study-says.html?\\_r=1](http://www.nytimes.com/2015/08/19/science/methane-leaks-in-natural-gas-supply-chain-far-exceed-estimates-study-says.html?_r=1)

Last, the residents of New Hampshire do not want to take on the environmental burden or risk associated with this proposed project. After all, this is a pipeline that goes from Massachusetts to Massachusetts. There is no need to put a pipeline through 71 miles of pristine rural setting just because Tennessee Gas Pipeline LLC/Kinder Morgan has an opportunity to “co-locate” next to a utility right-of-way. Why undertake a greenfield project of this magnitude at all when other proposed projects in the ISO queue can achieve the same goals merely by upgrading existing pipeline or repairing leakage within the current natural gas infrastructure?

The voice of opposition to this project is overwhelming. Recent counts indicate only 7 comments on the docket in support of, and 1,967 comments in opposition to this project for the state of New Hampshire.

I formally request that you deny the approval of this project for the reasons outlined above as well as the thousands of additional reasons that have also been submitted to this docket. Thank you for your consideration.

Sincerely,

Matthew Zinicola

## **20150826-5038**

From: Dana L. Atwood  
86 Pelczar Road  
Dracut, MA 01826  
HM: 978-441-9793  
Email: [djatwood31@yahoo.com](mailto:djatwood31@yahoo.com)

To: FERC

Thank you for taking the time to review my input to the Northeast Energy Direct Project.

### **Background**

My wife and I have spent 12 years renovating our house to make it into a beautiful home in which to raise a family, and we have done it with our own two hands working nights and weekends. We now have a 2 year old, and as of July 2015 we have two newborns. The proposed path of the Lynnfield Lateral pipeline is 43ft from our house with a fence 18ft from our house. My family would lose access to the backyard, and direct access to dozens of acres of open space located adjacent to our property. If there is an explosion, my family doesn't stand a chance. If there is a leak, my family's health is at risk from the air we breathe and from the well water we drink. My neighbors face the similar risks, as this pipeline is going directly through a densely populated neighborhood. There are clear alternate routes that Kinder Morgan could have proposed for the Lynnfield lateral rather than to go directly through my neighborhood, affecting the families, the wetlands, and the endangered species in the path. With the rapid proliferation of solar energy, the known excess

capacity of existing pipelines, the known fact that the gas is planned for export, and the known significant negative impact to the ground we stand on, the air we breathe, the water we drink, and the ozone layer that protects the earth, this pipeline is not needed and is not in the best interest of the directly affected residents, the town of Dracut, the state of Massachusetts, or our country.

### **Here are my Key Points**

- **Need for the pipeline:** There are many individuals and groups arguing that there is no need for additional natural gas infrastructure in the Northeastern United States. I can only say that I believe this to be true, as I am constantly seeing more and more homes in Dracut and everywhere else I go with solar panels now on the roof. For my home we have started looking into it as well.
- **Well water:** Many of the homes in the neighborhood have well water, including mine. I have the water tested regularly and it is actually safer to drink than town water. One thing is for certain, the ground water won't get better from all of the digging and blasting to install the pipeline. If there is even a small leak the ground water may become contaminated. I test my water regularly, but some residents never do because they have never had a problem. People could go for years drinking water contaminated by the pipeline without knowing it and develop an illness as a result. In August 2015, it was reported by the gas utilities to the state of Massachusetts (reporting is now required by law) that there are over 20,000 officially documented gas leaks in the state of Massachusetts.
- **Property values:** Aside from the safety issues, this project will destroy the property values for residents that have spent decades going to work every day to earn money to pay their mortgages. For most people, their homes are their single largest investment.
- **Eminent Domain:** It has been clearly stated in the proposal that a portion of this gas will be sold outside of the United States. If this is the case, the pipeline cannot be considered "necessary" for the "public good", and eminent domain cannot be allowed to apply.
- **False Kinder Morgan proposal to FERC:** In Kinder Morgan's latest submission on July 24, 2015, they are using inaccurate maps. There are housing developments missing on the Kinder Morgan maps that were in my neighborhood when I moved to Dracut in 1998. (See satellite image courtesy of Google Maps on following pages). Anyone on earth with access to the Internet has access to maps which are much more accurate than those submitted by Kinder Morgan to the FERC. This is an obvious attempt by Kinder Morgan to deceive the FERC, and thus Kinder Morgan is demonstrating that information provided by them is never to be trusted.
- **Dracut Compression station:** The site Kinder Morgan is proposing for the compression station in Dracut is directly next to a residential neighborhood. This neighborhood is missing for some reason from the Kinder Morgan maps submitted to the FERC. The site is also very close to several organic farms. It is my understanding that the proposed site was selected because it was easy to purchase from the current land owner. Selection of a site must be driven by what is the safest and lowest impact, not what is cheapest and easiest. In the following pages, an alternate site is proposed which is at least located a little further away from homes and closer to an industrial area. Ideally, if the FERC decides to allow Kinder Morgan to move forward with the overall project, they will force Kinder Morgan to find compression station locations which are located far from residential homes and farmland.
- **Dracut Lynnfield Lateral:** The path Kinder Morgan is proposing for the Lynnfield Lateral (Segment N) goes directly through a residential neighborhood, including within a few feet of my home. In the following pages are 2 suggestions for alternate paths, based on compressor station location, that keep the Lynnfield lateral away from the residential area of Pelczar Road, Sesame Street, and Parker Road.

Thank you for your consideration of each of these key points.

Sincerely,  
Dana L. Atwood

**20150826-5041**

**The Trustees**  
200 High Street, 4th Floor  
Boston, MA 02110

August 26, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, 1A  
Washington, DC 20426-0001

**Re: Tennessee Gas Pipeline, LLC. , Northeast Energy Direct Project; Docket No. PF14-22-000 Scoping Comments**

Dear Ms. Bose;

On behalf of The Trustees, thank you for the opportunity to submit the following comments on the Notice of Intent to Prepare an Environmental Impact Statement for the Planned Northeast Energy Direct Project (NED). The Trustees is the oldest and largest nonprofit land conservation and historic preservation organization in the Commonwealth of Massachusetts, and the nation's first land trust. With the support of our 100,000 members, we preserve, for public use and enjoyment, properties of exceptional scenic, historic, and ecological value in Massachusetts. We care for 113 spectacular and diverse reservations spanning more than 26,000 acres throughout the Commonwealth – from working farms, landscaped and urban gardens, community parks and gardens, to barrier beaches, forests, campgrounds, inns and historic sites, many of which are National Historic Landmarks – located within minutes of every resident.

The Trustees is a directly impacted landowner. The NED project, as currently proposed, crosses The Trustees 3,200 acre Notchview Reservation in Windsor, MA and a 41,000 horsepower compressor station is proposed nearby.

In addition to Notchview Reservation, we are deeply concerned about potential impacts from NED to natural, cultural, and recreational resources across Massachusetts and the climate change impacts of such a significant expansion of fossil fuel infrastructure. This project would entail roughly 100 miles of new pipeline, plus three new compressor stations and ten new meter stations. Roughly 1/4 of the current proposed NED mainline route cuts through public or private conservation land, fragmenting and devaluing the network of public and private conservation land that we, along with citizens, fellow conservation organizations, municipalities, and the Commonwealth of Massachusetts, have worked for decades to protect. It would cut through state forests and wildlife management areas, endangered species habitats, under the Connecticut River and the Wild and Scenic Westfield River, across family farms, and through national scenic trails including the Appalachian Trail.

**PERMITTING REQUIREMENT - DEMONSTRATING NEED**

Massachusetts' need for a new natural gas pipeline has been questioned, a portion of the gas that would run on this line would be for export, and alternatives to meet local needs have not been fully explored. Demonstrating need is a critical step in federal approval of natural gas pipelines. NED has an estimated capacity, according to Tennessee Gas Pipeline (TGP), of 1.3 billion to 2.2 billion cubic feet of natural gas per day. At this time, TGP has contracts to ship roughly 550 million cubic feet per day, which is significantly less than capacity. A recent study by London Economics International, commissioned by the Maine Public Utilities Commission, found that the benefit to consumers from NED or other projects would not outweigh costs.<sup>1</sup>

There are a number of natural gas pipeline proposals in Massachusetts, including the TGP Connecticut Expansion Project (Docket No. CP14-529-000). The Massachusetts Attorney General has called for a regional

gas capacity study to evaluate the need for additional gas capacity and how new natural gas capacity would affect our ability to meet mandatory greenhouse gas reduction goals put in place through the 2008 Massachusetts Global Warming Solutions Act (GWSA, Chapter 298 of the Acts of 2008). This study will “examine options to address electricity reliability needs in New England region through 2030, evaluate costs and benefits of all available energy resource options” and is to be completed by October, 2015<sup>2</sup>. The Attorney General’s study will also investigate other ways to meet energy needs, including energy efficiency and renewable energy generation as well as updating existing infrastructure.

### **CONSIDERING CLIMATE CHANGE IMPACTS**

Climate change is a recognized threat to public safety and the environment, and it is incumbent upon this generation to act. The Massachusetts GWSA established a framework for reducing heat-trapping emissions to levels that scientists believe provide a decent chance of avoiding the worst effects of global warming. Natural gas is in large part methane. Although the combustion of natural gas causes significantly less greenhouse gas emissions than the combustion of coal or oil, methane itself is a much more potent greenhouse gas and leaks in Massachusetts are well documented<sup>3</sup>. A recent report documented 20,000 natural gas leaks from our aging pipes in Massachusetts alone, many over 20 years old<sup>4</sup>. A study by researchers at Purdue and Cornell Universities showed that leaks in the natural gas supply chain are significantly greater than originally estimated<sup>5</sup>. The Environmental Protection Agency has recognized this threat and has proposed new rules to reduce these leaks in the natural gas supply chain. The Federal Council on Environmental Quality has issued draft guidelines for National Environmental Policy Act review that require that potential greenhouse gas emissions and climate change impacts of projects be evaluated<sup>6</sup>.

Massachusetts has been a leader in state efforts to address greenhouse gas emissions, including the GWSA, participation in the Regional Greenhouse Gas Initiative and according to the American Council for an Energy-Efficient Economy, leading the nation on energy efficiency efforts<sup>7</sup>. We don’t want to go backwards. In addition to direct natural resource impact concerns, discussed further below, The Trustees as an organization rooted in land conservation does not believe that a significant expansion of natural gas/fossil fuel infrastructure and subsequent growth in greenhouse gas emissions is in the best interest or public benefit of the Commonwealth.

### **HISTORY AND VALUE OF LAND CONSERVATION**

Massachusetts has a long history of intentional land conservation, and sophisticated environmental analysis tools available. A 2013 report on The Return on Investment in Parks and Open Space in Massachusetts found that every dollar invested in land conservation returned \$4 in natural goods and services to the Massachusetts economy, including clean air and water, recreation and tourism, and fish and wildlife habitat.<sup>8</sup> The Massachusetts Supreme Judicial Court has also recognized that lands held in conservation use by charitable trusts support a wide range of public benefits.<sup>9</sup>

Significant state and federal funds have been used to protect many of the parcels that would be impacted by NED, and state and federal tax law in the form of deductions and credits is also significant.

### **IMPACT TO THE PUBLIC TRUST AND PUBLICLY OWNED AND PROTECTED OPEN SPACE**

More than one hundred parcels of “permanently protected” lands conserved by public and private entities, many held in public trust by charitable land trusts, will be impacted by this project. At least 85 of these parcels are constitutionally protected by Article 97 of the Massachusetts Constitution<sup>10</sup> and the use of such parcels for a natural gas pipeline are subject to the requirement of a 2/3 roll-call vote of the Massachusetts legislature.

Article 97 states that:

“The people shall have the right to clean air and water, freedom from excessive and unnecessary noise, and the natural, scenic, historic, and esthetic qualities of their environment; and the protection of the people in their right to the conservation, development and utilization of the agricultural, mineral, forest, water, air and other natural resources is hereby declared to be a public purpose.”

Natural gas pipelines and their accessory facilities, including compressor stations, impact all of the values articulated in Article 97. The pipelines themselves impact clean air and water, and natural, scenic, historic, and esthetic qualities. The lights, noise, and fumes associated with compressor stations further impacts these resources. And, a pipeline built across public protected lands reduces the public's ability to utilize the agricultural, mineral, forest, water, air and other resources that are declared a public purpose when consistent with the intent and values for which a parcel was protected.

I also note that there is donor intent, conservation and agricultural preservation restrictions, deed restrictions, and in Massachusetts M.G.L. c. 61A tax status to be considered on a parcel by parcel basis and that significant donor and public trust is the foundation of every land conservation project.

Specifically, The Trustees has yet to receive any communication from TGP in regards to a parcel adjacent to our Notchview Reservation upon which we hold a Conservation Restriction, which suggests that TGP is not researching Restrictions associated with parcels. We have sent notice to TGP and have yet to hear a response. This practice may be resulting in violation of Restrictions on the many restricted parcels in the pipeline path.

### **AVOIDING IMPACT**

The tools that guide land conservation can also be used by TGP and FERC to guide analysis of protected open space and to avoid, minimize, and mitigate impacts. BioMap2, by the Division of Fisheries & Wildlife Natural Heritage & Endangered Species Program, "guides strategic biodiversity conservation in Massachusetts over the next decade by focusing land protection and stewardship on the areas that are most critical for ensuring the long-term persistence of rare and other native species and their habitats, exemplary natural communities, and a diversity of ecosystems."<sup>11</sup>

Rare species and their habitats are protected under the Massachusetts Endangered Species Act (M.G.L. c. 131A), and their habitats are identified in the Natural Heritage & Endangered Species Priority Habitat maps<sup>12</sup>.

Massachusetts has identified Forest Reserves<sup>13</sup>, areas of state owned lands where timber harvesting isn't allowed in order to capture certain elements of biodiversity, and Areas of Critical Environmental Concern which are places in Massachusetts that receive special recognition because of the quality, uniqueness and significance of their natural and cultural resources<sup>14</sup>. These areas should be considered.

Building on the available conservation data sets, the University of Massachusetts analyzed NED and its potential impacts to habitat values in "A Natural Resources Assessment of the Tennessee Gas Pipeline Company's Proposed Northeast Energy Direct Project's Pipeline Route within Massachusetts".<sup>15</sup> This study provides specific analysis of impacts to BioMap Core Habitats and other natural resources values. This analysis technique, called CAPS, or the Conservation Assessment and Prioritization System, "is an ecosystem-based (coarse-filter) approach for assessing the ecological integrity of lands and waters and subsequently identifying and prioritizing land for habitat and biodiversity conservation. We define ecological integrity as the ability of an area to support biodiversity and the ecosystem processes necessary to sustain biodiversity over the long term."<sup>16</sup> This tool can be used to further assess this project, impacts to natural resources, and if this project is deemed necessary any future route changes.

### **IMPACTS TO THE TRUSTEES NOTCHVIEW RESERVATION**

Notchview is over 3,200 acres of rolling hills and high elevation spruce/fir forest in the Hoosac Range, with wildlife habitat, scenic vistas, and Nordic ski and hiking trails. Each year, roughly 12,000 Nordic skiers visit Notchview, and many hikers and walkers visit during rest of the year. During the winter, we hold a Ski Fest, high school races, the high school state championship, a Bill Koch league youth program, moonlight skiing, and master's races. Off season, we also host bird and nature walks and volunteer trails days. It is a destination for star gazing, as its elevation and lack of light pollution make it an ideal spot. We host roughly six star gazing events each season, with up to 30 people attending each time and attendance has been on the upswing.

As I noted earlier, in addition to the pipeline itself a 41,000 horsepower compressor station is proposed nearby to Notchview Reservation. This would be one of the largest compressor stations in the North East. These are loud, well-lit industrial facilities that are not at all consistent with the character of the town of Windsor and would very likely have a direct impact on the quality of experience and visitation to our Reservation.

Notchview is part of a greater complex of protected open space, including Massachusetts Department of Fish & Game Wildlife Management Areas, Massachusetts Department of Conservation & Recreation State Forest, and private land protected by conservation and agricultural preservation restrictions as well as municipal watershed protection lands.

### **IMPACTS TO WILD AND SCENIC WESTFIELD RIVER**

Notchview Reservation abuts the Westfield River, a National Wild and Scenic River. The Trustees is a cooperating organization on the Westfield River Wild and Scenic Committee. The Westfield River is an ecological, cultural, and scenic gem. It is one of the best cold water fisheries in the Commonwealth, a whitewater canoe and kayak resource, has the historic Keystone Arch Bridges (ca. 1840) and Glendale Falls – one of the highest waterfalls in the state, historic river-side villages and colonial era archaeological remains, unique geological features like the Windsor Jambes and the Chesterfield Gorge, is critical habitat for a host of species, provides clean drinking water, and is set in one of the largest roadless wilderness areas in Massachusetts. The animals that call the Westfield River home rely on the clean, clear water of the river.

There is a tremendous lack of information thus far provided by TGP on how the pipeline construction, including horizontal drilling under the river and related sediment removal, would avoid impact to all of these resources. Where the pipeline is currently slated to cross the river is quite steep and construction conditions very complex. Additionally, where the compressor station is sited would require clear-cutting of the area around a headwater stream to the Westfield. In addition to erosion concerns from construction, pipeline failure would likely mean significant pollution on this pristine river. I also note that the Westfield Wild and Scenic Committee, through the National Park Service, has a role in the federal assessment of this project.

### **REQUEST TO FERC**

We request that the following be considered in the Draft Environmental Impact Statement.

- When assessing need, consider the forthcoming Massachusetts Attorney General study referenced above, as well as the amount of contracted gas on the TGP NED line and the amount slated for export.
- When assessing climate change impacts, consider the GWSA and federal requirements to evaluate climate change impacts of project, and include the recent assessment of gas leaks in Massachusetts referenced above as part of this assessment.
- If NED proceeds to the next step in the process, when assessing and assuring avoidance or minimum impact on the environment, that
  - o environmental, including local wetlands, and climate change laws are upheld;
  - o surveys for state-listed rare species be conducted by experts and that they happen during the appropriate time of year, when species are most likely to be found;
  - o that conservation and agricultural preservation restrictions, as well as deed restrictions, be identified and followed for each parcel;
  - o protections to public conservation land afforded by Article 97 of the Massachusetts Constitution are upheld and that a 2/3 roll call vote is required;
  - o impacts to natural resources are avoided when can not be fully mitigated;
  - o analysis recognizes that impacts extend beyond the footprint of development, and may include habitat fragmentation, creation of invasive species corridors, sound and light pollution – both from pipeline construction and operation of compressor stations, air quality impacts, wetland degradation, and potentially far reaching impacts to drinking water supplies;

- and further, that sound and light pollution from compressor stations be fully mitigated to current site-specific existing ambient sound and light levels, to the maximum extent practicable;
  - o right of way management protocols are thorough and effective, with meaningful monitoring requirements, building on the understanding that
- invasive species migration into utility corridors and their negative impacts on native species and natural communities are well documented and best management practices from both the federal government and the Massachusetts Natural Heritage & Endangered Species Program are available<sup>17</sup>.
- That the full value of impacted conservation land is considered, recognizing that
  - o significant public dollars go into identifying, purchasing, and stewarding conservation land and that those costs be identified when considering value;
  - o the value of conservation land is greater than the acreage value, both in ecosystem services and in recreation dollars into local economies;
  - o local, state and federal tax law supports land conservation, and that those benefits be included in calculations;
  - o and that all of the above be considered when assessing likely extent of eminent domain, as well as percentage of natural gas meant for Massachusetts markets verses for export. Eminent domain is meant only to be used when there is clear public benefit.
- For public safety, as an organization that hosts 12,000 or more people each year at our Notchview Reservation we are concerned about the safety of the public both from construction and blasting, pipeline failure, and from potential issues at the proposed nearby compressor station.
  - o How does TGP plan to address these concerns, and how do they plan to address potential pipeline failure or compressor station failure from a public safety perspective?
- On tourism and as a major driver of local tourism in Windsor, what is the baseline data for tourism and recreation? How does TGP plan to avoid or mitigate impacts to regional tourism, both at our Notchview Reservation and at the state parks and forests, as well as privately protected recreational and conservation sites?

There are many issues to be considered with a project of this complexity and scope, but the overarching questions of need, public benefit, and the public trust inherent in conservation land are significant and must be answered. Thank you for your consideration.

Sincerely,

Barbara Erickson  
 President and CEO  
 The Trustees

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1 Maine Energy Cost Reduction Act: Cost benefit analysis of ECRC proposals, London Economics International, 2015  
 2 <http://www.mass.gov/ago/news-and-updates/press-releases/2015/2015-07-06-regional-gas-capacity-study.html>  
 3 [http://www.ucsusa.org/clean\\_energy/our-energy-choices/coal-and-other-fossil-fuels/environmental-impacts-of-natural-gas.html#.VdegQnbD-A4](http://www.ucsusa.org/clean_energy/our-energy-choices/coal-and-other-fossil-fuels/environmental-impacts-of-natural-gas.html#.VdegQnbD-A4)  
 4 <https://www.bostonglobe.com/metro/2015/08/20/new-law-casts-light-state-natural-gas-leaks/qJJPCjRZITc5ai0JeHNOqO/story.html>  
 5 <http://www.pnas.org/content/111/17/6237.abstract>  
 6 <https://www.whitehouse.gov/administration/eop/ceq/initiatives/nepa/ghg-guidance>  
 7 <http://aceee.org/state-policy/scorecard>  
 8 The Trust for Public Land, “The Return on Investment in Parks and Open Spaces in Massachusetts” September 2013, <https://www.tpl.org/return-investment-parks-and-open-space-massachusetts>  
 9 New England Forestry Foundation, Inc. vs. Board of Assessors of Hawley 468 Mass. 138, <http://masscases.com/cases/sjc/468/468mass138.html>  
 10 <https://malegislature.gov/Laws/Constitution>  
 11 <http://maps.massgis.state.ma.us/dfg/biomap2.htm>  
 12 <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/regulatory-maps-priority-and-estimated-habi->

tats/  
13 <http://www.mass.gov/eea/state-parks-beaches/sustainable-forest-management/forestry-reserves/>  
14 <http://www.mass.gov/eea/agencies/dcr/conservation/ecology-acec/areas-of-critical-environmental-concern-acec.html>  
15 [https://ag.umass.edu/sites/ag.umass.edu/files/research-reports/pipeline\\_natural\\_resources\\_assessment\\_mainline\\_april\\_2015.pdf](https://ag.umass.edu/sites/ag.umass.edu/files/research-reports/pipeline_natural_resources_assessment_mainline_april_2015.pdf)  
16 <http://www.umasscaps.org/>  
17 <http://www.invasivespeciesinfo.gov/toolkit/preventionbmp.shtml>

Cc:

US Senator Elizabeth Warren  
US Senator Edward Markey  
US Representative Richard Neal  
US Representative James McGovern  
US Representative Niki Tsongas  
US Representative Joseph P. Kennedy III  
US Representative Katherine Clark  
US Representative Seth Moulton  
US Representative Michael Capuano  
US Representative Stephen Lynch  
US Representative William Keating  
MA Attorney General Maura Healey  
MA Executive Office of Energy and Environmental Affairs Secretary Matthew Beaton  
MA Energy Facilities Siting Board, Andy Greene  
MA Senate President Stanley Rosenberg  
MA Senator Ben Downing  
MA Senator Marc Pacheco  
MA Senator Joan Lovely  
MA Speaker of the House Robert DeLeo  
MA Representative Lori Ehrlich  
MA Representative Peter Kocot  
MA Representative Steve Kulik  
MA Representative Paul Mark  
MA Representative William Pignatelli  
MA Representative Frank Smizik

**20150826-5042**

Richard P Murray, Nassau, NY.

Dear FERC -

I request that when YOU do the noise study for the compressor station located on Clarks Chapel Road in teh Town of Nassau, NY, would you please take the ambient noise level readings at locations where excess noise will make the most impact. For example, taking it along the road or at an intersection will give you an idea that this is a suburban or city like area and not a rural one. You should take it in our back yard (within the 1/2 mile FERC boundary) at all times of the day and night.

Also, please contact the manufacturers of the compressors to get more accurate anticipated noise levels from these turbines. We live uphill of the proposed station and with only vegetation between us and the station, we will hear it 24/7. Right now, at night we do not hear anything. Anything mechanical that is. We hear the wind in the trees, owls, peepers, etc. During the day, we hear excavation equipment working in the gravel pit where the station is proposed; as well as us and our neighbors mowing our grass.

YOU, as the lead agency, must ensure that a correct and detailed noise analysis is performed. Not one influenced by the applicant.

Thank you.

Richard Murray

**20150826-5044**

Richard P Murray, Nassau, NY.

Dear FERC -

I am very concerned that the applicant, Kinder Morgan dba Tennessee Gas Pipeline Company will provide you with a skewed needs analysis in order to justify them installing about 400 miles of gas pipeline. You should have this done by your own staff or you own consultant, and NOT rely on any data supplied by Kinder Morgan.

Thank you.

Richard Murray

**20150826-5045**

Rita Jaros, Shelburne Falls, MA.

During a handful of days each winter, generators in New England who have not contracted for firm pipeline capacity may be forced to sit idle. Local distribution companies that do commit to firm supply to heat people's homes get their gas first. By waiting until the last minute, power generators may be forced to buy gas on the spot market, where competition can be fierce, or sit it out.

Electricity price spikes in winter have much more to do with market practice than pipeline constraints, especially given that the same winter price spikes have been observed in parts of the United States where supply and access to natural gas is abundant, like Pennsylvania.

Add up all of the gas required to get through these so called "peak-shaving" intervals during the course of one winter and it is estimated to total on the order of 5-10 Bcf, or about 1 percent of the region's annual demand — roughly the equivalent of one or two LNG tankers.

Note! The March 2015 ISO-NE Monthly Market Operations Report showed that this winter, electricity costs were about 30 percent less than last, despite suffering the most severe winter in 80 years. This thanks to availability of peak-shaving LNG. In 2014, ISO New England actually prohibited LNG from participating in its Winter Reliability Program out of concern for sending the "wrong signal" about the scarcity of natural gas. Electricity prices soared when it could have been prevented. In hindsight, this action bears the unmistakable appearance of market manipulation with the aim of propping up the weak case for pipeline expansion.

For the businessman looking to export natural gas to global markets, the Northeast Energy Direct pipeline, sized to deliver up to 800 billion cubic feet of gas each year, looks like the perfect solution to the 10 Bcf peak-shaving problem. However, to the Massachusetts and New Hampshire homeowners whose lives are about to be turned upside-down due to a forcible land taking via eminent domain, it is unconscionable. The sword dangling over the heads of the working families, farmers and landowners directly in the path demands that we ask, "Is there another way?"

Yes! Energy efficiency, demand response, recovery of gas lost to leaks, distributed generation and commercially available storage technology all combine to refute the specious case for need of this pipeline. Federal Energy Regulatory Commission, your job is not to "put steel in the ground" as FERC Chairman Cheryl LaFleur quipped at an Energy Roundtable held in Boston last October. Your job is to regulate! Confirm what the numbers clearly show — the case for need is not made.

The export plan of a wealthy Texan is no justification to impose eminent domain on our working families. China may need this gas. But the New England property owners that will bear the burden surely do not.

**20150826-5059**

Susan L Durling, Harrisville, NH.

Susan L Durling  
292 Chesham Road, Apt 3  
Harrisville, NH 03450

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE  
Washington, D.C. 20426

August 25, 2015

Re: Tennessee Gas Pipeline Company, LLC  
Docket No. Pf14-22-000  
Northeast Energy Direct Project

Secretary Bose:

I am writing complain about the quality of the maps issued by Kinder Morgan/Tennessee Gas Pipeline Company LLC most recently on July 24, 2015. I am referring specifically to the three maps of Winchester, New Hampshire in Cheshire County.

Referring to the first page, which is an overview and shows how page one and page two intersect, it is an inaccurate map. I just could not make page one and page two overlap as shown on the overview. Finally I got out scissors and tape, enlarged the map, and taped the sections together.

Since I cannot include a picture in my text-only comment, I ask you to try and fit pages one and two together yourselves. You will find that there is not enough overlap to show the extreme southeast portion of the preferred route through Winchester. This area includes a curve in the pipeline route that increases difficulty in determining what properties are affected.

Upon close comparison of the most recent maps and the first Winchester map issued by Kinder Morgan, one can see that the company merely re-issued their original map, adding the second route (now the preferred route) without checking to make sure that all of the route would be shown on map. And in addition, Kinder Morgan removed property lines which had been on the first map. The result is Winchester has received an inferior map which is missing information vital to its citizens.

How is it that a company with millions of dollars in assets and thousands of employees who are experts in their fields was unable to issue an accurate map? Yet an amateur internet surfer, with a few simple tools was able to create such a map, albeit without the pipeline.

I respectfully request that FERC require Kinder Morgan/Tennessee Gas Pipeline to immediately reissue all the maps that were published on July 24, 2015. I would also ask that the reissued maps include property lines and show the entire pipeline route.

Please look into why property lines were removed. With property lines deleted, it is more difficult for residents to identify how the pipeline affects them. This appears to be a deliberate effort by the company to under inform affected property owners. This is deceptive business practice and reflects upon the integrity of Kinder Morgan/Tennessee Gas Pipeline.

**MY SECOND MAP ISSUE:**

In June 2015, I attended an informational meeting held By Kinder Morgan at Winchester, New Hampshire Town Hall. During that meeting, a question about siting the pipeline was posed to the Kinder Morgan representatives. The question asked was about an alternative pipeline route, but it involved placing the pipeline on ae side hill.

The Kinder Morgan representative explained quite clearly why this was not possible. He stated that gravitational forces exerted on a structure placed horizontally on the side of the hill would be disastrous for a gas

pipeline, causing it to move down the hillside. We were told that any pipeline would have to go directly up and over a steep grade.

On the new maps issued by Kinder Morgan on July 24, 2015, the Winchester, New Hampshire preferred route now is located in exactly the place we were told would be disastrous. I refer to the section that runs parallel to and east of Scotland Road in Winchester. Please refer to the map of the Mount Grace Quadrangle, Massachusetts-New Hampshire, 7.5-Minute Series prepared by the U.S. Department of the Interior, U.S. Geological Survey in 2015.

As you can easily see, this area is a steep slope. I have personally been on a driveway cut into this slope. The soil there is sand mixed with liberal amounts of rounded rocks varying from a small potato to a car in size. When this hill is impacted by torrential rains, deep gullies are cut, loosening rocks and boulders. I have no professional training in geology or engineering, but it's easy to see this is not a spot where any large structure should be placed perpendicular to the slope.

As I see if there are two possibilities. The engineers at Kinder Morgan are drawing random lines on maps without checking anything. The second is that they are unable to read topographical maps. Either conclusion is appalling.

I would ask that FERC please look into the education and competence of the engineers employed by Kinder Morgan/Tennessee Gas Pipeline.

I would also ask that FERC determine the person(s) responsible for hiring these engineers and determine their education and expertise, as I would consider them incompetent as well.

I would also request FERC require Kinder Morgan to pay for an independent company to review the siting of this pipeline, paying special attention to safety issues.

How can pipeline failure be avoided if this is the level of professionalism exhibited by Kinder Morgan?  
How can we trust them to build a safe pipeline through our community?

Sincerely,

Susan L Durling  
Harrisville New Hampshire

Cc:

Board of Selectmen, Winchester. New Hampshire  
Conservation Commission, Winchester, New Hampshire

**20150826-5068**

*{xx pages}* skip to end of 20150826-5068

To: Federal Energy Regulatory Commission (FERC)

Filing Party: Troy Conservation Commission, Troy, NH

Docket: PF 14-22-000 (Applicant - Tennessee Gas Pipeline Company, L.L.c.) Date: August 2015

The Troy Conservation Commission (Troy NH) requests that FERC address the following comments when preparing an Environmental Impact Statement regarding the Northeast Energy Direct Project proposed by Tennessee Gas Pipeline Company and I or Kinder Morgan (Docket PF:14-22-000).

**Subject: Vegetation (Riparian) - Comment Number TCC001**

Please identify the potential negative environmental impacts of related pipeline construction activities on riparian vegetation and identify how the impacts would be minimized during pipeline construction.

**Subject: Drinking Water (Wells) - Comment Number TCC002**

Please identify all drinking water wells and springs within 150 feet of right-of way including extra work areas, access roads, or staging areas, identify the potential negative environmental impacts of related pipeline construction activities on the wells and identify how the impacts would be minimized during pipeline construction.

**Subject: Groundwater (Blasting) - Comment Number TCC003**

Please identify the potential negative environmental impacts of related pipeline construction activities on groundwater and look into methods used to mitigate and minimize impact on groundwater in regards to blasting and how groundwater quality will be monitored before and after construction.

**Subject: Drinking Water (Wells) - Comment Number TCC004**

Please identify the potential negative environmental impacts of related pipeline construction activities on private, residential wells and investigate how, in the event of damage, restoration, repair or replacement of wells is undertaken.

**Subject: Groundwater (Testing) - Comment Number TCC005**

Please look into any large quantities of groundwater to be withdrawn for hydrostatic testing along with a detailed groundwater resource and drawdown analysis and a detailed wastewater disposal method.

**Subject: Groundwater (General) - Comment Number TCC006**

Please study existing groundwater resources in the project area and identify the potential negative environmental impacts of related pipeline construction and operational activities on groundwater.

**Subject: Drinking Water (Aquifer) - Comment Number TCC007**

Please describe the type, depth, current and projected uses, average yield, known contamination problems, and water quality of each aquifer underlying the project area and identify the potential negative environmental impacts of related pipeline construction and operational activities on each aquifer.

**Subject: Groundwater (Springs) - Comment Number TCC008**

Please identify the potential negative environmental impacts of related pipeline construction and operational activities on any and all springs within 150 feet of proposed construction site.

**Subject: Surface Water (Water Quality) - Comment Number TCC009**

Please identify the potential negative environmental impacts of related pipeline construction and operational activities on any and all perennial surface water bodies crossed by the proposed project and their water quality classification.

**Subject: Wetlands (General) - Comment Number TCC010**

Please identify the potential negative environmental impacts of related pipeline construction and operational activities on watershed areas, designated surface water protection areas, and sensitive water bodies crossed by the proposed project and the total acreage and acreage of each wetland type that would be affected by construction.

**Subject: Construction (Wetlands) - Comment Number TCC011**

Please identify the potential negative environmental impacts of related pipeline construction and operational activities on wetlands and describe construction and restoration methods proposed for crossing wetlands.

**Subject: Groundwater (Mitigation) - Comment Number TCC012**

Please identify the potential negative environmental impacts of related pipeline construction and operational activities on groundwater resources and proposed mitigation for impacts on groundwater resources.

**Subject: Blasting (Wells) - Comment Number TCC013**

Please identify the potential negative environmental impacts of related blasting activities on water wells, springs, and wetlands, and associated mitigation.

**Subject: Construction (Water Quality) - Comment Number TCC014**

Please identify all sources of hydrostatic test water, the quantity of water required, methods for withdrawal, and treatment of discharge and any waste products generated, the associated potential negative environmental impacts of related pipeline construction and operational activities on those concerns.

**Subject: Drinking Water (Mitigation) - Comment Number TCC015**

Please investigate mitigation measures to be used to ensure private water supplies are returned to previous capacity in the event damage results from construction and operation.

**Subject: Wetlands (Water Quality) - Comment Number TCC016**

Please study the measures used to compensate for permanent wetland losses due to pipeline construction and operation. Please look into the quality of discharge water resulting from contact with a pipeline and chemicals used in the pipeline and provide information regarding waste products and disposal methods.

**Subject: Vernal Pools (General) - Comment Number TCC017**

Please identify all vernal pools within 150 yards of all pipeline segments, work area, or staging area associated with pipeline construction and operation, and specify how the vernal pool habitat will be avoided in each instance.

**Subject: Hazardous Materials Management {Construction} - Comment Number TCC018**

Please identify all protocols regarding the inadvertent release of drilling fluid into local aquifers and the type of mitigation required.

**Subject: Wetlands (General) - Comment Number TCC019**

Please investigate all impacts to and provide plans for remediation for all wetlands within 100 yards of all pipeline segments, work area, or staging area associated with pipeline construction and operation including field-verified wetland delineations before the completion of the EIS in order to fully understand the real wetland impact.

**Subject: Hazardous Materials Management (Construction) - Comment Number TCC020**

Please look into the potential negative environmental impacts of related pipeline construction activities on the inadvertent release of drilling mud into surface water, how this would be contained and procedures used to clean up releases.

**Subject: Drinking Water (Water Quality) - Comment Number TCC021**

Please look into the effects of pipeline construction and operation on private artesian wells in southwest NH and conduct preliminary testing including arsenic and radon to have a baseline of information in case future problems/contaminants should arise.

**Subject: Hazardous Materials Management (Staging) - Comment Number TCC022**

Please investigate how fuels, lubricants, and explosives will be stored during construction as well as disposal of construction waste, dredge spoil, and hazardous chemicals and identify the related potential negative environmental impacts of related pipeline construction activities.

**Subject: Staging (Flora and Fauna) - Comment Number TCC023**

Please look into the size and location of pipeline staging areas and its impact on local flora and fauna in southwest NH.

**Subject: Blasting (Drill Holes) - Comment Number TCC024**

Please identify the potential negative environmental impacts of related pipeline construction activities on abandoned drill holes, what materials would be used and how these would be sealed if necessary.

**Subject: Hazardous Materials Management (Blasting) - Comment Number TCC025**

Please identify the potential negative environmental impacts of related pipeline construction activities, specifically drilling, blasting and digging through of soils contaminated with toxic chemicals and provide a description of the type of contamination along with site specific sampling and analysis.

**Subject: Parks (General) - Comment Number TCC026**

Please investigate the effects of a pipeline construction and operation on the aesthetic value and natural/wild setting in Rhododendron State Park and other parks and / or recreational areas.

**Subject: Flora and Fauna (General) - Comment Number TCC027**

Please investigate the long term effects of a pipeline construction and operation on local flora and fauna in southwest NH.

**Subject: Historical Preservation (Homes) - Comment Number TCC028**

Please look into the effects of pipeline construction and operation on historic homes that are located near utility corridors and right-of-ways in southwest NH.

**Subject: Parks (General) - Comment Number TCC029**

Please look into the effects of pipeline construction and operation on the ecological integrity of Rhododendron State Park.

**Subject: Erosion (Maintenance) - Comment Number TCC030**

Please investigate long term erosion control methods on pipeline corridors especially on steep slopes in areas where there is an increased use by ATV's/dirt bike and off road vehicles.

**Subject: Risk Management (General) - Comment Number TCC031**

Please identify how FERC and Kinder Morgan will address unknown and unforeseeable impacts of the proposed pipeline construction and operation and identify, in general, the types of impacts of potential concern.

**Subject: Wetlands (Construction) - Comment Number TCC032**

Please identify the potential negative environmental impacts of related pipeline construction and operational activities on forested wetlands and identify the measures used to restore forested wetlands following construction.

**Subject: Roads (Construction) - Comment Number TCC033**

Please identify the potential negative environmental impacts of related pipeline construction and operational activities on crossing state and local roads and describe the methods used for crossing state and local roads. If roads would be open cut describe the duration of construction and how access would be maintained along the road.

**Subject: Risk Management (Accidents) - Comment Number TCC034**

Please determine the potential impact radius for 73 miles of NED Pipeline.

**Subject: Superfund Sites (Accidents) - Comment Number TCC035**

Please identify the potential negative environmental impacts of related pipeline construction and operational activities on hazardous waste sites, landfills and / or Superfund sites. For example, adjacent to the Troy NH Superfund site is an 8-acre landfill full of mill waste, fabric scraps, filters, die cutters and other solid waste. Much of this is considered to have flammable potential in case of a fire. Please determine the impact of a pipeline explosion, rupture and leak - all three scenarios -- on the Troy Superfund site, the adjacent landfill and all related water resources.

**Subject: Superfund Sites (Accidents) - Comment Number TCC036**

Please study what protocols are necessary and what studies exist regarding how to handle a pipeline explosion or incident affecting the integrity of hazardous waste sites, landfills and / or Superfund sites and subsequent safety impacts on residents and first responders.

**Subject: Superfund Sites (General) - Comment Number TCC037**

Please study and analyze what data exists regarding natural gas pipelines and hazardous waste sites, landfills and / or Superfund sites, particularly ones within a few hundred feet of one another.

**Subject: Emergency Response (Accidents) - Comment Number TCC038**

Please identify and describe Kinder Morgan's pipeline accident protocols on all levels.

**Subject: Emergency Response (Accidents) - Comment Number TCC039**

Please study what has been Kinder Morgan's response to pipeline accidents, explosions, ruptures, leaks. Their record of pipeline accidents, explosions, ruptures, leaks is readily available. In determining the potential impacts of pipeline accidents, explosions, ruptures, leaks, please assume that the response by Kinder Morgan and / or local emergency responders would be inadequate and / or would increase the resultant magnitude of the event.

**Subject: Emergency Response (Accidents) - Comment Number TCC040**

Please determine how Kinder Morgan and small towns and rural areas have dealt with previous Kinder Morgan Pipeline incidents. Identify the required and recommended local/municipal emergency responder planning, initial training and retraining programs. Identify the required and recommended emergency response equipment that should be provided by local/municipal emergency response agencies. Estimate the initial cost, operational cost and total cost throughout the expected life of the pipeline to each municipality in NH, including municipalities that would provide mutual support, that would be expected to provide emergency response in the event of a pipeline accident. Identify the available funding sources that would compensate municipalities for emergency response training, planning and equipment, throughout the life of the pipeline.

**Subject: Water Quality (Parks) - Comment Number TCC041**

Kinder Morgan wants to put its pipeline through Rhododendron State Park and other parks and / or recreational areas, affecting the three towns of Troy, Fitzwilliam and Richmond, which include the park in their town areas. Please determine the pipeline's impact on the various water sources in such locations.

**Subject: Vegetation (Parks) - Comment Number TCC042**

Please determine the pipeline's impact on all vegetation and forests in Rhododendron State Park.

**Subject: Endangered Species (Parks) - Comment Number TCC043**

Please determine the pipeline's impact on all threatened or endangered species in Rhododendron State Park.

**Subject: Staging (Temporary) - Comment Number TCC044**

Please identify specific usage plans Kinder Morgan has for an 8.26 acre Contractor Yard site in Troy, NH and identify what criteria were used in its selection.

**Subject: Staging (Temporary) - Comment Number TCC045**

Please determine how long a Contractor Yard site in Troy NH and / or other municipalities will be an Additional Temporary Work Space (ATWS).

**Subject: Staging (Temporary) - Comment Number TCC046**

Please identify Kinder Morgan's Spill Prevention and Response Plan for Contractor Yards in an Additional Temporary Work Space

**Subject: Hazardous Materials Management (Temporary) - Comment Number TCC047**

Please identify the chemicals, explosives and related building and construction materials Kinder Morgan will house in each Additional Temporary Work Space.

**Subject: Drilling (Horizontal) - Comment Number TCC048**

Please determine whether Kinder Morgan's Horizontal Directional Drilling Contingency Plan has been empirically tested and the plan's results for addressing potential impacts associated with an inadvertent release of drilling fluid through hydraulically induced cracks during the HDD process.

**Subject: Invasive Species (General) - Comment Number TCC049**

Please provide current data (not more than three years old) in the EIS for invasive species and vulnerable and threatened species in Troy NH and other impacted municipalities.

**Subject: Risk Management (Blasting) - Comment Number TCC050**

Please determine if Kinder Morgan's Blasting Management Plan has actually been used and what the results were.

**Subject: Risk Management (Blasting) - Comment Number TCC051**

Please identify if the procedures and safety measures of Kinder Morgan's Blasting Management Plan has been used in harsh winter climate with frozen ground of several feet and what the results were.

**Subject: Fish and Wildlife (General) - Comment Number TCC052**

Please identify the potential negative environmental impacts of related pipeline construction and operational activities on federally listed essential fish habitat.

**Subject: Biological Resources (General) - Comment Number TCC053**

Please describe any significant biological resources that would be affected by the proposed pipeline construction and operation and describe impacts and any mitigation proposed to avoid or minimize that impact.

**Subject: Fish and Wildlife (General) - Comment Number TCC054**

In the EIS, please provide copies of all correspondence from federal and state fish and wildlife agencies (along with responses to their recommendations to avoid or limit impact on wildlife, fisheries, and vegetation) to elected officials in affected towns.

**Subject: Fish and Wildlife (General) - Comment Number TCC055**

Please identify the potential negative environmental impacts of related pipeline construction and operational activities on significant wildlife habitats crossed by the proposed pipeline (73 miles) and identify the length and width of crossing at each significant habitat.

**Subject: Construction (General) - Comment Number TCC056**

Please look into how topographic maps will be provided for each affected town in NH showing clearly and accurately all pipeline segments, aboveground facilities, pipe storage yards, extra work/staging areas, contractor yards, and access roads.

**Subject: Wetlands (Staging) - Comment Number TCC057**

Please identify the potential negative environmental impacts of related pipeline construction and operational activities associated with typical staging area requirements at waterbody and wetland crossings.

**Subject: Wetlands (General) - Comment Number TCC058**

Please provide information concerning the total acreage of wetlands that would be temporarily affected, and the total acreage of wetlands that would be permanently affected by the proposed pipeline.

**Subject: Wetlands (Blasting) - Comment Number TCC059**

Please describe the potential for blasting to affect wetlands and measures to be taken to detect and remedy such effects.

**Subject: Wetlands (Restoration) - Comment Number TCC060**

Please identify the potential negative environmental impacts of related pipeline construction and operational activities on forested wetlands and look into how restoration plans for forested wetlands would take place including the planting of wetland trees or shrubs, post-construction monitoring, and the development and application of criteria to determine restoration success.

**Subject: Wetlands (Mitigation) - Comment Number TCC061**

Please describe in detail any proposals to compensate for permanent wetland losses and include criteria to determine mitigation success.

**Subject: Invasive Species (Management) - Comment Number TCC062**

Please look into the long term effectiveness of the invasive species management plan for the proposed pipeline and identify the success rates of keeping invasive species off pipeline corridors in other regions.

**Subject: Soil Protection {Management} - Comment Number TCC063**

Please look into the Best Management Practices for soil protection and subsoil decompaction mitigation for the proposed pipeline construction and identify how effective these measures have been in other areas similar to the proposed pipeline route.

**Subject: Construction (Winter) - Comment Number TCC064**

Please look into the specific types of construction techniques and material handling during winter months for pipeline construction and operation in NH. Consider the potential impact if the pipeline was not buried below the frost line. Consider the long term effects of freezing and thawing of soil surrounding buried pipelines. Identify the kinds of ramifications poor construction practices, including wintertime construction problems, might have on the structural integrity of the pipeline.

**Subject: Wetlands (Construction) - Comment Number TCC065**

Please look into any special permits that may be needed for construction within wetlands and special permit conditions for the proposed pipeline project.

**Subject: Wetlands (General) - Comment Number TCC066**

Please provide an assessment of any cumulative effects on wetlands as a result of the proposed pipeline project.

**Subject: Fish and Wildlife (General) - Comment Number TCC067**

Please provide a classification of the type of fisheries for each waterbody that would be crossed, including fisheries of special concern and associated significant habitat.

**Subject: Fish and Wildlife (General) - Comment Number TCC068**

Please study terrestrial and wetland wildlife and habitats that would be affected by the proposed pipeline project.

**Subject: Vegetation (General) - Comment Number TCC069**

Please study the major vegetative cover types that would be crossed and provide the acreage of each vegetative cover type that would be affected by the proposed pipeline project and include unique species and species of special concern.

**Subject: Endangered Species (General) - Comment Number TCC070**

Please identify all federally listed or proposed endangered or threatened species or species of special concern that potentially occur in the vicinity of the proposed pipeline project.

**Subject: Risk Management (Accidents) - Comment Number TCC071**

Please do a statistical analysis of the potential environmental and human health risks in NH of pipeline construction and operations. Consider previous Kinder Morgan safety violations.

**Subject: Economics (General) - Comment Number TCC072**

Please do an economic study which weighs the cost of the project in terms of value of property to be taken, potential health costs based on known health issues that could be attributed to other pipeline projects in the U.S., the loss of property values in the areas affected by the pipeline project, and the loss of tax revenue to all affected towns due to decreased property values, versus the suggested savings that energy rate payers are supposed to expect when gas becomes available to NH through NED.

**Subject: Staging (Security) - Comment Number TCC073**

Please identify and describe what security measures Kinder Morgan will have in place at Contractor Yards and / or Additional Temporary Work Spaces, including ones in Troy or municipalities adjacent to Troy NH, regarding storage and accessibility of chemicals, explosives and other equipment.

**Subject: Staging (Security) - Comment Number TCC074**

Please identify and describe the specific monitoring process Kinder Morgan will use in its security measures at Contractor Yards and / or Additional Temporary Work Spaces, including ones in Troy or municipalities adjacent to Troy NH.

**Subject: Superfund Sites (Design) - Comment Number TCC075**

Please identify why Kinder Morgan changed its third NED proposal to now locate its pipeline within 110-feet of the Troy Superfund Site.

**Subject: Construction (Blasting) - Comment Number TCC076**

Please describe what measures would be taken to rectify any damage to wells, springs, wetlands, and structures caused by blasting during the NED project in South Western NH.

**Subject: Archeology (General) - Comment Number TCC077**

Please provide a copy of the “detailed archeological reconnaissance of the proposed Project area” (4.6) that Tennessee Gas Pipeline says it has conducted specifically regarding Troy, N.H.

**Subject: Cultural Resources (Residential) - Comment Number TCC078**

Please specify and identify what Kinder Morgan’s plan is to protect the cultural resources per their self-identified ground-disturbing, blasting, drilling, and excavation activities on identified cultural resources, including the Green Farm on South Street in Troy NH, which was built in the mid-1700s, still has most of the original construction and features and the Owner is listed as an impacted landowner.

**Subject: Drinking Water (Design) - Comment Number TCC079**

Please get specific numbers, locations and details to answer the current information blanks on chart 5.5-2 regarding wells and water supplies located within 200-feet of the construction site in Troy NH and other municipalities.

**Subject: Staging (Locations) - Comment Number TCC080**

Please specify and describe the Additional Temporary Work Space Areas to be located in Troy, NH and other municipalities.

**Subject: Staging (Locations) - Comment Number TCC081**

Please identify and describe locations and details of all staging areas, additional spoil storage areas and which ones are within 50-feet of any waterbodies located in Troy, NH and other municipalities.

**Subject: Emergency Response (Spill) - Comment Number TCC082**

Please provide all specifics regarding Kinder Morgan's Spill Prevention and Response Plan (SPRP) and mitigation protocols that relate to and are reflective of proposed staging areas and additional temporary work space area located in Troy, NH and other municipalities.

**Subject: Hazardous Materials Management (Containment) - Comment Number TCC083**

Please provide specific procedures and plans for any and all containment areas, pipeline route or staging area/workspace area on storage containment areas, with or without drains located in Troy, NH and other municipalities.

**Subject: Hazardous Materials Management (Containment) - Comment Number TCC084**

Please identify and describe secondary containment systems of any and all bulk storage of hazardous materials, including chemicals, fuels and lubricating oils to be located anywhere along the pipeline route or the staging/workspace area located in Troy, NH and other municipalities.

**Subject: Superfund Sites (Design) - Comment Number TCC085**

Please identify the information sources and research criteria used to justify locating the NED pipeline within 110-feet of the Troy Mill Superfund Site and the meaning of the phrase on p. 191 of: "Impact unlikely based on status/location."

**Subject: Superfund Sites (Design) - Comment Number TCC086**

Please specify and describe any written arrangements between Kinder Morgan and the U.S. EPA and the N.H. DES regarding which entity is financially liable if the Troy Mill Superfund site and / or any other similar site is contaminated or disturbed in any way by any construction or other actions.

**Subject: Risk Management (Accidents) - Comment Number TCC087**

What written arrangements have been made between Kinder Morgan, U.S. EPA and N.H. DES as to liability if there is a NED pipeline rupture, leak or explosion that impacts the Troy Superfund Site and / or any other similar type of site.

**Subject: Risk Assessment (Accidents) - Comment Number TCC088**

Please conduct a risk assessment that considers the potential impacts of pipeline spills, leaks, fires, explosions and other accidents on high consequence risk areas and / or other areas of concern such as Superfund sites, industrial facilities, and solid waste landfills. The risk assessment should identify the potential consequences (injuries, deaths, property damage), and calculate the likelihood of occurrence of risk scenarios throughout the expected operational life of the pipeline, based on a range of pipeline management quality.

**Subject: Risk Assessment (Chemical Interactions) - Comment Number TCC089**

Please conduct a risk assessment that considers the potential impacts and interactions of chemicals and thermal energy released from pipeline spills, leaks, fires, explosions and other accidents with chemicals located within the soil in proximity to the pipeline, including but not limited to chemicals known to exist in the Troy NH Superfund Site (plasticizers, bis (2-ethylhexyl) phthalate (DEHP) and Varsol, a petroleum-based solvent).

**Subject: Risk Assessment (Life Cycle) - Comment Number TCC090**

Please conduct a risk assessment that clearly defines the life expectancy of the pipelines being considered and calculate the likelihood of occurrence of pipeline spills, leaks, fires, explosions and other accidents

throughout the life cycle of the pipeline.

**Subject: Risk Assessment (Pipeline Degradation) - Comment Number TCC091**

Considering Kinder Morgan's history of safety violations involving failure to properly inspect, test, maintain and monitor pipelines (reference 2011 Safety Citations by the United States Department of Transportation - Pipeline and Hazardous Materials Safety Administration (PHMSA)), the risk assessment activities should consider the potential impact of expected degradation in pipeline integrity over time associated with best management practices as well as poor management practices.

**Subject: Risk Assessment (High Risk Areas) - Comment Number TCC092**

Please conduct a risk assessment that determines the different likelihoods of a pipeline leak and / or failure within various distances (100 feet, 500 feet, 1000 feet, etc.) of each high consequence risk area and / or superfund site.

**Subject: Risk Assessment (Maintenance) - Comment Number TCC093**

Please conduct a risk assessment that determines the different likelihoods of a pipeline leak and / or failure presuming that the pipeline is maintained using best management practices (BMP) and that the pipeline is maintained poorly (as apparently has been typical of Kinder Morgan's history).

**Subject: Risk Assessment (Maintenance) - Comment Number TCC094**

Please conduct a risk assessment that determines and / or calculates the potential consequences (magnitude of fire and explosions, property damage, injuries and deaths) associated with a pipeline leak in general, and at (or near) each specific area of concern, incrementally over the lifetime of the pipeline, based on varying pipeline management practices.

**Subject: Risk Assessment (Earthquakes) - Comment Number TCC095**

Please conduct a risk assessment that determines the different likelihoods of a pipeline leak and / or failure over the lifetime of the pipeline considering inadequate seismic bracing due to deterioration of bracing over time, improper installation of bracing and / or improper design of bracing.

**Subject: Risk Assessment (Pipe Corrosion) - Comment Number TCC096**

Recognizing that corrosion is a primary cause of many Kinder Morgan pipeline failures, please conduct a risk assessment that determines the different likelihoods of a pipeline leak and / or failure over the lifetime of the pipeline considering significant internal pipe corrosion and / or external pipe corrosion, with the severity of corrosion increasing over time and assuming a failure to identify corrosion through any planned inspection activities.

**Subject: Risk Assessment (Stress Cracking) - Comment Number TCC097**

Recognizing that environmental stress cracking is a relatively common cause of pipeline failures, please conduct a risk assessment that determines the different likelihoods of a pipeline leak and I or failure over the lifetime of the pipeline considering environmental stress cracking, with the severity of cracking increasing over time and assuming a failure to identify cracking through any planned inspection activities.

**Subject: Risk Assessment (Erosion) - Comment Number TCC098**

Please conduct a risk assessment that determines the different likelihoods of a pipeline leak and I or failure over the lifetime of the pipeline considering the erosion of underground pipe support material, and I or the the erosion of surfacial pipe support material/with the severity of erosion increasing over time and assuming a failure to identify erosion through any planned inspection activities.

**Subject: Design (Alternatives) - Comment Number TCC099**

Please provide maps of two pipeline system alternatives to the proposed NED project and a description of

different existing pipelines that would obviate the need to construct all or part of the project.

**Subject: Emergency Response (Local) - Comment Number TCC100**

Please study and develop an emergency plan with local fire departments and other agencies to identify personnel to be contacted, equipment to be mobilized, and procedures to be followed to respond to a pipeline gas leak or fire resulting from a pipeline gas leak.

**Subject: Blasting (Staging) - Comment Number TCCI01**

Please identify extra work, or staging areas, at road, railroad, waterbody, and wetland crossings in areas of steep slopes or where blasting is required. Also, please identify the land use category for each extra work or staging area in Troy, NH.

**Subject: Construction (Temporary) - Comment Number TCC102**

Please identify all temporary access roads that would be used to access the right-of-way during pipeline construction, including farm lanes, private driveways, logging roads, Jeep trails, or other roads that may be modified or improved for construction equipment in Troy, NH,

**Subject: Design (Staging) - Comment Number TCCI03**

Please identify the location, size, and land use of all staging areas and show location on USGS topographic maps, Maps should include the distance and direction to the nearest pipeline construction site, acreage requirements, and the extent of ground disturbance that would take place in Troy, NH.

**Subject: Construction (Notification) - Comment Number TCC104**

Please identify each residence, or building that would be within 50 feet of the edge of the construction right-of-way and extra work or staging area. Provide the distance in feet between the residence and the pipeline centerline, and how landowners would be notified of activities and how hazards such as open ditches would be minimized during construction.

**Subject: Parks (Impact) - Comment Number TCC105**

For Rhododendron State Park, please identify the primary uses, peak use periods, and any seasonal restrictions. Identify, address, and describe planned mitigation for the construction and reduction of construction and permanent right-of-way requirements, selective tree removal, replanting of trees and shrubs, and any special restoration practices in forested areas. Also address off road vehicle controls that would be installed, maintained, and monitored before, during, and after construction of the pipeline.

**Subject: Superfund Sites (Impact) - Comment Number TCCI06**

Please look into how the environmentally fragile Troy Mills Superfund Site could, upon being disturbed by pipeline construction, cause contaminants from the site to enter Rockwood Brook, and what would be done to correct this, and prevent any of the released contaminants from reaching Sand Dam Pond-a public swimming/fishing area.

**Subject: Wildlife (Impact) - Comment Number TCC107**

Please hire a wildlife biologist to look into how animal pathways and movement would be impacted by the construction and the permanent 50 foot right-of-way of the proposed NED pipeline in Troy, NH, and how these impacts can be avoided or minimized based on hours and time of year of construction.

**Subject: Superfund Sites (Stormwater) - Comment Number TCC108**

Please look into how storm water runoff from the construction could interfere with the ongoing EPA testing at the Troy Mills Superfund Site, and what will be done to minimize and avoid such interference.

**Subject: Groundwater (Impact) - Comment Number TCC109**

Please determine how blasting, digging, or drilling during pipeline construction could interfere with contaminated groundwater flow at the Troy Mills Superfund Site in Troy, NH and how impacts would be avoided and minimized,

**Subject: Superfund Sites (Impact) - Comment Number TCC110**

Please determine the location of monitoring wells at the Troy Mills Superfund Site in relation to the location of the proposed NED pipeline in Troy, NH and how this could have the potential to negatively impact the wells, and how these impacts would be minimized during pipeline construction.

**Subject: Groundwater (Impact) - Comment Number TCC111**

Please determine the current size and spread of the groundwater plume at the Troy Mills Site and the potential for negative environmental impacts of related pipeline construction activities on or near the site, and any additional testing that will be performed to ensure that the plume has not increased in size as well as what will be done by Kinder Morgan if does increase in size.

**Subject: Superfund Sites {Wetlands} - Comment Number TCC112**

Please look into the wetlands area located west of the Troy Mills Superfund Site, and how contaminated leachate and high levels of Manganese might be impacted by the NED pipeline construction, and how these impacts would be minimized and corrected if there is an increase compared with the EPA historic testing levels data.

**Subject: Erosion (Impact) - Comment Number TCC113**

Please look into the impact of pipeline construction on sedimentation and erosion on Rockwood Brook, Nester Brook, and Bowker Brook in Troy, NH, and how these impacts would be minimized or avoided.

**Subject: Construction (Impact) Comment Number TCC114**

Please identify all designated sensitive scenic areas and what mitigation measures will be used to reduce visual impact including route deviations to avoid areas of high visibility in South Western NH.

**Subject: Air Quality (Impact) - Comment Number TCC115**

Please provide estimates of pollutant emissions and air quality impacts of the construction equipment that will be used for constructing the pipeline, as well as any pollution emissions and the air quality impacts that will come from the NED pipeline once it is in operation.

**Subject: Noise (Impact) - Comment Number TCC116**

Please describe the noise impacts from the NED pipeline construction activities including drilling and blasting, and how these impacts would be minimized.

**Subject: Economics (Impact) - Comment Number TCC117**

Please address the consequences of not constructing the NED pipeline project and look in to accomplishing the energy objectives of the project through other means including energy conservation.

**Subject: Design (Landmarks) - Comment Number TCC118**

Please identify all natural and registered national natural landmarks, and scenic and recreational areas that will be crossed by the proposed NED project.

**Subject: Design (Trail System) - Comment Number TCC119**

Please identify any areas crossed, or within 0.25 miles of the proposed NED project which are included in the National Scenic Trail System (Metacomet-Monadnock-Trail), and look into mitigation measures as well as how impacts can be minimized or avoided.

**Subject: Cultural Resources (Impact) - Comment Number TCC120**

Please identify land of local historical or cultural significance in Troy, NH that would be affected by the proposed NED pipeline construction and after it goes into operation.

**Subject: Design (Details) - Comment Number TCC121**

Please provide typical right-of-way cross section diagrams that clearly identify land requirements for pipeline construction and operation. These diagrams should include width of total right-of-way, width of permanent right-of-way, and width of temporary construction right-of-way for Troy, NH.

**Subject: Open Land (Impact) - Comment Number TCC122**

Please identify all use of open land (open space, scrub land). Also identify all lands managed under conservation easements, and consult with appropriate state agencies to determine if pipeline construction would affect the status of the land, and what special construction revegetation techniques should be used in Rhododendron State Park.

**Subject: Superfund Sites (Accidents) - Comment Number TCC123**

Please determine the effects a pipeline leak or explosion would have on the Troy Mills Superfund Site and adjacent landfill, and how this risk will be avoided or minimized.

**Subject: Construction (Restoration) - Comment Number TCC124**

Please identify all tracts of upland and wetland forest or woodland that would be removed for pipeline construction, operation, and staging areas, and identify characteristics of the land based on vegetative cover type and predominant land use for revegetation after construction.

**Subject: Agricultural Land (Impact) - Comment Number TCC125**

Please identify all agricultural land (hayfields, crop lands) within 150 yards of the right-of-way that would be affected by construction and operation of the proposed NED pipeline, and how these impacts would be avoided, minimized, or mitigated.

**Subject: Construction (Workers) - Comment Number TCC126**

Please estimate the total number of construction workers temporarily relocating to South Western NH and the duration of their stay. Also estimate the number of construction workers who would commute daily to the construction site.

**Subject: Construction (Economic Impact) - Comment Number TCC127**

Please assess the effects that temporary construction worker emigration will have on the availability and cost of local housing to permanent residents, and college students as well as identifying if there would be competing demands from seasonal recreationists in south western NH.

**Subject: Construction (Operational Impact) - Comment Number TCC128**

Please estimate the number of commuters who will be affected during the proposed NED pipeline construction and the amount of time that will be added on to local commuters travel time due to pipeline construction and the need to reroute traffic in some construction areas.

**Subject: Construction (Emergency Response) - Comment Number TCC129**

Please assess the effect of worker emigration on local police, fire protection, and medical facilities during the proposed NED pipeline construction.

**Subject: Construction (Operational Impact) - Comment Number TCC130**

Please determine the effect that the movement of construction equipment, materials, and workers will have on local roads in South Western NH. Please prepare estimates of construction related traffic trips to and from the work sites and the repair of roads to preconstruction conditions.

**Subject: Low Income (Impact) - Comment Number TCC131**

Please address the environmental effects, including human health, social, and economic, that the NED project will have on low income communities in South Western NH.

**Subject: Construction (Stump Removal) - Comment Number TCC132**

Please identify the practice of stump removal and their related disposal in the process of clearing land for the proposed NED pipeline construction.

**Subject: Design (Fertilizer) - Comment Number TCC133**

Please identify the type of fertilizer used to apply to wood chips on the right-of-way, and explain the need for such fertilizer.

**Subject: Construction (Impact) - Comment Number TCC134**

Please look into the impacts, visual, economic, and quality of life, that the proposed NED pipeline construction will have on residential properties and their owners including tree removal, noise, dust, inconvenience, disturbance of lawns, potential damage to wells and septic systems, building foundations, fences, and sheds.

**Subject: Construction (Erosion) - Comment Number TCC135**

Please identify areas for potential soil erosion due to water, wind, loss of vegetation, soil compaction from construction vehicles, areas with wet soils and areas that have poor drainage in the NED project area and identify what will be done in each specific area to eliminate the hazard.

**Subject: Construction (Restoration) - Comment Number TCC136**

Please determine where there is a potential for poor revegetation including capability classification of the soil, topsoil quality, available water capacity, salinity, acidity, and the potential for the project to affect soil drainage.

**Subject: Agricultural land (Impact) - Comment Number TCC137**

Please identify cropland and residential areas where loss of soil fertility due to trenching and backfilling could occur in the proposed pipeline project area, and explain what will be done to mitigate this issue in the affected areas.

**Subject: Geologic (Impact) - Comment Number TCC138**

Please identify any geologic hazards and areas of non-routine geotechnical concern that may exist, or have the potential to develop in or near the proposed NED project area. Hazards include earthquakes, slope instability, areas susceptible to land sliding, slumping, or flash flooding. Also include any monitoring that would be conducted before, during, and after construction of the pipeline.

**Subject: Soil Protection (Impact) - Comment Number TCC139**

Please identify, describe, and group the soils affected by the proposed NED pipeline, its potential effect on those soils, and measures that will be taken to minimize and avoid impact.

**Subject: Soil Protection (Impact) - Comment Number TCC140**

Please identify specific measures that will be taken to reduce impact on soils in each specific area of the pipeline construction, and how these soils will be restored after compaction and rutting.

**Subject: Design (Geology) - Comment Number TCC141**

Please summarize the physiography and bedrock geology of the project area and include areas where bedrock is likely to be near (less than 5 feet below) the surface in Troy, NH.

**Subject: Construction (Blasting) - Comment Number TCC142**

Please identify where blasting will be necessary in order to construct the NED pipeline in Troy, NH.

**Subject: Construction (Blasting) - Comment Number TCC143**

Please create a list of any applicable federal, state, and local blasting regulations, including the responsible agency, contact information, and permits that must be obtained to do blasting in NH.

**Subject: Construction (Blasting) - Comment Number TCC144**

Please identify where blasting will be required along the proposed NED pipeline project in South Western NH, and analyze potential impacts the blasting may have on water wells, springs, wetlands, slopes, and nearby (within half a mile) structures. Describe measures that will be taken to minimize vibrations from the blasting and flyrock.

**Subject: Construction (Blasting) - Comment Number TCC145**

Please describe the procedures for pre and post blast inspections of nearby (within half a mile) structures and wells, and any monitoring that would be done during the NED project. *{end of 20150826-5068}*

**20150826-5090**

deborah pomerleau, Londonderry, NH.

This is an e-mail I sent yesterday to NH's Attorney General, Joseph Foster.

I am very concerned about this proposed Kinder Morgan gas pipeline.

- 1) The "need" issue for gas for NH has not been established.
- 2) Water. Huge risk to wells, septic systems, streams, rivers, ponds, lakes, wetlands.
- 3) Noise pollution. The noise from the compressor stations will be huge. The noise during construction will be huge.
- 4) Light pollution at night. The lights from the compressor station at night will be a huge problem.
- 5) Small town roads are not made for constant heavy trucks using them.
- 6) Small town bridges are not made for heavy trucks using them constantly.
- 7) Fire departments and police departments are in no way whatsoever able to protect people from hazardous explosions or leaks.
- 8) Weather issues, like lightning striking the compressor station can cause problems. This has not been discussed at all, and can't be underestimated.
- 9) Weather issues, like flooding can wash out roads and areas where a pipeline could be, thus exposing it to air, and breakage. Then explosions.
- 10) Weather issues, like ice storms can cause huge problems at a compressor station.
- 11) Fire. This summer's drought is a true indication that any kind of fire would be devastating. A fire with any kind of wind would be catastrophic.
- 12) Emotional distress of our citizens and children. This can not be underestimated. This will also be especially true for fire fighters, police officers, and teachers.
- 13) The granite of NH is also a huge concern. Does Kinder Morgan truly intend to blast straight through granite to keep a pipeline in place?
- 14) Soil and ground pollution by run off and chemicals leaking. Many small farms exist in NH that would be impacted by a leak and/or explosion.
- 15) Because NH's population is low, FERC allows for a thinner type of pipe for this gas pipeline. FERC's rationalization is there are fewer people who will be digging and thus a lower risk to a pipeline being hit. BUT, what this does not take into consideration is the fluctuation of the ground due to frost heaves, droughts, normal rain, and excessive rain.

16) Fish. Please see these 3 pleadings as a reminder. These are from your website about Pleadings Filed in Massachusetts v. Pritzker, U.S. D. Ct. Mass. No. 13-CV-11301 :

a)Petition for Judicial Review.

b)New Hampshire's Motion for Intervention.

c)New Hampshire's Memorandum of Law Supporting Motion for Intervention.

17 ) Consumer Protection. There have been numerous "mistakes" in Kinder Morgan's data, maps, and information. This needs to be looked into by your: Consumer Protection and Anti Trust Department. From your website: "The Consumer Protection and Antitrust Bureau acts to protect consumers from unfair or deceptive trade practices in New Hampshire. When a business does not provide services or products, misrepresents its services or products, or does not provide quality services or products, the Consumer Protection and Antitrust Bureau may question the business practices and seek appropriate measures to remedy the situation on behalf of the State of New Hampshire. The Bureau's mission also includes consumer education and outreach. The best consumer protection is widespread public awareness of consumer's rights and common scams to prevent problems. This website is designed to provide such essential information to New Hampshire's consumers. "

18) Tourism is NH's largest industry. What would happen to the income of many, if there was an explosion or fire during tourist season. Also, what would be the liability issue to the state to allow this pipeline to be put in and potentially hurt or kill tourists?

19) Citizens could sue NH for allowing this pipeline to go in when their health is directly impacted by this pipeline and gas.

20) AIR POLLUTION IS THE MOST DAMAGING ITEM TO OUR HEALTH. Many chemicals will be released constantly and intermittently by the compressor stations. This goes against all EPA laws, and 100% needs to be addressed.

The air pollution issue is the huge issue because these chemicals are not like smoke. You can see smoke, you can't see the release of these chemicals.

Would our NH health system of doctors and hospitals be able to care for the numerous health issues that would face our citizens, children and tourists?

Your website states: "

The Environmental Protection Bureau is a unit of the Department of Justice, Office of the Attorney General. Attorneys in the bureau prosecute civil and criminal violations of New Hampshire's environmental laws and provide legal advice and representation to the state entities that oversee the environment and natural resources in New Hampshire. Attorneys in the Environmental Protection Bureau work closely with the Department of Environmental Services, which is responsible for the administration of the State's environmental protection programs relating to air pollution, water pollution, and hazardous and solid waste management. Bureau attorneys also work closely with the Fish and Game Department, the agency responsible for administering many of the State's wildlife and natural resource programs, and with the Office of Energy and Planning which provides information, data and guidance to assist decision makers on issues pertaining to development, land protection, energy use and community planning."

Your department has the legal responsibility to protect NH citizens and NH's environment.

Please step up and look into this situation.

Please.

Debbie Pomerleau

**20150826-5110**

Bernhard Porada, Northfield, MA.

I wish to register with your agency my strident opposition to this pipeline for the following reasons;

This pipeline is unnecessary to meet the energy needs of natural gas consumers both residential and business because its prime objective is to export natural gas overseas for which ratepayers will end up subsidizing for no benefit. Also another reason is the severe environmental impact it will have on our environment due to its construction and operation. For this pipeline to be installed environmentally sensitive areas will be damaged which will include protected conservation lands both public and private. This pipeline will also seriously impact people who reside near proposed compressor stations who will suffer from environmental impacts to them from air and noise pollution and risk to their safety of their lives and property in case of an accident involving these facilities. I am not alone in this opposition for many of my neighbors and fellow citizens feel that in our democracy

The rights of the public must be protected against the corporate need for greedy profit. This need must not trump our legitimate constitutionally protected rights. Thank you for allowing me the opportunity to address your agency. Bernhard Porada

#### **20150826-5111**

Alison Wahlstrom, Northfield, MA.

I would like to comment on the Tennessee Gas Pipeline. This pipeline and the proposed compressor station will cause many problems for residents, wildlife and environment, especially the waterways. I would like to voice my opposition to this project and hope that your regulatory commission will stop the pipeline and compressors from our beautiful New England area. Thank you, Alison Wahlstrom

#### **20150826-5122**

Nicholas E. Motmans, Cheshire, CT.

Dear Secretary Bose,

I am writing in regards to Docket number PF14-22, Kinder Morgan's Northeast Energy Direct (NED) project.

In the environmental impact statement, FERC needs to take into account the increased amount of methane emissions that this large project will pour into our atmosphere. Earlier this month the EPA proposed new standards to reduce methane emissions by 45% over the next 10 years. The EPA recognizes that methane is a potent global greenhouse gas, far worse than carbon dioxide at trapping heat in the atmosphere. The NED project will make those reductions in methane emissions impossible, and will cause irreparable harm to our climate.

Furthermore, these shale gas expansion projects are segmented into two, the Connecticut Expansion and NED. FERC must acknowledge that this is the case, and admit that the environmental harm caused by these two projects is cumulative. They are not separate projects, and FERC has been guilty of illegal segmentation in the recent past.

The potential harm to water has been raised by the Hartford MDC, the municipal corporation responsible for providing clean water to 400,000 people in the Hartford area. In a June 26 letter to FERC, MDC Chief Executive Officer Scott Jellison wrote "to express some concern that the proposed pipeline could potentially impact MDC's public drinking water supplies in West Hartford and Bloomfield, CT." FERC must address the concerns of MDC and the public about the impact of pipeline construction and operation on drinking water.

FERC should take into account the frequency of pipeline leaks and explosions, and factor in the costs to local communities, who bear a burden when environmental harm from pipeline accidents occur. According to the Pipeline Hazardous and Safety Material Administration, leaks and explosions are not uncommon and have increased in frequency in recent years.

Yours,

A Concerned Citizen

**20150826-5124**

francis martucci, hamden, CT.

Dear Secretary Bose,

I am writing in regards to Docket number PF14-22, Kinder Morgan's Northeast Energy Direct (NED) project. The government should start listening to the people and not the lobbyists and agents of the oil companies!

In the environmental impact statement, FERC needs to take into account the increased amount of methane emissions that this large project will pour into our atmosphere. Earlier this month the EPA proposed new standards to reduce methane emissions by 45% over the next 10 years. The EPA recognizes that methane is a potent global greenhouse gas, far worse than carbon dioxide at trapping heat in the atmosphere. The NED project will make those reductions in methane emissions impossible, and will cause irreparable harm to our climate.

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Thank you.

**20150826-5133**

Marnie Meyers, Windsor, MA.

Project Docket Number: PF14-22

My family lives in Windsor, MA which is the "sacrifice zone" for a proposed Kinder Morgan/Tennessee Gas pipeline compressor station.

I am deeply concerned about the impact of the unnecessary NED pipeline and specifically the toxic compressor stations upon the air, water and soil along the length of this project:

The pipeline is unnecessary because storage and conservation can easily meet peak demand and renewables are steeply increasing. So, with most of the gas earmarked for overseas, it can hardly be classified as "for the public good and necessity" but for corporate greed and profit!

It is toxic because it emits benzene, toluene, xylene and dozens of other carcinogens and neuro-disrupters as a normal part of compressor operation, leaks and explosions aside. Please determine all chemicals contained in transported fracked gas and make it public information under The Freedom of Information Act.

In Windsor, and the other compressor towns, I respectfully request that independent Environmental Impact Studies of air, water and soil samples be conducted, paid for by Kinder Morgan, to determine current baseline status. This must be done again after completion and frequently into the future so that changes resulting from pipeline construction and operation can be assessed. Our rainfall and fog will rapidly bring these poisons to earth rendering our environment forever poisoned!

Further, please determine how to avoid, minimize and/or offset the impacts of those toxins on human health, critical habitats of migratory birds and rare species as well as wetlands, vernal pools, streams, wells/springs, aquifers natural flora and agricultural soils. To that end, please require that all compressor apparatus be built underground with filters, scrubbers, shields and all necessary mitigations to light, sound and emission concerns.

Thank you

Best Regards,

Marilyn (Marnie) Meyers  
152 Hinsdale Rd.  
Windsor, MA 01270-9690  
413-684-3463  
windalewoods@verizon.net

## **20150826-5169**

### **Connecticut Forest & Park Association**

16 Meriden Road  
Rockfall, CT 06481-2961  
860-356-TREE  
www.ctwoodlands.org

August 26, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission

Re: Proposed Northeast Energy Direct Project, Tennessee Gas Pipeline L.L.C/Kinder Morgan (FERC Docket No. PF14-22-000)

Dear Secretary Bose,

The Connecticut Forest & Park Association (CFPA) is the oldest conservation organization in Connecticut (established in 1895), and is perhaps best known as the maintainer of 825+ miles of Blue-Blazed Hiking Trails in Connecticut. The crown jewel of the Blue-Blazed Hiking Trails is the New England National Scenic Trail (New England Trail) which was designated by Congress as one of only 11 national scenic trails in the United States in 2009 (Public Law 111-11).

The New England Trail stretches 215 miles from the Long Island Sound in Connecticut to the New Hampshire border. The New England Trail is managed in partnership with the National Park Service in Connecticut, and the National Park Service works with the Appalachian Mountain Club to maintain the northern stretch of the New England Trail in Massachusetts. CFPA has maintained the New England Trail, also known locally as the Metacomet or Mattabesett Trails, since 1930.

The route of the Proposed Northeast Energy Direct natural gas pipeline crosses the New England Trail in several locations (Bloomfield, Farmington, Simsbury, and West Hartford) as the pipeline and trail run side by side oriented north/south. If the pipeline width were to be expanded, the clearing, digging, soil compacting, etc. necessitated by the project would significantly disrupt the scenic experience that this Trail was designated by Congress to provide. It is currently unclear what the length of disruption would be, and what measures are proposed to reduce any disruptions to the New England Trail.

We put forward the following questions as part of docket # PF14-22-000 with the expectation that FERC and Tennessee Gas Pipeline LLC/Kinder Morgan (Kinder Morgan) will address them:

- Will the National Park Service be included in this docket due to their direct involvement with the management of the New England Trail?
- Will the CT Department of Energy & Environmental Protection be included in this docket to speak to

the fact that the New England Trail was designated as a State Greenway in 2001, and Public Act 13-231 was passed by the CT General Assembly in 2013 to proclaim “It is declared to be the policy of the state of Connecticut that the Connecticut portion of the New England National Scenic Trail be preserved in its natural character as proposed by Public Law 111-11, March 30, 2009.”

- CFPA has provided a digital version of its trail line for the New England Trail to Kinder Morgan. Will that trail line be shown on maps to depict clearly what efforts are necessary to avoid disruptions to trail users?
- If avoidance of the New England Trail corridor is impossible, will Kinder Morgan mitigate impacts with signage, alternate routes, and other considerations to minimize the extent and/or duration of disruption to trail users?
- Will Kinder Morgan communicate with CFPA to ensure any trail disruptions are shown prominently and specifically on CFPA’s online interactive trail maps for the New England Trail?

At CFPA, when asking people to use the New England Trail, we will often use positive encouragements like “be safe,” “leave no trace,” “leave the place better than you found it,” and “have fun.” It is our hope that your review of this proposal ensures the New England Trail will remain as safe, undisturbed, improved, and fun as possible for the many thousands of people who recreate on it each year. We have a long history of facilitating this recreation for the benefit of the public, and your recommendations on this docket are essential to preserve this nationally significant trail corridor both for current use and the enjoyment of many future generations.

Sincerely,

Eric Hammerling, Executive Director  
Connecticut Forest & Park Association (CFPA)

#### **20150826-5218**

Janice Fiandaca, Rindge, NH.

In Rindge, the KM/TGP will cut through and disrupt wetlands that have been protected by town ordinances. Anyone in the pipeline path could be easily affected as a result of the drilling/connectivity. All Rindge drinking water comes from wells. Analysis of the depths and sources of aquifers should be conducted by a third party. Without this information before construction begins, we have no way to determine if the quality, quantity and/or flow rate of our wells will be affected. Repeating a statement made by others: we can find an alternate source of energy; we cannot find an alternate source of water.

#### **20150827-0006**

Hand written FERC Comment form: Priscilla & Robert Borden, 199 Fulham Hill Rd, Fitzwillian, NH 03447: requesting various independent studies.

#### **20150827-0008**

Hand written card, Melinda Hildreth Honkala, 143 Monument Rd, Richmond, NH 03470: less than 10% of gas will actually be used in US.

#### **20150827-0009**

Hand written card, John Leoutsacos, 79 Mountainview Drive, Temple, NH 03084: harmful compressor effects.

#### **20150827-0010**

Hand written card, Lisa Derby Oden, 6 Upper Pratt Pond Rd, New Ipswich, NH 03071, FERC should evaluate all pipelines proposed for region.

**20150827-0011**

Hand written card, John Leoutsacos, 79 Mountainview Drive, Temple, NH 03084: harmful compressor noise effects.

**20150827-0012**

Hand written card, Holly Koski, 123 Red Gate Lane, Rindge, NH 03461, KM must provide emergency egress from all dead end roads in “Incineration Zone”.

**20150827-0013**

Hand written card, John Leoutsacos, 79 Mountainview Drive, Temple, NH 03084: compressor will increase illness of thousands along pipeline route, just look at “List of Harmed” to confirm this.

**20150827-0014**

Susan Levin Wessels 182 Sunridge Road Rindge, NH 03461

RE: Docket #PF14-22-000 August 15,2015

Dear FERC Commissioners:

My husband and I are being told the home we built 20 years ago in Rindge, NH is in the “study zone” of the planned Kinder Morgan NED pipeline. Almost our entire wooded 3-acre lot will be permanently cleared of all the natural and planned vegetation we have so lovingly planted and maintained to provide a peaceful, natural and private setting. The water well will be destroyed, by blasting harmful chemicals into our ground and ground water. The house, itself, would remain, tho in an uninhabitable form, since it will be surrounded by denuded land which itself will be sprayed regularly with toxic chemicals to prevent vegetation from growing. We would be subjected to routine pipeline leaks, un-potable water, formaldehyde blow-back from nearby release valves, etc.

Our house represents our most important financial asset. That will be destroyed. Despite poor health, I will be required to live in this house after it is essentially destroyed. The exposure to chemicals of various sorts will, no doubt, influence the health and life expectancy of both of us. Yet Kinder Morgan will not buy the house, just the easement they need to build the pipeline just feet away, in our back yard.

The fragile state of the facked gas industry is described below as is the trend toward reversing pipeline directions favoring transporting westerly over eastern export paths. Both these issues bear directly on the wisdom of New Hampshire investing so much in building this NED pipeline.

Please understand how much will be destroyed along the pipeline route. Creating a wide scar across Southern New Hampshire will bring destruction to human, vegetative and animal habitats; water, air and quality of life in general. Please take these tremendous costs into consideration as you wrestle with your decision to approve or not approve this pipeline. Real people stand to lose everything if this pipeline is built. You have the power to stop this disastrous investment, the costs of which we will all be living with far beyond any conceivable benefit.

Some pertinent information follows:

Excerpted From The Nation. August 5. 2015 By Tara Loban

“The US boom in the productiog of oil and gas in the past seven years has been largely driven by horizontal dJ:illing and hydraulic fcturing (or fracking) of rock formations known as shale plays. But the growth may not be as long-lived as advertised. For starters, there’s good evidence to suggest that the amount of economically recoverable reserves of both shale oil and gas are not as much as previously hyped ...

J. David Hughes, a geoscientist and fellow at the Post Carbon Institute, who spent 32 years with the Geological Survey of Canada, found that while short-term production of shale oil and. gas is undoubtedly significant, the long-term view shows that the growth is not sustainable. His research reveals production peaking

in both shale oil and gas in most of the significant plays in the United States by 2020.” For the past five years we’ve been told we’re going to be energy independent. .. it’s just not going to happen. II

The next problem facing the industry is the price tag of its operations. The costs to drill and complete a shale well can range from \$6 million to \$8 million or more a well—depending on the play and the number of drilling stages.

Production on shale wells also declines very quickly. For shale oil, the three-year average well decline rate in most major US plays falls between 60 and 91 percent. Around half of all the oil that will be produced from these wells will come in the first three years. For shale gas, the three-year average well decline rate is between 74 and 82 percent.

This means that in order to maintain or increase production, you have to keep a frenetic pace of new drilling—what Lawrence Berkeley National Laboratory scientist David Fridley likened to being on an “accelerating treadmill.” The drilling frenzy that has characterized the shale boom caused a spike in production, contributing to a global glut, which has resulted in falling prices. It’s a vicious circle, and one that was hard to make economical even when crude was selling for \$100 a barrel.

When prices dropped earlier this year to around \$50 a barrel, things became more dire for the shale industry, and they haven’t greatly improved in the last six months. Despite briefly reaching around \$63 a barrel in late spring, prices have fallen again. “For the past five years we’ve been told we’re going to be energy independent and we will have all this oil and we’re going to export gas to Europe and we’re going to export gas to Asia, and it’s just not going to happen,” said Fridley.

In the past seven years, wind and solar capacity in the United States has tripled.

Overproduction, combined with declining consumption, has resulted in plummeting crude prices in the past year. It’s the same script that occurred just a few years earlier, when shale gas prices bottomed out in the United States. So what’s the industry to do?

Investor Jeremy Grantbam, the founder of GMO, a Boston-based money manager, wrote in the financial publication *Barron’s*. “Almost no new drilling programs will be initiated at current prices except by the financially desperate and the irrationally impatient, and in three years over 80 percent of all production from current wells will be gone!”

Given the costs of drilling and completing wells, and the number needed to keep production growing, companies must have lots of cash to stay on the treadmill. And that may become harder and harder for many to do.

The Energy Policy Forum’. Lawrence has been comparing the financials of some of the industry’s top companies for years; she found that they lack free cash flow. “They were spending a lot in capital expenditures—the money needed to drill and complete the wells,” she said “And that was growing every year while the money they were actually making; the cash that was left over at the end of the day, was deteriorating. It was never positive. “

Lawrence crunched the numbers on more than 20 US shale operators and found that the companies had been cash-flow-negative since 2009. As *Alberta Oil Magazine* reported, “In 2013, U.S. onshore oil producers outspent their operating cashflow by 111 to one.” The record-high production boom we’ve witnessed has been sustained by companies taking on high levels of debt, including \$120 billion in high-risk, high-yield bonds. JPMorgan’s estimate of the default rate for these junk bonds is nearly 4 percent this year and will be a whopping 20 percent next year, if crude prices remain around \$56 a barrel.

This may mean lights out for a number of debt-laden companies. Some will go out of business, while others may be gobbled up by larger corporations. Expect lots of consolidation and cherry-picking of assets by the big players. Giants like Chevron and Exxon Mobil will likely make out well, but they aren’t the only ones. “It will be fantastic for the investment banks, because they will make a fortune out of fees,” says Lawrence. Those who won’t make out well, however, include more than just the debt-heavy industry players. It could be you. “A lot of pension funds invest in energy stocks, and the energy stocks have just gotten creamed,”

says Lawrence. “They haven’t had good share returns. You’re going to see that reflected in your portfolio.” Despite the bad news on shales, Lawrence sees a lot of good economic news when it comes to renewable energy. “I have this feeling that we are on the cusp of a new energy paradigm and things are changing so rapidly,” says Lawrence. “I think you’re going to see a lot of disruption in the next five to 10 years, and I don’t think the oil and gas industry really thinks it’s coming.”

From Fortune magazine, August 13, 2015

“Unlike conventional projects, shale wells enjoy an extremely short life. In the Bakken region straddling Montana and North Dakota, a well that starts out pumping 1,000 barrels a day will decline to just 200 barrels by the start of year two, a shrinkage of 72%. By the beginning of year three, more than half the reserves of that well will be depleted, and annual production will fall to a trickle. To generate constant or increasing revenue, producers need to constantly drill new wells, since their existing wells span a mere half-life by industry standards.

In fact, fracking is a lot more like mining than conventional oil production. Mining companies need to dig new holes, year after year, to extract reserves of copper or iron ore. In fracking, there is intense pressure to keep replacing the production you lost last year.

On average, the “all-in,” breakeven cost for U.S. hydraulic shale is \$65 per barrel, according to a study by Rystad Energy and Morgan Stanley Commodity Research. So, with the current price at \$48, the industry is under siege. To be sure, the frackers will continue to operate older wells so long as they generate revenues in excess of their variable costs. But the older wells—like those in the Middle East or the North Sea—produce only tiny quantities. To keep the boom going, the shale gang must keep doing what they’ve been doing to thrive; they need to drill many, many new wells.

Right now, all signs are pointing to retreat. The count of rotary rigs in use—a proxy for new drilling—has fallen from 1,930 to 1,881 since October, after soaring during most of 2014. Continental Resources, a major force in shale, has announced that it will lower its drilling budget by 40% in 2015. Because of the constant need to drill, frackers are always raising more and more money by selling equity, securing bank loans, and selling junk bonds. Many are already heavily indebted. It’s unclear if banks and investors will keep the capital flowing at these prices.

Still, the future of fracking is extremely hard to predict. Continental, for example, pledges to raise production in 2015 despite the fall in its drilling budget. It would be a mistake to underestimate the ingenuity of the entrepreneurs who led the shale revolution. They will exploit new technologies that combine vertical and horizontal drilling to lower their costs. In the boom times, equipment rental, trucking, and labor were all priced at huge premiums; at \$100 a barrel oil, producers put sinking the next well far ahead of fretting over their fat payrolls. Now, those costs are falling.

So it’s difficult to know where all-in costs will settle. If oil stays at around \$50, a group of super-efficient producers may still be able to make money. Bruce Everett, who teaches petroleum economics at the Fletcher School at Tufts University, is optimistic. “There will undoubtedly be some tailing off in U.S. drilling activity,” he says, “but I expect continued development drilling in major new areas, particularly the Bakken, even at \$50.”

If demand rebounds—and it may—prices may very well rise above \$60 once again, and fracking will once again become extremely profitable. But it’s not clear if the famous foe of fracking, Saudi Arabia, will let that happen. The Saudis have invested heavily to gain extra capacity of 2 million barrels a day. The Saudis may use that cushion to hold prices around \$50, just out of range—at least today—for most shale oil producers.

Then again, the shale industry’s ability to hike production quickly could put a cap of \$50 or \$60 on oil prices. If prices rise much higher, either the Saudis will intervene, or more shale supplies will flood the market, stabilizing the price. “Because shale wells have short lives, allowing production to come on and off more quickly, fracking could moderate price fluctuations so they’re less volatile than in the past,” says David Kreutzer, an economist at the Heritage Foundation.

But the numbers are still daunting. It's easy to get financing when your costs are \$65 and you're selling at \$100. But when the price is \$50, where will the producers find the funds to keep sinking those new wells? It will take a lot of new drilling just to keep production where it is now. A steady but no-growth shale industry is not what America has been counting on. The spread of rigs and jobs that seemed such a certainty, and such a staple of our recovery, may be a fading vision."

Impact 00 NED - These cost trends will lead to what is described below: reversal of pipeline flow (from West-to-East (for overseas shipments) to East-to-Western U.S. thus negating a primary justification for NED:

As more western drilling operations are sidelined, the price of natural gas in the western 2/3 of the country is expected to go up due to the laws of supply and demand. The new western demand for Marcellus gas was NOT PREDICTED when NED was on the drawing board. Between Texas and the West there is about a trillion cubic feet of underground GAS STORAGE. Next year a lot of that storage will be filled up with cheap Marcellus Gas.

It makes sense that expansion of pipelines from the east to the west will reduce the incentive for industry to pursue projects like NED -- THAT WERE ORIGINALLY DESIGNED TO SEND GAS OVERSEAS.

Here are some citations from EIA and the Trade publications to support this claim.

1. Just one year after the larger-than-NED REX (Rockies Express) east to west pipeline went into service to send gas from east coast to west coast:

[citation: <http://www.eia.gov/todayinenergy/detail.cfm?id=16751>, dated June 18, 2014 J ...

2. the KIA is reporting in its weekly Natural Gas report that the east to west flows, which were in excess of IBCF in the past, are getting reversed

[citation: <http://www.eia.gov/naturalgas/weekly/archive/2015/08/06/ind.ex.cfm> dated August 6, 2015]

"REX reversal complete. The Rockies Express Pipeline completed its east-to-west reversal early this month, officially placing into service an additional 1.2 Bcf/d of incremental east-to-west capacity, bringing the total capacity to 1.5 Bcf/d. However, ongoing construction at downstream interconnections may be hampering westward flows, according to Bentek Energy analysis. Outflows on REX have been below the 1.5 Bcf/d capacity since the reversal was officially completed. "

3. and apparently the east to west capacity is still expanding ••• FERC approved additional east to west flows in March

[http://webcache.iog!usercontent.com/search?](http://webcache.iog!usercontent.com/search?g=cache:U73EYUCNKWOJ:www.naturalgasintel.com/articles/101529-rockies-express-gets-ferc-approval-for-east-to-west-capacity-expansion+&cd=4&hl=en&ct=clnk&gl=us)

[g=cache:U73EYUCNKWOJ:www.naturalgasintel.com/articles/101529-rockies-express-gets-ferc-approval-for-east-to-west-capacity-expansion+&cd=4&hl=en&ct=clnk&gl=us](http://www.naturalgasintel.com/articles/101529-rockies-express-gets-ferc-approval-for-east-to-west-capacity-expansion+&cd=4&hl=en&ct=clnk&gl=us)

"REX has received approval from the Federal Energy Regulatory Commission (FERC) to modify "certain facilities" along the REX pipeline from Monroe County, OH all the way to Moultrie County, IL - something they call the Zone 3 East-to-West Project. When complete, it means REX will flow an additional 1.2 billion cubic feet of natural gas per day from the Utica and Marcellus to Midwest markets"

Citation: Marcellus Drilling News. March 3, 2015, "Rockies Express Gets FERC Approval For East-to-West Capacity Expansion"

4. It appears that just a few days ago this pipeline reversal went into service •••

"The Rockies Express Pipeline (REX), originally built from Colorado and Wyoming to Monroe County, OH to bring natural gas from west to east, will reverse the flow for a large and important section of the pipeline. On August 1, the section of REX from Monroe County, OH to Mexico, MO will reverse the flow and carry 1.8 billion cubic feet per day (Bcf/d) of Utica and Marcellus Shale gas to the Midwest, including to the greater Chicago area. This flow reversal has the power to a) increase prices northeast drillers receive for their natural gas, and b) lower the cost of natural gas for consumers (and industrial companies, and electric generating plants, etc.) in places like Chicago. ENGI, July 30, 2015, emphasis mine]

<http://webcache.googleusercontent.com/search?g=cache:9vOs34xgRkJ:marcellusdrilling.com/2015/07/30/rockies-express-pipeline-reversal>

S-bcfd-ofmarcellusutica-gas-hsads-west-on-rex-starting-aug.1/+&cd=l&hI=en&ct=clnk&gl=us

So if more gas flows west to Chicago and eventually to Colorado, Oregon (on existing pipelines originally designed to flow the other way) it keeps prices low in the west but raises the weD head price in the east.

If the wellhead price goes up from \$2 to \$4 in Pennsylvania it will undercut the argument used by Anthony Buxton and Kinder Morgan in their presentations about saving money for Northeast consumers, particularly electricity consumers. Their argument is that New England electricity consumers paid \$7 billion extra on energy costs because we didn't have the access to the \$2 gas available a few hundred miles to the west. Well now thanks to REX, and other pipelines like it to send gas to other parts of North America on existing pipelines, the predicted \$2 gas they are telling us we can get by building NED is unlikely to be QIIQilable to us at ANY time after 2016 or 2017. As a result the industry appears to be backing off from their original concept which w(u complete reversal of th« Maritimes and Northe(Ut pipeline from Dracut to Nova Scotia. The change in primary project scope and purpose may warrant a restart a/the entire FERC pre-file and/or scoping process.

Given the precarious viability of shale produced products, is it prudent for New Hampshire to bet so heavily on future shale production? Is it wise for our state to carve up land and put so many lives, precious ecosystems, private property, water quality and quality of life at risk for this uncertain gamble? This is madness I In what rational scheme does this make sense? Please stop NEDI

Thank you

Susan Wessels

182 Sunridge Road Rindge NH 03461

## 20150827-0015

August 19, 2015

Kimberly D. Bose Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426

Re: Tennessee Oas Pipeline Company, L.L.C ("TGP")  
Docket No. PFI4-22-000: Proposed Northeast Energy Direct

Dear Ms. Bose,

I am writing to you as a concerned resident of Milford NH who is in opposition to Kinder Morgan's plan to run a gas pipeline through 18 Southern New Hampshire towns. Kinder Morgan insists that the purpose of the proposed pipeline and ancillary infrastructure is to provide gas to help relieve energy shortages and reduce gas and electric prices here in New Hampshire. However as numerous comments submitted to the FERC website have already illustrated the company is untrustworthy. Unfortunately Kinder Morgan just sees the environment and people of New Hampshire as an inconvenience they must deal with as quickly and inexpensively as possible so they can move forward with in what my and many other people's opinion appears to be their actual goal - building a pipeline to move gas to coastal terminals in Canada for export overseas.

Kinder Morgan needs you to believe that there is an energy crisis here in New Hampshire. They need you to believe that this "crisis" can only be solved by building a 30 inch (or 36 inch) gas pipeline. However Kinder Morgan has been having difficulty getting gas distributors to sign up to purchase gas from the pipeline. To my knowledge as of today, August 1~ 2015, only a single gas distributor in New Hampshire, Liberty Utilities, has committed to purchase gas from the pipeline. Liberty Utilities commitment is to purchase up to 115,000 dekathenns of gas a day for the next twenty years. This would represent only a small fraction of the pipeline's capacity. And it would seem even this small amount is overly optimistic. A consultant hired by the Public Utilities Commission stated that the deal would leave Liberty with "substantial excess capacity that it

would not completely absorb or grow into over the life of its contract”( I}.

The lack of distributors in NH would be of little concern to Kinder Morgan except that they need a Certificate of Public Convenience and Necessity from FERC. They desperately need this certificate because although Kinder Morgan likes to say that the majority of the pipeline in New Hampshire will be “co located” with the Eversource power line the reality of this “co location” is essentially none of the required permanent 50 foot pipeline easement will be within the PSNH corridor. This land will come from parallel easements taken from abutting property owners through coercion and the threat of eminent domain! These easements will result in the removal of trees that help aesthetically shield these property owners from the power lines and leave the land unusable for anything besides growing grass!

Now I would like to remind FERC about eminent domain and the 5111 amendment to the United States Constitution which states in part: “ “•.. nor shall private property be taken for public use, without just compensation.” The “takings” clause includes (or, more correctly, has been interpreted to include) two elements, which are:

1. Any taking by a government must be for a “public use” to be valid; and
2. Any government that does take property, even for a public use, must fully compensate the owner of the property for the taking.”(2)

If in fact the majority of the gas carried by this pipeline is headed overseas the use of the 5111 amendment and eminent domain will be at best highly questionable and, if approved by FERC, likely result in statewide anger and costly lawsuits.

It has already been documented in other comments submitted to the FERC website that this pipeline represents a destructive overbuild providing little value to the State of New Hampshire. With this in mind I would like FERC to investigate the following:

- The actual size of the NEED for additional gas in New Hampshire.
- Whether the Spectra Access Northeast Pipeline will meet this need. It will cause far less disruption to our neighborhoods, forests, and wetlands.

Sincerely,

Douglas Rick

1. [unionleader.com/article/20150701/NEWS051/150709994](http://unionleader.com/article/20150701/NEWS051/150709994)

2. [nationalparalegal.edulpublic\\_documents/courseware\\_asp\\_files/realProperty/RightsandDuties/Eminent-Domain.asp](http://nationalparalegal.edulpublic_documents/courseware_asp_files/realProperty/RightsandDuties/Eminent-Domain.asp)

**20150827-0016**

August 20, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Room 1A  
Washington, DC 20426

Re: Northeast Energy Direct Project Docket 1PF14-22

Dear Ms. Bose,

Furnace Brook in New Ipswich, NH is a tributary of the Souhegan River. It in turn is fed by several small streams all of which are seasonal except ons. There is a spring on my property (Map6 Lot21) on Kidder Mountain adjacent to the power line that never ddes insuring that Furnace Brook always has water. Should construction of the pipeline disturb that flow it is inevitable that Furnace Brook would be dry at certain times changing the current ecology of that waterway.

Sincerely,  
Michael Maki  
71 Maki Road  
New Ipswich, NH 03071

**20150827-0017**

Hand written card, Victor Sherburda, 73 Livingston Rd, Greenville, NH 03048: use same thick pipe throughout the entire length of pipeline.

**20150827-0018**

Hand written card, Irene Sherburda, 73 Livingston Rd, Greenville, NH 03048:concerned about wells.

**20150827-0023**

August 15, 2015

Norman C. Bay, Chairman  
Federal Energy Regulatory Commission  
888 First Street NE  
Washington, DC 20426

RE: Docket No. PF14-22-000

Dear Chairman Bay:

I respectfully request that the Federal Energy Regulatory Commission reject Tennessee Gas Pipeline Company's proposed Northeast Energy Direct (NED) Project. I base this request upon the following:

1. The pipeline and compressor station are located too close to Our Lady of Hope, our religious facility. This high-pressure, high-capacity station will bring significant human safety risks to our Sisters living there.
2. The pipeline and compressor station are located too close to a farm containing Newfoundland ponies, an endangered animal. There are only 250 left on earth.
3. The pipeline and compressor station are located too close an annual migration path of thousands of raptors. The high-pressure, high-capacity station's exhaust plumes of heated gases will bring significant safety risks to these birds.
4. The pipeline and compressor station are located too close to a school whose heating system uses outside air to heat the facility. This high-pressure, high-capacity station will bring significant human safety risks to our teachers and children attending the school.
5. The pipeline and compressor station are located too close to our water supplies, parks, and conserved land and will bring significant environmental hazards.
6. FERC has already approved another pipeline to satisfy New England's natural gas-fired electric generation needs on the coldest days. We don't appreciate the need to add more supply.
7. The particular gas that would be carried in the proposed pipeline is likely to be particularly high in toxins and radiation, and the health impact upon our families, animals and plants must be avoided.
8. The proposed pipeline route requires a new right-of-way that would cut through many miles of environmentally sensitive areas and take permanently protected land out of that protection.
9. Some "fracking" compounds and chemicals negatively impact the skin, eyes, sensory organs, the respiratory system, the gastrointestinal system, the liver; the nervous system; and are candidate endocrine disrupting chemicals. Endocrine disrupting chemicals (EDCs) present unique hazards, particularly during fetal and early childhood growth and development. We do not want to be exposed to any of these chemicals.

Respectfully submitted,

Name: Paulette Slovonka, 9 Falen Rd, New Ipswich, NH 03071

**20150827-0024**

**FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, DC 20426**

August 25, 2015

OFFICE OF THE CHAIRMAN

Ms. Margaret Burch  
Town of Conway Board of Health  
5 Academy Hill Rd.  
P.O.Box 240  
Conway, MA 01341

Dear Ms. Burch:

Thank you for your July 27, 2015, letter regarding Tennessee Gas' proposed Northeast Energy Direct Project (Docket No. PP14-22-000).

On June 30, 2015, Commission staff issued the Notice of Intent to Prepare an Environmental Impact Statement for the planned Northeast Energy Direct project, Request for Comments on Environmental Issues, and Notice of Public Scoping Meetings, which initiated the formal public scoping period and indicated the locations, dates, and times for the public scoping meetings. The Notice of Intent established a scoping period that will conclude on August 31, 2015. Although we do not intend to extend the formal scoping period, staff will continue to consider comments throughout its review of the project. I encourage the Board of Health of the Town of Conway to continue to participate in the review of the project, and to file any comments that you believe will help the Commission consider this matter.

Your letter indicated that your primary areas of concern included air and water quality, noise, public safety, and emergency response. As stated in the Notice of Intent, after Tennessee Gas files its formal application with the FERC, Commission staff will produce a draft environmental impact statement (EIS) that analyzes environmental impacts that may result from construction and operation of the project. The EIS will address impacts on environmental resources and public safety. Public comment meetings will be conducted to consider comments on the draft EIS. Staff will then issue a final EIS, which will address comments received on the draft.

The Commission will then make its decision on the application. The decision will be based on a careful review of the entire record, including public comments, and will be rooted in the law, facts, and science.

If I can be of further assistance in this matter, I hope you will not hesitate to let me know.

Sincerely,

Norman C. Bay  
Chairman

**20150827-0025**

*{identical letter as 20150827-0024 above, except addressed to: }*

Ms. Marie Iken  
Town of Conway Board of Health  
5 Academy Hill Rd.  
P.O. Box 240  
Conway, MA 01341

Dear Ms. Iken:

**20150827-0026**

*{identical letter as 20150827-0024 above, except addressed to: }*

Mr. Carl Nelke  
Town of Conway Board of Health  
5 Academy Hill Rd.  
P.O. Box 240  
Conway, MA 01341

Dear Mr. Nelke:

**20150827-0027**

*{identical letter as 20150827-0024 above, except addressed to: }*

Mr. William McLoughin  
Town of Conway Board of Health  
5 Academy Hill Rd.  
P.O. Box 240  
Conway, MA 01341

Dear Mr. McLoughin:

**20150827-0028**

*{identical letter as 20150827-0024 above, except addressed to: }*

Ms. Ann Gibson  
Town of Conway Board of Health  
5 Academy Hill Rd.  
P.O. Box240  
Conway, MA 01341

Dear Ms. Gibson:

**20150827-0029**

**FEDERAL ENERGY REGULATORY COMMISSION**

WASHINGTON, DC 20426

August 25, 2015

OFFICE OF THE CHAIRMAN

Carol Jameson  
Town of Richmond  
105 Old Homestead Highway  
Richmond, NH 03470

Dear Chairman Jameson:

Thank you for your July 14, 2015, letter regarding Tennessee Gas' proposed Northeast Energy Direct Project (Docket No. PF14-22-000).

On June 30, 2015, Commission staff issued the Notice of Intent to Prepare an Environmental Impact Statement for the Planned Northeast Energy Direct Project, Request for Comments on Environmental Issues, and Notice of Public Scoping Meetings, which initiated the formal public scoping period and indicated the locations, dates, and times for the public scoping meetings. The meeting locations were selected to be convenient for the greatest number of people who might be interested in the project.

I appreciate your offer to host a scoping meeting at your historic Veteran's Hall.

However, Commission staff does not plan to hold a meeting in the Town of Richmond. As mentioned in the Notice of Intent, Commission staff is planning a scoping meeting in Cheshire County, New Hampshire, which should be convenient for the citizens of your town. The date and location for that meeting will be announced with a future notice, once the details are finalized.

While scoping meetings are a valuable tool for us to receive comments from the public, they are only one of several ways for interested parties to bring their concerns to the attention of the Commission. Stakeholders may also file written comments with the Commission. Those comments will receive the same attention and scrutiny as comments received at the public meetings.

As in any Commission matter, please be assured that we strive to make our review of energy proposals both accessible and transparent to the public. If I can be of further assistance in this or any other Commission matter, I hope you will not hesitate to let me know.

Sincerely,

Norman C. Bay  
Chairman

**20150827-0030**

*{identical letter to 20150827-0029 above, except addressed to: }*

Kathryn McWhirk  
Town of Richmond  
105 Old Homestead Highway  
Richmond, NH 03470

Dear Selectman McWhirk:

**20150827-0031**

*{identical letter to 20150827-0029 above, except addressed to: }*

Christin Daugherty  
Town of Richmond  
105 Old Homestead Highway  
Richmond, NH 03470

Dear Selectman Daugherty:

**20150827-0032**

**FEDERAL ENERGY REGULATORY COMMISSION**

WASHINGTON, DC 20426

August 25, 2015

OFFICE OF THE CHAIRMAN

Senator Stan Rosenberg  
State House, Room 332  
Boston, MA 02133-1053

Dear Senator Rosenberg:

Thank you for your July 14, 2015, letter regarding Tennessee Gas' proposed Northeast Energy Direct Project (Docket No. PF14-22-000).

On June 30, 2015, Commission staff issued the Notice of Intent to Prepare an Environmental Impact Statement for the Planned Northeast Energy Direct Project, Request for Comments on Environmental Issues, and Notice of Public Scoping Meetings, which initiated the formal public scoping period and indicated the locations, dates, and times for the public scoping meetings. The meeting locations and dates including for

the July 29 Greenfield meeting were selected to be convenient for the greatest number of people who might be interested in the project.

While scoping meetings are a valuable tool for us to receive comments from the public, they are only one of several ways for interested parties to bring their concerns to the attention of the Commission. Stakeholders may also file written comments with the Commission. Those comments will receive the same attention and scrutiny as comments received at the public meetings. As a matter of policy, Commission staff continues to fully evaluate any comment received after the close of the comment period, making any formal extension of the comment period unnecessary. I encourage you and your constituents to continue to participate in the review of the project, and to file any comments that you believe will help the Commission consider this matter.

As mentioned in the Notice of Intent, Commission staff is planning a scoping meeting in Cheshire County, New Hampshire, which may be convenient for the citizens near Greenfield. The date and location for that meeting will be announced with a future notice, once the details are finalized.

As in any Commission matter, please be assured that we strive to make our review of energy proposals both accessible and transparent to the public. If I can be of further assistance in this or any other Commission matter, I hope you will not hesitate to let me know.

Sincerely,

Norman C. Bay  
Chairman

**20150827-0033**

**FEDERAL ENERGY REGULATORY COMMISSION**  
WASHINGTON, DC 20426

August 25, 2015

OFFICE OF THE CHAIRMAN

Gregory M. Snedeker  
Selectboard Chair  
Town of Gill  
325 Main Road  
Gill, MA 01354

Dear Selectboard Chair Snedeker:

Thank you for your June 29, 2015, letter regarding Tennessee Gas' proposed Northeast Energy Direct Project (Docket No. PF14-22-000).

On June 30, 2015, Commission staff issued the Notice of Intent to Prepare an Environmental Impact Statement for the Planned Northeast Energy Direct Project, Request for Comments on Environmental Issues, and Notice of Public Scoping Meetings, which initiated the formal public scoping period and indicated the locations, dates, and times for the public scoping meetings. The meeting locations were selected to be convenient for the greatest number of people who might be interested in the project.

Commission staff does not plan to hold a scoping meeting in the Town of Gill. As mentioned in the Notice of Intent, Commission staff is planning a scoping meeting in Cheshire County, New Hampshire, which should be convenient for the citizens of your town. The date and location for that meeting will be announced with a future notice, once the details are finalized.

While scoping meetings are a valuable tool for us to receive comments from the public, they are only one of several ways for interested parties to bring their concerns to the attention of the Commission. Stakeholders may also file written comments with the Commission. Those comments will receive the same attention and scrutiny as comments received at the public meetings.

As in any Commission matter, please be assured that we strive to make our review of energy proposals both accessible and transparent to the public. If I can be of further assistance in this or any other Commission matter, I hope you will not hesitate to let me know.

Sincerely,

Norman C. Bay  
Chairman

**20150827-0034**

**FEDERAL ENERGY REGULATORY COMMISSION**  
WASHINGTON, DC 20426

August 25, 2015

OFFICE OF THE CHAIRMAN

Robert Hamilton  
Town of Rindge  
30 Payson Hill Road  
Rindge, NH 03461

Dear Selectman Hamilton:

Thank you for your June 18, 2015, letter regarding Tennessee Gas' proposed Northeast Energy Direct Project (Docket No. PF14-22-000).

On June 30, 2015, Commission staff issued the Notice of Intent to Prepare an Environmental Impact Statement for the Planned Northeast Energy Direct Project, Request for Comments on Environmental Issues, and Notice of Public Scoping Meetings, which initiated the formal public scoping period and indicated the locations, dates, and times for the public scoping meetings. The meeting locations were selected to be convenient for the greatest number of people who might be interested in the project.

Commission staff does not plan to hold a scoping meeting in the Town of Rindge.

As mentioned in the Notice of Intent, Commission staff is planning a scoping meeting in Cheshire County, New Hampshire, which should be convenient for the citizens of your town. The date and location for that meeting will be announced with a future notice, once the details are finalized.

While scoping meetings are a valuable tool for us to receive comments from the public, they are only one of several ways for interested parties to bring their concerns to the attention of the Commission. Stakeholders may also file written comments with the Commission. Those comments will receive the same attention and scrutiny as comments received at the public meetings.

As in any Commission matter, please be assured that we strive to make our review of energy proposals both accessible and transparent to the public. If I can be of further assistance in this or any other Commission matter, I hope you will not hesitate to let me know.

Sincerely,

Norman C. Bay  
Chairman

**20150827-0035**

*{identical letter to 20150827-0034 above, except addressed to: }*

Roberts Oeser  
Town of Rindge  
30 Payson Hill Road  
Rindge, NH 03461

Dear Selectman Oeser:

**20150827-0036**

*{identical letter to 20150827-0034 above, except addressed to: }*

Daniel Aho  
Town of Rindge  
30 Payson Hill Road  
Rindge, NH 03461

Dear Selectman Aho:

**20150827-0037**

**FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, DC 20426**

August 25, 2015

OFFICE OF THE CHAIRMAN

Christine Heard  
Town of Wendell  
P.O. Box 41  
Wendell, MA 01379

Dear Selectboard Chair Heard:

Thank you for your June 17, 2015, letter regarding Tennessee Gas' proposed Northeast Energy Direct Project (Docket No. PF14-22-000).

On June 30, 2015, Commission staff issued the Notice of Intent to Prepare an Environmental Impact Statement for the Planned Northeast Energy Direct Project, Request for Comments on Environmental Issues, and Notice of Public Scoping Meetings, which initiated the formal public scoping period and indicated the locations, dates, and times for the public scoping meetings. The meeting locations were selected to be convenient for the greatest number of people who might be interested in the project.

Commission staff does not plan to hold a scoping meeting in the Town of Wendell. As mentioned in the Notice of Intent, Commission staff is planning a scoping meeting in Cheshire County, New Hampshire, which should be convenient for the citizens of your town. The date and location for that meeting will be announced with a future notice, once the details are finalized.

While scoping meetings are a valuable tool for us to receive comments from the public, they are only one of several ways for interested parties to bring their concerns to the attention of the Commission. Stakeholders may also file written comments with the Commission. Those comments will receive the same attention and scrutiny as comments received at the public meetings.

As in any Commission matter, please be assured that we strive to make our review of energy proposals both accessible and transparent to the public. If I can be of further assistance in this or any other Commission matter, I hope you will not hesitate to let me know.

Sincerely,

Norman C. Bay  
Chairman

**20150827-0038**

*{identical letter to 20150827-0037 above, except addressed to: }*

Daniel Keller  
Town of Wendell  
P.O. Box 41  
Wendell, MA 01379

Dear Selectman Keller:

**20150827-0039**

*{identical letter to 20150827-0037 above, except addressed to: }*

Jeffrey Pooser  
Town of Wendell  
P.O. Box 41  
Wendell, MA 01379

Dear Selectman Pooser.

**20150827-0040**

**FEDERAL ENERGY REGULATORY COMMISSION**  
WASHINGTON, DC 20426

August 25, 2015

OFFICE OF THE CHAIRMAN

Governor Margaret Wood Hassan  
107 North Main Street  
State House - Rm 208  
Concord, NH 03301

Dear Governor Hassan:

Thank you for your July 16, 2015, letter regarding Tennessee Gas' proposed Northeast Energy Direct Project (Federal Energy Regulatory Commission Docket No. PF14-22-000) and requesting additional public scoping meetings.

On June 30, 2015, Commission staff issued the Notice of Intent to Prepare an Environmental Impact Statement for the Planned Northeast Energy Direct Project, Request for Comments on Environmental Issues, and Notice of Public Scoping Meetings, which initiated the formal public scoping period and indicated the locations, dates, and times for the public scoping meetings. The meeting locations were selected to be convenient for the greatest number of people who might be interested in the project.

While Commission staff did not hold a meeting in New Ipswich, a meeting was held in Milford, New Hampshire, which is about a 15-mile drive from the currently planned compressor station site. As mentioned in the Notice of Intent, Commission staff is planning a scoping meeting in Cheshire County, New Hampshire, which should be another option for residents of New Ipswich. The date and location for that meeting will be announced with a future notice, once the details are finalized.

While scoping meetings are a valuable tool for us to receive comments from the public, they are only one of several ways for interested parties to bring their concerns to the attention of the Commission. Stakeholders may also file written comments with the Commission. Those comments will receive the same attention and scrutiny as comments received at the public meetings. As a matter of policy, Commission staff continues to fully evaluate any comment received after the close of the comment period. I encourage you and your constituents to continue to participate in the review of the project, and to file any comments that you believe will help the Commission consider this matter.

As in any Commission matter, please be assured that we strive to make our review of energy proposals both accessible and transparent to the public. If I can be of further assistance in this or any other Commission matter, I hope you will not hesitate to let me know.

Sincerely,

Norman C. Bay  
Chairman

**20150827-0046**

*{same text as 20150827-0023 above, except signed by: }*

Dan Rudy III  
34 Forbush Rd  
Dublin, NH

**20150827-0047**

*{same text as 20150827-0023 above, except signed by: }*

Sarah Wirein Rudy  
34 Forbush Rd  
Dublin, NH

**20150827-0048**

*{same text as 20150827-0023 above, except signed by: }*

Clara Rudy  
34 Forbush Rd  
Dublin, NH

**20150827-0049**

*{same text as 20150827-0023 above, except signed by: }*

Iris Rudy  
34 Forbush Rd  
Dublin, NH

**20150827-0050**

*{same text as 20150827-0023 above, except signed by: }*

Dorothea V?ett  
27 Forbush Rd  
Dublin, NH 03444

**20150827-0051**

*{same text as 20150827-0023 above, except signed by: }*

Melanie Levesque,  
2 McDaniels Dr  
Brookline, NH

**20150827-0052**

*{same text as 20150827-0023 above, except signed by: }*

Dianne Varney-Parker  
1241 Brookline Rd  
Mason, NH 03048

**20150827-0053**

*{same text as 20150827-0023 above, except signed by: }*

Julia Steed Mawson  
17 South Shore Dr  
Pelham, NH 03076

**20150827-0054**

*{same text as 20150827-0023 above, except signed by: }*

Jane Singbt?

167 Hobbs Rd

Pelham, NH 03076

**20150827-4008**

UNITED STATES OF AMERICA  
**FEDERAL ENERGY REGULATORY COMMISSION**  
**INTERAGENCY PRE-FILING CONFERENCE CALL**

Tennessee Gas Pipeline Company, LLC

Docket No: PF14-22-000

NORTHEAST ENERGY DIRECT PROJECT

**August 20, 2015**

Agencies in Attendance (list of attendees is attached):

- Federal Energy Regulatory Commission (FERC)
  - o Cardno (FERC 3rd Party Contractor)
- U.S. Army Corps of Engineers (USACE)
- U.S. Environmental Protection Agency (USEPA)
- U.S. Fish and Wildlife Service (USFWS)
- PA Department of Conservation and Natural Resources (PA DCNR)
- NY State Department of Environmental Conservation (NYSDEC)
- NY State Department of Agriculture
- NY State Parks and Rec
- NY State Department of Public Health
- MA Attorney General's Office
- MA Department of Public Utilities (MA DPU)
- NH Fish and Game Department (NH FGD)
- NH Public Utilities Commission (NH PUC)
- NH Division of Historical Resources (NH SHPO)
- NH Office of Energy Planning (NH EP)
- NH Natural Heritage Bureau
- CT Department of Energy and Environmental Protection (CT DEEP)
- CT Department of Public Health (CT DPH)
- Nashua Regional Planning Commission
- Berkshire Regional Planning Commission
- Northern Middlesex Council of Governments
- Southwest Regional Planning Commission
- Tennessee Gas Pipeline (Tennessee Gas)
  - o Hatch Mott (Contractor for Tennessee Gas)
  - o AECOM (Contractor for Tennessee Gas)

**Meeting Summary**

The conference call was conducted to review the general status of the Northeast Energy Direct (NED) Project, including the Project's schedule, field surveys, landowner coordination, and the National Environmental Policy Act (NEPA) process. Topics discussed included:

- Project Reporting and Scoping

- o Last week FERC held scoping meetings in Dracut, MA and in Lunenburg, MA. Both were well-attended. Close to 600 people attended Dracut meeting and approximately 200 - 250 people attended Lunenburg meeting.
- o FERC met with MA state agencies in Boston and the Dracut Pipeline Awareness group in Dracut, MA last week.
- o Approximately 4,200 comments are on the record for the NED Project. FERC still has approximately 100 more to put on the record.
- o The scoping meeting location previously identified in Cheshire County, NH was not viable given the short amount of time to notify the public. FERC will likely schedule a scoping meeting in Cheshire County, NH in late September.
- o There will be an extension of the scoping comment period by at least two weeks 8/15/. FERC will issue the Notice of Intent (NOI) soon, once a location for the additional scoping meeting in NH is identified.
- o Tennessee Gas will be holding additional open houses in MA and NH the weeks of Sept. 7th and Sept. 14th. FERC will hold scoping meetings during a separate timeframe so people will be able to attend both the open houses and scoping meeting.
- o FERC is preparing the data request to send to Tennessee Gas. FERC requests agencies please send Eric Tomasi questions to include in the data request by Sept. 4th.
- o If agencies are not satisfied with responses provided by Tennessee Gas in the previous data request, they can request the data again. If Tennessee Gas states they do not have the data and will provide it, they will need to provide a schedule for when the information will be provided. If the response from Tennessee Gas is still not satisfactory then agencies can request more specific information.
- o Tennessee Gas has been monitoring the comments as they come in. They are prepared to address as many as they can.
- o Federal agencies may plan to schedule a meeting with Tennessee Gas prior to the October 24 filing.
- Tennessee Gas status update:
  - o Surveys
    - Access
      - NED East (Wright to Dracut) – 37% access granted.
      - NED West (Pennsylvania to Wright) – 53% access granted
      - Starting to work on surveying access roads and yards along NED East
    - Wetlands and Threatened and Endangered (T & E) species
      - Focusing wetland surveys in areas they can complete prior to FERC filing.
      - o NED East – 75 miles completed
      - o NED West – 98 miles completed
      - Continuing surveys for T & E species within applicable timing windows and in areas they have approval.
    - Cultural Resources
      - ≠ About 41 miles along surveyed NED East.
      - ≠ About 98 miles surveyed along NED West.
    - The survey window for acoustical bat surveys closed August 15th. All acoustical surveys completed. Conducting two bat hibernacula studies next month.
    - Berkshire Planning Commission will provide Tennessee Gas with additional information regarding bat hibernacula locations.

- Tennessee Gas preparing for mussel, herpetological, and bog turtle surveys next month.
- Civil Survey –
  - ≠ Detailed Survey, includes centerline survey, only for property they have access to
    - o NED East – 47% completed, 23% partially completed
    - o NED West – 88% completed, less than 1% partially completed
  - ≠ Staking
    - o NED East – 56% of accessible areas are staked
    - o NED West – 100% of accessible areas are staked
  - o Staking
    - o NED East: 56.3-miles + 15.3-miles = 71.6-miles
    - o NED West: 101.1-miles + 2.4-miles = 101.5-miles
    - o TOTAL: 173.1-miles
  - o Tennessee Gas has flown the entire route and will be presenting this data as hi-resolution aerial photography on maps in the application. Data presented in the application will be a combination of real-time survey data from accessible properties and wetlands delineated on non-accessible properties by hi-resolution aerial photography data. If both of these data sources are not available then Tennessee Gas will use publically available data. Ground-truthing would only be possible on inaccessible properties if FERC issues a certificate.
  - o An open house was held in Farmington, CT on August 13th. Five additional open houses in NH are planned in Sept.
  - o FERC requested Tennessee Gas provide additional information to the public during open houses regarding representation of compressor stations. FERC also requested Tennessee Gas ensure that appropriate company representatives are on hand to answer questions.
  - o Tennessee Gas is coordinating NH Site Evaluation Committee (SEC) information sessions to occur prior to NH SEC application filing around the end of Sept.
  - o Tennessee Gas continues to work on revising resource reports towards an application filing date of Oct. 24th.
  - o Meetings are scheduled in NY for next week and week after. Tennessee Gas is meeting with MA agencies regarding the MA Environmental Policy Act (MEPA) and SEC process. Also arranging pre-application meetings with PA agencies and USACE.
- Miscellaneous:
  - o Transcripts of the scoping meetings will be posted on Elibrary.
  - o Request that Tennessee Gas archaeology survey teams digging on agricultural property put soil back after survey. Also request that survey teams notify all landowners that requested notification prior to survey.
  - o Issue from another pipeline project - No metal stakes, pins or flags of any kind should be put in agricultural fields.
  - o Request for more information regarding alternative route proposed on North Stamford Rd. in Broome County, NY. This alternative may be part of a larger route alternative being analyzed by Tennessee Gas as requested by NYSDEC. Information regarding this alternative will be provided in Resource Report 10 in next filing and will be provided to NYSDEC.
  - o Field surveys are typically not conducted along alternative routes, only desktop studies. FERC may require field surveys along a route alternative as a recommendation of the order, or anytime in the filing process, but only in special cases. If a route variation becomes a viable alternative, FERC

would initiate the scoping process and would open a comment period for those landowners along the alternative route.

### Next Call

- Agency call will be held every 2 weeks.
- Next call scheduled for September 3, 2015.

### List of Attendees

<u>Organization</u>	<u>Name</u>
FERC	Eric Tomasi
FERC	Elaine Baum
FERC	Xiah (Shelia) Kragie
FERC (Cardno)	Wayne Kicklighter
FERC (Cardno)	Lorraine Woodman
FERC (Cardno)	Jennifer Harris
USACE	Kevin Bruce
USEPA	Thomas Uybarreta
USEPA	Lingard Knutson
USEPA	Tim Timmerman
USFWS	Tim Sullivan
USFWS	Maria Tur
PA DCNR Forestry	David Mong
NY State Dept of Agriculture	Matthew Brower
NYSDEC	Stephen Tomasik
NYS Parks and Rec	Diana Carter
NY State Dept of Public Health	Jane Thapa
MA Attorney General	Christof Gorshein
MA DPU	Stephen August
NH FGD	Carol Henderson
NH PUC	Bob Wyatt
NHDES	Owen David
NH Natural Heritage Bureau	Sara Carins
NH SHPO	Edna Feighner
NH Natural Heritage Bureau	Amy Lamb
NH Office of Energy Planning	Mollie Connors
CT DEEP	Fred Riese
CT DPH	Justin Milardo
Berkshire Regional Planning Commission	Matt Barnes
Southwest Region Planning Commission	Henry Underwood
Nashua Regional Planning Commission	Sara Siskavich
Northern Middlesex Council of Governments	Dave McMillan
Tennessee Gas	Michael Letson
Tennessee Gas	Howdy McCracken
Tennessee Gas	Jacquelyne Rocan
Tennessee Gas	Kasia Ingram
Tennessee Gas	Deborah McCartney
Hatch Mott	Theresa Albanese
AECOM	Eileen Banach

**20150827-5002**

Nic Tedesco, Groton, CT.

Broadly, FERC should consider methane emissions and the climate disruption that results; air pollution from increased emissions and leaks of methane and other pollutants; harm to water; harm to human health; and the risk to endangered and threatened species of plants and animals.

Specifically in the environmental impact statement, FERC needs to take into account the increased amount of methane emissions that this large project will pour into our atmosphere. Earlier this month the EPA proposed new standards to reduce methane emissions by 45% over the next 10 years. The EPA recognizes that methane is a potent global greenhouse gas, far worse than carbon dioxide at trapping heat in the atmosphere. The NED project will make those reductions in methane emissions impossible, and will cause irreparable harm to our climate.

Furthermore, these shale gas expansion projects are segmented into two, the Connecticut Expansion and NED. FERC must acknowledge that this is the case, and admit that the environmental harm caused by these two projects is cumulative. They are not separate projects, and FERC has been guilty of illegal segmentation in the recent past.

The potential harm to water has been raised by the Hartford MDC, the municipal corporation responsible for providing clean water to 400,000 people in the Hartford area. In a June 26 letter to FERC, MDC Chief Executive Officer Scott Jellison wrote “to express some concern that the proposed pipeline could potentially impact MDC’s public drinking water supplies in West Hartford and Bloomfield, CT.” FERC must address the concerns of MDC and the public about the impact of pipeline construction and operation on drinking water.

FERC should take into account the frequency of pipeline leaks and explosions, and factor in the costs to local communities, who bear a burden when environmental harm from pipeline accidents occur. According to the Pipeline Hazardous and Safety Material Administration, leaks and explosions are not uncommon and have increased in frequency in recent years.

**20150827-5003**

David M. Hutchison, Oneonta, NY.

FERC must consider Global Warming as one of the environmental issues associated with the Northeastern Energy Direct gas Pipeline.

Recently the Environmental Protection Agency (EPA) has announced regulations to reduce methane emissions which are a major contributor to global warming. FERC also must comply with this global warming concern in its environmental review of all natural gas (mainly methane) pipelines including the Northeastern Energy Direct(NED)pipeline.

Methane emissions occur during drilling for natural gas, transmission of natural gas (via migration thru the steel pipes and welds between lengths of pipe) and compression of natural gas along the pipeline.

Cornell University Professors Robert Horowath and Anthony Ingraffea have demonstrated this concern in peer reviewed papers published in the last three years. FERC MUST consider methane as no better than the carbon dioxide released from the burning of coal.

Construction of the NED pipeline will support the use of natural gas, but we now know gas is really no better than coal when we look at its effect on global warming. Natural Gas (Methane) is really no better than coal and the environmental review by FERC should consider this. Methane is the “Elephant in the Room”- which FERC needs to acknowledge in its review of the environmental effects of pipeline construction.

David M. Hutchison PhD in Geology and retired geologist

**20150827-5004**

Evelyn Taylor, New Ipswich, NH.

Kinder Morgan/Tennessee Gas indicates no organic farms will be put in harm's way by the pipeline or compressor station. I grow organic foods for me, though why would I pay to become certified? Furthermore, if pipelines and compressor stations are safe, why would this matter? **THEY ARE NOT TO FOOD, SOIL, AIR, WATER, WILDLIFE, PLANTS or PEOPLE.** They are harmful, they are toxic, they inflict torturous harm. FERC must wake up to common sense and reject this pipeline. We need to construct renewables and protect what small places remain with potable supplies of fresh water drinking supplies. This is common sense. This is something's that's understood by children. FERC needs to call these pipelines out and stop destroying the **FOOD, SOIL, AIR, WATER, WILDLIFE, PLANTS and PEOPLE.** FERC -- go visit people who have become ill. Go see the farms that can no longer grow edible food. Go see the animals that being born with defects. Go see the aborted fetuses. Open your eyes and see the real world. This is a diaster to the planet, as coal mines have become, as gold mining destruction has become, as nuclear waste has become. I will not be a victim of this torture. Go tell Kinder Morgan I want to know how they will protect me from the torture the New Ipswich compressor station will rain upon me. Go tell Kinder Morgan I want a list of all the toxins. Go tell Kinder Morgan I want the Hazardous Material Data Sheets for each toxin. Go tell Kinder Morgan I want their assessment of these toxins. Go tell Kinder Morgan I want them to **PROVE** unequivacably that there will be no toxins harming me as I sit within the 1/2 mile radius of the proposed New Ipswich Compressor Station. Go tell Kinder Morgan I want them to **PROVE** to me that I will have my clean water preserved. Go tell Kinder Morgan to **PROVE** to me that I will have dark, quiet, uninterrupted peaceful sleep in my home. Go tell Kinder Morgan that they can't prove any of this and thus it is proof this project is torturous as it destroys life-sustaining ecosystems and our human biology.

**20150827-5005**

Monika Ph, WH, CT.

Dear Secretary Bose,

I am writing in regards to Docket number PF14-22, Kinder Morgan's Northeast Energy Direct (NED) project.

In the environmental impact statement, FERC needs to take into account the increased amount of methane emissions that this large project will pour into our atmosphere. Earlier this month the EPA proposed new standards to reduce methane emissions by 45% over the next 10 years. The EPA recognizes that methane is a potent global greenhouse gas, far worse than carbon dioxide at trapping heat in the atmosphere. The NED project will make those reductions in methane emissions impossible, and will cause irreparable harm to our climate.

Furthermore, these shale gas expansion projects are segmented into two, the Connecticut Expansion and NED. FERC must acknowledge that this is the case, and admit that the environmental harm caused by these two projects is cumulative. They are not separate projects, and FERC has been guilty of illegal segmentation in the recent past.

The potential harm to water has been raised by the Hartford MDC, the municipal corporation responsible for providing clean water to 400,000 people in the Hartford area. In a June 26 letter to FERC, MDC Chief Executive Officer Scott Jellison wrote "to express some concern that the proposed pipeline could potentially impact MDC's public drinking water supplies in West Hartford and Bloomfield, CT." FERC must address the concerns of MDC and the public about the impact of pipeline construction and operation on drinking water.

FERC should take into account the frequency of pipeline leaks and explosions, and factor in the costs to local communities, who bear a burden when environmental harm from pipeline accidents occur. According to the Pipeline Hazardous and Safety Material Administration, leaks and explosions are not uncommon and have increased in frequency in recent years.

Yours,  
A Concerned Environmentalist

**20150827-5006**

Alan Fox, Stony Brook, NY.

136 Sycamore Circle  
Stony Brook, New York 11790  
August 26, 2015  
RE: Northeast Energy Direct Project  
Docket Number PF14-22

I am writing to add my voice to those of the many individuals who are opposed to the Northeast Energy Direct (NED) proposed gas pipeline. While my family and I reside on Long Island, we do have a second home in Stephentown, New York (Rensselaer County) where we spend a great deal of time.

I am extremely concerned about the safety aspects connected with this pipeline, and the impact it will have on the lives of thousands of people who would live near it if it were completed. We have seen time and time again the disastrous results of so many accidents connected with the oil and gas industry, yet lessons have not been learned. I am fearful that the clock is ticking, waiting for another catastrophe to occur. Say what you will about the assurances given to us by the managers of these ventures – I just don't believe them.

In addition to the safety concerns, I also worry about the impact on our environment. I would not want to live near one of the compressor stations that Kinder Morgan plans to build, and I certainly support others who might reside in the shadows of these stations in their efforts to stop them from being constructed.

New York State has a moratorium on hydro-fracking for good reason – why should we support a process that has many risks and downsides associated with it? Therefore, it stands to reason that if my state is opposed to hydro-fracking, we should also stand against any infrastructure through our state connected with this.

And finally, I am a staunch believer in the development of reusable forms of energy such as solar and wind. Individuals supporting hydro-fracking are simply shackling us once again to a dependence on fossil fuels. We must do all we can to protect our earth. After all, if we don't, then what?

Thank you for taking the time to read my comments.

Sincerely,  
Alan Fox  
afox52@outlook.com

**20150827-5008**

Patricia H. Silvestro, Temple, NH.  
Comment on FERC Docket PF14-22

Dear Secretary Bose:

The Temple Elementary School would be in the “burn zone” and within close proximity to the “incineration zone” of the pipeline, as well as within the half-mile “buffer zone” of the compressor station. That's immoral! If there's an accident, the students would perish before volunteer fire and police department personnel could save them. Toxic chemicals released by compressor station “blow downs” will settle in the air where they will be inhaled by the children, and to the school grounds where they will be absorbed through their skin. As these toxins perk down to our aquifers, our water source will be poisoned. The NED pipeline/compressor station project proposed by NESCOE, KM, & TGP is in violation of FERC Statements of Policy, and thus illegal, as it won't benefit the people of NH, only KM/TGP who stand to make large profits. NH doesn't need more gas; we already have a surplus! Granting approval for this pipeline/compressor station

project is granting permission to endanger our kids' lives, and all for unmitigated greed!

Sincerely,

Patricia H. Silvestro

**20150827-5009**

Richard R. Silvestro, Temple, NH.

Dear Secretary Bose:

New Hampshire news carried the story a a short time ago that Liberty Utilities made some agreement with Kinder/Morgan to use a bit of the gas from the NED Pipeline. This does not change the fact that New Hampshire has an excess of available energy that should last for the next thirty years. This agreement between the two corporations does not qualify as a need for more gas, and under no circumstance justifies the personal health, fiscal wellbeing and safety risks to the people nor the environment of Southern New Hampshire. And yes, our Temple Elementary School is in the incineration zone of the New Ipswich compressor station as is the reservoir which is the potable water supply for the town of Greenville, NH. STOP THEM!

Richard R. Silvestro

**20150827-5011**

Julia Steed Mawson, Pelham, NH.

Kimbery D. Bose, Secretary

Federal Energy Regulatory Commission

888 First St. NE

Washington, DC 20426

Dear Ms. Bose

I am an abutter, biologist and extension educator emeritus with the University of New Hampshire. I am writing to express my concern and opposition regarding the Kinder Morgan Northeast Energy Direct (NED) export pipeline proposed to cut through southern NH and the region. I request that the Federal Energy Regulatory Commission (FERC), put the brakes on projects like NED that perpetuate fossil fuel addiction. Further I find it unconscionable that Kinder Morgan (aka Tennessee Gas Pipeline, aka Algonquin ... linked to Liberty Utilities) are planning to add a tariff to all NH utility ratepayers to pay for this 5.2 BILLION DOLLAR project that is not needed and that does not benefit NH. The sole purpose is to move methane, a fracked, high potency greenhouse gas, through NH in high volume, high pressure pipes to Dracut, MA to facilitate export. This is an overbuild project for export. I highly resent that my property, those of my neighbors, and those of our rural treasures to the west (and south in Dracut) would be taken by eminent domain for the enormous profit of a private company.

I recommend that you deny this proposal.

Sincerely,

Julia Steed Mawson

17 South Shore Dr.

Pelham, NH 03076

603-315-4642

**20150827-5021**

RE: Proposed 90,000 HP Compressor Station On Clarks Chapel Road In Nassau, NY

Dear FERC Board Members,

My name is Brian Wiese and I am writing this letter to express my opposition to the proposed compressor station and pipeline to be located on Clarks Chapel Road in Nassau, NY. My wife, myself and our 3 young

children live ~ mile away from the proposed compressor station site and I have many concerns regarding the impact this will have on our local environment, our safety, as well as on us economically. We have lived in our home for 10 years and my wife and I built our home with the intent to live our lives out here. Our property was passed down to us by my wife's parents and we specifically chose to live here to stay near family and to raise our children away from commercial and industrial structures such as the proposed compressor station.

Our town's zoning laws prohibit this compressor station and it seems as though these zoning laws are not even being given consideration. This is a private company and they should be expected to uphold not only federal and state, but also local laws. These laws are set forth to protect the town's tax paying residents and these laws alone should contribute to the outcome of this proposal.

### **ECONOMIC IMPACTS**

If this proposal is accepted and the compressor station goes on our road it will have an economic impact on us in multiple ways. We have invested a tremendous amount of time and finances these past 10 years to clearing our property, setting up barns and fencing with the intention of using our property to becoming more self-sufficient and with a longer term goal of starting up a non-profit organization utilizing our animals (currently goats, chickens, and a horse) for rehabilitating physically and mentally challenged children. We have also begun the learning process of how to make soaps, cheese, and other products from the goats' milk with the intentions of selling these products at some point in time. Another concern I have is in regards to Chanterelle mushrooms we have growing in our woods. These mushrooms are a specialty and I know for a fact they are also growing on properties surrounding the proposed site. They can only be harvested in a natural environment setting and have not been able to be produced commercially. While we mostly use them personally at this time we have provided them to an area restaurant in the past for compensation.

The mere hazards, both environmental and with safety, that come with a compressor station will prompt us to look to moving away from this area and trying to start all over. This would lead into another economic hardship for us due to property value decreases. I have seen articles posted regarding a drop in property values of surrounding residential properties from the construction of a compressor station from anywhere between 31% and 50%. Even if this is conjecture the reality would be that people are not going to be interested in paying the current value of our property if the compressor station and pipeline are in the picture. I ask that FERC and/or Kinder Morgan provide independent studies/assessments done on surrounding property values in the vicinity of existing Compressor Stations to prove that property values are not impacted based on market sale price and not only municipal assessed values for taxing purposes.

### **ENVIRONMENTAL IMPACTS**

Another major concern we have is in regards to the impact on our local environment. Not but a little more than a mile from the proposed compressor station site currently sits an EPA Superfund Site, the Dewey Loeffel Landfill (Article included). This site is where GE dumped PCBs, amongst other things, a few decades ago that has since contaminated residents well water along with water ways including the Valatie Kill and Nassau Lake. The proposed compressor station site currently has a water way running through it that dumps into the

Valatie Kill which is one of the contaminated streams currently being addressed. I would like to know how FERC and Kinder Morgan plan to address this to ensure the Dewey Loeffel cleanup is not impacted. In addition, there is a nearby aquifer (See Map Appendix A) that comes very close, if not on, to the current proposed property of the compressor station. The location of the compressor station and pipeline path will directly impact this aquifer. I would like to know how Kinder Morgan plans to keep that aquifer undisturbed and safe from any chemicals or toxins.

As far as a direct impact on us, we have a large garden with fruit trees, blueberries, strawberries, raspberries, blackberries, and all kinds of vegetables. Our new addition this year were bees so we could have natural honey and they could help with the pollination process of our garden. We have a pond with all kinds of species of fish and for the past two years we have tapped our maple trees to make natural maple syrup.

Based on my research into the emissions of compressor stations it appears that there are a good number of toxins released with the most prevalent being Methane. I have tried to use objective and credible information to make my assessments. Sources I have used and attached to this letter are as follow:

1. Natural Gas STAR Program - U.S. EPA (Appendix B)
2. Overview of Greenhouse Gases - U.S. EPA (Appendix C)
3. U.S. Greenhouse Gas Inventory Report: 1990 - 2013 (Appendix D)
4. Southwest Pennsylvania Environmental Health Project - Summary of Compressor Stations and Health Impacts (Appendix E)
5. Sources and Environmental Impacts of Acid Rain and Acid Deposition - NYS Department of Conservation. (Appendix F)

These articles speak to the potency of Methane, numerous toxins emitted from compressor station facilities, health impacts experienced from those living and working near compressor stations, and the effects acid rain will have on the environment which will likely increase with emitted toxins.

There are many other articles I have researched, but these are definitely the most credible. Based on this research I am of the opinion that because of the emissions given off by the compressor station my animals, garden, and fish are at a much greater risk of pollution and contamination which puts my family at greater risk because this is a part of our food source and well-being.

As part of my research I also tried to gain a better understanding of FERC's role in this project which I found the Strategic Plan for 2014 - 2018. What was encouraging to me was what was stated on pages 17 - 21 regarding these projects. On page 18 it states that "terms and conditions are designed to protect, mitigate, and enhance the environmental resources of the project areas". On page 17 it also states that FERC has on staff "highly trained biologists, archaeologists, geologists, other environmental scientists, and engineers to thoroughly analyze the environmental effects of proposed gas pipelines and facilities".

Based on these statements I would ask that FERC provide us with what the impacts are on the soil, air and water for the site and surrounding community for existing compressor stations that are similar in size to the 901000 HP proposed facility? It is apparent from the strategic plan that FERC conducts regular inspections for the "life cycle" of these facilities and I would like to review the actual impacts on communities surrounding current compressor station sites to see what the long term risks would be on my family and community. I would also ask that FERC provide independent studies of environmental impacts on water, soil, and air of surrounding communities to existing compressor stations to show that these facilities are safe to the environment as Kinder Morgan claims. If studies do not exist then I ask that this project be delayed until these studies can be produced or the location of this project be moved all together to a path that has minimum exposure to personal property and human life.

## **SAFETY IMPACTS**

My greatest concern with the proposed compressor station and pipeline is the safety of my family and neighbors if something should go wrong. Accidents happen and natural gas is a volatile and explosive substance. One thing I noticed was that the proposed path of the pipeline runs up against the property line of a proposed, but most likely soon to be operational mine owned by Troy Sand and Gravel. It is also my understanding that because the pipe is going in a rural environment Kinder Morgan is allowed to install a thinner grade pipe. The combination of blasting in a mine with a natural gas pipeline nearby does not seem too safe. I would like to know how FERC and Kinder Morgan plan to address this danger to ensure the safety of the nearby residents.

In an article attached entitled "Kinder Morgan Accidents & Safety Violations" (Appendix G) it shows that Kinder Morgan has experienced 36 "significant incidents" in Texas alone from 2003 to 2014. That is an average of 3 per year in just 1 state. It also states that they have had at least 180 accidents nationwide in that time period which is an average of at least 15 per year. My concern centers around what is being called the "incineration zone". There are two parts to this. The first being the pipeline itself. In the graph below it

shows that the incineration zone for a pipeline explosion with a 36" pipe is about 1000'. Just following the proposed pipeline out from the compressor station and going west ~ mile there are 4 possibly 5 households that would be within that zone.

*{figure omitted}*

Figure 2.4 Proposed hazard area radius as a function of line diameter and pressure.

Where I have had some difficulty in getting a solid distance is with the compressor stations. I have found information indicating anywhere from .2 to .4 or even ~ mile is the incineration zone. Within ~ to 1/2 of a mile from the compressor station we counted 50 known children living in the surrounding homes. There is a high likelihood that the number is higher and increases dramatically more as you get closer to Burden Lake. I would ask that FERC please provide us with what the correct "incineration zone" distances for both pipeline and compressor stations are.

The proposed compressor station site falls in the jurisdiction of the Hoags Corners Volunteer Fire Department. If you look at the Albany Fire Department where the firefighters are paid and fire houses staffed 24/7 you will see that according to the Albany Permanent Professional Firefighters Association, citywide the department responds to more than 22,000 calls annually with an average response time of 4 minutes. In comparison, the Hoags Corners Volunteer Fire Department shows on its website that it responds to only 150 - 275 calls annually. When you MapQuest the Hoags Corners Volunteer Fire Department to the proposed compressor station site the drive time is 9 minutes. You combined that with the fact that the firefighters are volunteers and would have to first travel to the fire house from home, work, or where ever, get their gear on and then take the 9 minute drive the response time would have to be 15 to 20 minutes. In a catastrophic event how could the Hoags Corners Volunteer Fire Department be expected to handle it when they would be under manned and under equipped in their current state? I would like to know how FERC is going to require Kinder Morgan to deal with this situation. In addition, I find that the pipelines being located where they are proposed would make it extremely difficult for emergency personnel to respond to an incident or leak in the winter when there may be several feet of snow built up and there is no requirement for the clearing of the proposed line. On page 19 of the 2014 - 2018 FERC Strategic Plan there is a recognition of the inherent dangers of compressor stations and pipelines when it states "failure of an LGN facility or a non-federal hydropower project can result in loss of life and significant environmental and economic consequences". This is a real viable danger to our community and given the current challenges for emergency personnel and how close homes are to this proposed site I don't think this makes any sense for the safety of all those in the cross hairs of this project.

An additional safety concern we have is the fact that these compressor stations are to be "unmanned" and run remotely. In today's world of terrorism that would make for a "soft" target. I would like to know how Kinder Morgan plans to protect this facility against any acts of terrorism or vandalism that could result in a catastrophic event on our community.

### **ADDITIONAL CONCERNS**

There are two additional concerns I would like to address. The first being with construction of the proposed compressor station. Our local roadways are in no way rated to handle the heavy equipment needed for the construction of this project. Most county roads, including Clarks Chapel Road, have weight limits of 10 ton. An empty triaxle dump truck weighs about 20 ton empty and around 40 ton full. A lowboy trailer with equipment weighs about 50 ton. We also have multiple roads that will have to be used for the pipeline that are dirt roads only. The weight of numerous construction vehicles will without question have a negative impact on our roads. With a tight municipal highway budget our town is not in a financial position to be repairing our roads due to excessive wear and tear. I would like to know how Kinder Morgan is going to ensure that these roadways are not damaged or negatively impacted through the construction process.

Another item of concern is the Nassau Sportsman Club where the pipeline is proposed to pass through their pond and property. Over the past two years they have made major investments into their property to be better suited for weddings and events. They hold anywhere from 50 to 75 events annually. They just had their

annual fishing derby where it was estimated that around 400 people, mostly children, took part. This site should be considered a High Consequence Area because of the number of people that could be impacted if there should be a catastrophic event. It should also be noted that Kinder Morgan should provide the Nassau Sportsman's Club with a detailed plan as to how they plan to run the pipe through the club's pond, where there was a huge investment last year to improve it, and make sure it is restored to its current state.

### **ALTERNATIVE LOCATIONS**

One thing that has been conveyed as an option is the suggestion of alternate routes. I would like to make three suggestions.

1. Since the gas is coming from Pennsylvania why has it not been proposed to make a direct line through Pennsylvania to the Port of Philadelphia? There is a YouTube video discussing how the Port of Philadelphia is expanding its facilities, services and now has a deeper river channel. You can see this by searching the Philadelphia Regional Port Authority on YouTube. Currently there are 9 proposed compressor stations planned to go through New York, Massachusetts, and New Hampshire. If the path went to the Port of Philadelphia it would cut out a number of compressor stations there by reducing the overall methane emissions. The gas could then be shipped to Boston.
2. If it is necessary to go through NYS then I would suggest when the pipeline to come up the 1-88 corridor and follow 1-90 to the Massachusetts Turnpike corridor. For most of the stretch to Boston there is a median between the west bound and east bound lanes where the pipe could be buried. I would even go as far as suggesting Kinder Morgan put in their own exits and entrances to the highway for the compressor stations and set the compressor stations off the road a reasonable distance and in an area where there are no households. This path would provide emergency personnel with easy and quick access to both compressor stations and the pipeline if needed.
3. There is an existing pipeline going through southern Rensselaer County owned by Kinder Morgan. Use that existing line and upgrade if needed to larger and newer lines.

On page 17 of the 2014 - 2018 FERC Strategic Plan there is the claim of expectation that "the responsible development of interstate natural gas infrastructure - pipelines, storage, and LNG facilities - is a critical link in ensuring that natural gas supply can reach market areas". I would think that a critical factor in ensuring responsible development would first be location. With the reality of "incineration zones" can and will the federal government ever set a location requirement for compressor stations and pipelines where residential structures are to be beyond the distance of the defined "incineration zone". Kinder Morgan's proposed location on Clarks Chapel Road does not line up with FERC's stance to "promote the development of safe, reliable, secure, and efficient infrastructure that serves the public interest". Let's be honest here. The gas moving through these proposed pipes will not benefit this community in any way yet we are expected to assume 100% of the risks involved. I don't see where this serves our public interest in any way. The stated purpose of the NED Pipeline from Kinder Morgan is fulfill the need for natural gas in the northeast. These pipes are projected to move 2.2 billion cubic feet per day yet we were informed by James Hartman from Kinder Morgan that at this point they have only locked up customer orders for .5 billion cubic feet per day. That is only 23% of production. Again the need is not there and does not meet the parameters of serving the public interest. Even if Kinder Morgan "downsizes" the size of the pipe or the compressor station my concern would still be with the fact they can always upgrade the pipe and/or facility in the future to make either larger which would only increase the concerns outlined in this letter.

I would just ask that you put yourself in our shoes. The home should be a place of safety, solitude, and comfort. A place where you can peacefully relax and get away from the everyday stresses we all deal with. As a father I am in charge of my families' safety and protection. I can tell you that my nights will not be filled with restful sleep if this project is approved. I would have to be on the alert at all times to be ready to get my family out and to safety if something should ever happen. It no longer sounds like "Home Sweet Home" to me. All I ask is that you apply what is outlined in FERC's Strategic Plan to this current proposal and make the decision that serves this public's interest which I would confidently say it should not go here.

Thank you for your consideration,  
Brian Wiese

*{60 pages of printed material omitted}*

**20150827-5026**

August 26, 2015

*{68 pages} {skip to end of entry}*

*By electronic submission*

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

**Re: Tennessee Gas Pipeline Company, L.L.C. (“TGP”) / FERC Docket No. PF14-22-000 –  
Comments on Environmental Issues with respect to the Environmental Impact Statement for the  
Planned Northeast Energy Direct Project (“NED”, “NED Project”, “NED Pipeline”) -- particularly  
regarding procedural issues and alternatives to the NED Project**

To the members of the Commission:

I respectfully request that the public comment deadline for the scoping of the Environmental Impact Statement (“EIS”) being prepared by the Federal Energy Regulatory Commission (“FERC”, “Commission”) be extended for the time period(s) discussed in Section I of this letter, for the reasons given therein.

I also request that the scope of the EIS with respect to the NED Project include a rigorous investigation and analysis of the renewable energy, energy efficiency and conservation, energy transmission, energy storage and demand-shifting alternatives to the NED Project, including but not limited to the alternatives discussed below, both individually and in any effective and reasonable combinations that would serve as an alternative(s) to the NED Project. Their likely respective environmental impacts, particularly including climate change impacts, should be compared to those likely with the NED Project. To the extent possible, that analysis and comparison should be quantitative, preferably presented both in units conventionally used for each respective energy source (e.g. MW, Bcf/d), and also presented using a common energy or energy equivalent unit, to facilitate comparison of alternatives (e.g. MMBtu). The alternatives should be comparatively assessed through an appropriate planning horizon (at minimum 2015 through 2038), for the reasons discussed below.

These EIS scoping comments are divided into the following sections:

- I. Procedural objections requiring the extension of the scoping process and the public scoping comment period (p.2)
- II. Need and uses
  - A. Demonstration of need and quantities involved, types of uses involved (p.5)
  - B. The export question (p.5)
- III. Timeframes and related scoping questions
  - A. Timeframe for planning horizon -- 23 years? 53 years? (p.10)
  - B. The merged nature of the electricity and gas demand questions (p. 11)
- IV. Alternatives, and scoping questions for each
  - A. Energy efficiency and conservation, including leak repair
    1. Energy efficiency (p. 13)
    2. Leak repair (p. 17)
  - B. Demand shifting into off-peak hours or off-peak days (p. 18)
  - C. Wind
    1. Growth of wind (p. 21)
    2. Dispatchability (p. 23)
    3. Intermittency, including a discussion of intra-regional transmission upgrades (p. 24)
  - D. Hydropower and interregional transmission (p. 25)

- E. Energy storage
  - 1. LNG (p. 28)
  - 2. Pumped Storage (p. 32)
  - 3. Grid-scale battery storage (p. 34)
  - 4. Other forms of storage (p. 35)
- F. Solar (p. 36)
- G. Biogas (p. 38)

**I. Procedural objections requiring the extension of the scoping process and the public scoping comment period**

As the D.C. Circuit Court of Appeals recently re-affirmed, an Environmental Impact Statement with respect to a pipeline project should not only discuss “in detail” the environmental impact of the proposed project, it should also discuss “alternatives to the action.”<sup>1</sup> NEPA more broadly requires FERC to “study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources”,<sup>2</sup> and to “recognize the worldwide and long-range character of environmental problems”.<sup>3</sup> In the age of dangerous climate change, this latter requirement could not be more relevant.

The Commission’s own implementing regulations with respect to NEPA also require the Commission to include in its EIS a discussion of “[a]ny alternative to the proposed action that would have a less severe environmental impact or impacts . . . .”<sup>4</sup> These regulations also require the project applicant to submit a Resource Report (Resource Report 10) that “describe[s] alternatives to the project and compare[s] the environmental impacts of such alternatives to those of the proposal.”<sup>5</sup> Under these regulations, the applicant’s Resource Report 10 must discuss the “no action” alternative “and the potential for accomplishing the proposed objectives through the use of other systems and/or energy conservation.”<sup>6</sup>

The Commission requires that the detail of such report “must be commensurate with the complexity of the proposal and its potential for environmental impact.”<sup>7</sup> Given the complexity and potential for environmental impact of the NED proposal, this requirement sets a high bar for providing enough detail in the Resource Reports, including Resource Report 10.

For this reason, I respectfully request that the public comment deadline for the scoping of the EIS be extended to at least sixty days after TGP submits fully completed Resource Reports. As many public officials and members of the public loudly complained at the Greenfield scoping meeting on July 29<sup>th</sup>, it was premature to hold the scoping meetings when the thousands of pages of revised Resource Reports had just been submitted a few days earlier by TGP. As many also complained, the revised July Resource Reports were notably incomplete, with hundreds – some said thousands – of “To Be Determined / TBD” entries noted in page after page of the Reports.

These Resource Reports are necessary for the public to have a better sense of the size, location and potential impacts of the project, in order to make informed comments on matters that need to be addressed in the EIS. As the Commission is aware, the required content of the Resource Reports under the Commissions regulations implementing NEPA is directly germane to the topic areas the Commission intends to cover in the EIS.<sup>8</sup>

Without limiting the generality of this request, I particularly request that FERC suspend or extend the comment period for the EIS, and refuse to accept any formal application for the project, until a sufficiently detailed Resource Report 10 is submitted by the applicant, in order to make the alternatives discussion (and related environmental impacts discussion) in the Commission’s EIS meaningful and adequate.

In addition to the completed Resource Reports, the public also needs to see at least the redacted versions of all or nearly all of the Precedent Agreements supporting a 1.3 Billion cubic feet of gas per day (Bcf/d) pipeline – showing quantities, customers and some indications of the types of uses – in order to make informed comment on many of the impacts, and particularly on the alternatives component of the EIS. Different quantities of gas, being delivered to or used by different customers, for different purposes will have different feasible alternatives, and different potential impacts – particularly with respect to climate

impacts. Please see the more detailed discussion in Section II relevant to this point.

A delay / restart of the scoping process would also benefit the Commission's review by the Commission being able to take advantage of (i) the Massachusetts Attorney General's planned October 2015 release of a report on energy options and gas demand,<sup>9</sup> and (ii) the Massachusetts Department of Energy Resource's planned January 2016 release of its Energy Storage Study.<sup>10</sup>

Therefore I request that the current scoping process be extended until (i) Kinder Morgan / TGP<sup>11</sup> has submitted complete Resource Reports, (ii) all, or nearly all of the Precedent Agreements for the full project capacity are on the table, (iii) the public has had at least 30 days to review the completed Resource Reports and all or nearly all of the Precedent Agreements, (iv) another round of public scoping meetings has occurred after that 30 day period, with 30 additional days after the meetings to submit written comments, and (v) the above-referenced Massachusetts Attorney General report and Massachusetts Department of Energy Resources energy storage study have been released and the public has had at least 30 days to review and comment on these to FERC with respect to their impact on EIS scoping.

## **II. Need and uses**

### **Scoping questions with respect to need and uses**

- (1) What is the current signed aggregate and individual Precedent Agreement(s) capacity requirement, and how much of that is 'repackaging' of pre-existing transportation agreements currently being transported on existing pipelines. What is the net incremental capacity required once that repackaging is netted out?
- (2) What entities are the Precedent Agreement customers, what would be the point of physical delivery to each customer, and what would be the likely principal uses of the gas for each customer?
- (3) What is the quantity of gas likely destined for U.S. consumers as the end users (i.e., users at the point of combustion or process use), compared to the quantity of gas likely destined for Canadian end users, and for overseas (non-Canadian foreign) end users?
- (4) Which Precedent Agreements, if any, are directly with electrical generators, and which generators are these?
- (5) What portions of the Precedent Agreement quantities for each Local Gas Distribution Company (LDC) are anticipated to serve electrical generators?
- (6) What Precedent Agreements, if any, have been signed with secondary gas capacity marketers, whose intent is to later resell NED transportation capacity on the spot market? What percentage of the NED capacity is projected to be contracted with such secondary marketers, directly or indirectly?
- (7) What is the likely amount of transported gas that will be used for electricity generation? How much of that will be used to displace oil-fired generation and at which generating stations will the oil displacement likely occur? How much will displace coal-fired generation and at which generating stations will the displacement likely occur? How much will displace nuclear generation and at which generating stations will the displacement likely occur?
- (8) What is the likely amount of transported gas that will be used to displace oil-fired space heating? Oil-fired water domestic water heating? Oil-fired commercial space and water heating? Oil-fired industrial water heating and process heating (and where)?

### **Reasoning behind scoping questions regarding need and uses**

Without knowing who will be receiving the gas from the Kinder Morgan pipeline, the volume of gas they will be receiving, and what they will be using it for, it will not be possible for the Commission to adequately assess the net environmental impacts of the NED project, particularly with respect to climate change impacts. Moreover, without knowing this information, it will be difficult or impossible to determine what alternatives could meet those needs, at that amount of energy (or energy savings), and whether those

alternatives would likely have lower environmental impacts.

## **II.A. Amount of gas needed, if any; types of uses**

As the *Boston Globe* recently reported, Kinder Morgan has gas transportation contracts for less than half of the recently downsized NED proposal – contracts for about 550 million cubic feet per day of gas<sup>12</sup> in a pipeline now planned to have an initial capacity of 1.3 billion cubic feet of gas per day (Bcf/d). (This 550 million cubic feet of gas per day [0.55 Bcf/d] corresponds approximately to the 500,000 dekatherms per day of executed precedent agreements that TGP reported in its July 2015 Resource Report 1.<sup>13</sup>) It's not clear how much of that 550 million cubic feet of gas per day is really just rewrites of existing gas capacity contracts, and so does not really require new pipeline volume (i.e., is being met on the current pipeline(s)).

So, at this time it is not possible for the public to determine where most of the gas in the NED project will be going, the net amount of new delivered energy it will really be providing to New England, what public benefits for American consumers it will therefore provide, and what net impacts it will have, particularly on the climate front, as discussed in more detail below. As noted in Section I above, that is one of the reasons the EIS scoping process should be extended until precedent agreements for all or nearly all of NED's planned capacity are in hand and on the table for review.

## **II.B The export question**

### **Scoping questions with respect to export**

- (1) What is amount and percentage of NED-transited gas that is likely to have Canadian customers as its ultimate end point users (point of combustion and/or industrial process use)?
- (2) What is the amount and percentage of NED-transited gas that is likely to go to LNG exporters for LNG export to foreign countries?
- (3) Where will those export facilities likely be located?
- (4) What is the likely shipping route, ultimate destinations and distances of such exported LNG based on ongoing negotiations, precedent agreements with those exporters or other evidence?
- (5) What will be the net increase in greenhouse gas emissions, and other environmental impacts, that will result from such export compared to the alternatives to such export, including, but not limited to impacts from export facility construction, liquefaction to LNG, maritime shipping fuel (bunker oil or other) for the LNG tankers, and re-gasification of the LNG?
- (6) Will any such export involve pipeline expansion or facility changes on the Maritimes & Northeast Pipeline ("M&NP") system to transit forward gas being delivered to the M&NP by the proposed NED Project? If so, a review of the environmental impacts of such M&NP expansion and changes should be incorporated into the NED Project's EIS, to avoid impermissibly segmenting NEPA review of interdependent projects that are physically, functionally and temporally related.<sup>14</sup>
- (7) How much of the NED pipeline's non-peak capacity is likely to become available to LNG exporters at each point in the year seeking to move Marcellus or other gas to Dracut, MA or other export avenues, and what are the contracting mechanisms that would allow such exporters to acquire such capacity from TGP, other NED Precedent Agreement contractees or the capacity spot market?<sup>15</sup>
- (8) Which, if any, LNG exporters has Kinder Morgan or TGP been in discussions or negotiations with regarding possible Precedent Agreements / Transportation Agreements or other agreements or memoranda of understanding with respect to NED capacity? What is the capacity amount involved in each such case?
- (9) Which, if any, LNG exporters does TGP already have executed Precedent Agreements / Transportation Agreements or other agreements or memoranda of understanding with, with respect to the NED? What are the capacity amounts involved in each?
- (10) What direct or indirect ownership interest does Kinder Morgan or TGP or any of their subsidiaries have in any company planning LNG export from the Northeastern U.S. or Atlantic Maritime Canada

area, and what direct or indirect ownership interest does any such LNG export company have in Kinder Morgan or TGP or any of their subsidiaries?

### **Reasoning behind scoping questions regarding export**

The Commission's EIS will inevitably inform the Commission's ultimate decision on whether to issue a certificate of public convenience and necessity for the proposed NED Project under 15 U.S.C. §717f. In its Statement of Policy providing guidance with respect to such certification, for example, the Commission stated that "[i]n considering the impact of new construction projects on existing pipelines, the Commission's goal is to appropriately consider the enhancement of competitive transportation alternatives, the possibility of overbuilding, the avoidance of unnecessary disruption of the environment, and the unneeded exercise of eminent domain."<sup>16</sup> (Emphasis added.)

The Commission has similarly explained that it "will determine whether a project is in the public convenience and necessity by balancing the public benefits against the adverse effects of the project", and that environmental impacts are among the adverse effects the Commission will consider.<sup>17</sup> For a U.S. federal commission, operating under U.S. federal law, this balancing test certainly cannot mean a balancing of public benefits to foreign energy consumers against adverse project effects that will be disproportionately imposed on U.S. residents. The Commission must weigh benefits to the U.S. public against adverse effects of the Project.

Therefore, an assessment of the proportion of the Project benefits that will accrue to U.S. energy consumers, versus benefits that will accrue to foreign energy consumers, will be critical in making the Commission's balancing test to determine whether to issue a certificate of public convenience and necessity for the NED Project. If the benefits of the Project will primarily, or even heavily, accrue to foreign energy consumers,<sup>18</sup> and the adverse effects, including environmental impacts, will disproportionately fall on members of the U.S. public, this should tip the scale heavily towards Commission denial of certification for the proposed Project. The scope of the EIS should be such that it can help the Commission assess the proportion of benefits that will accrue to the U.S. public versus the adverse effects that will disproportionately fall on that public.

In addition, environmental impacts would likely be greater with any export of the gas being transited through any NED Pipeline, particularly if the gas is converted to LNG for maritime export. Export would likely require longer pipeline transportation (e.g. to the Canadian border, or on to Nova Scotia or New Brunswick) with the attendant energy / climate impacts of the additional compressor energy and other pipeline facility energy required. LNG export would further involve additional climate and other impacts for the energy to liquefy, transport by ship and re-gasify the gas. (See discussion below.)

As Kinder Morgan has reported, the proposed NED gas pipeline would run from the Marcellus shale gas fields in Pennsylvania<sup>19</sup> into Dracut, MA,<sup>20</sup> to connect there to the Maritimes & Northeast Pipeline (M&NP) to Canada.<sup>21</sup>

Kinder Morgan recently stated that the NED project will provide additional natural gas transportation "to meet the growing energy needs in the Northeast U.S., particularly in New England".<sup>22</sup> However, TGP also recently reconfirmed that "[t]he proposed interconnection with the Joint Facilities, together with the anticipated reversal of the primary flow direction of the Joint Facilities and Maritimes & Northeast Pipeline, will potentially enable the [NED] Project to access more markets in the region, including . . . the Atlantic Canada region . . . ."<sup>23</sup>

Earlier statements by Kinder Morgan, filings by LNG export project proponents, and press reports suggest that a substantial portion of the NED pipeline's throughput could be destined for Canadian consumption and/or for foreign export as LNG out of proposed LNG export terminals in Nova Scotia, New Brunswick and/or Maine connected to the Maritimes & Northeast Pipeline, whose gas flow direction could be reversed to Canada (and away from New England).<sup>24</sup> The *Pittsburgh Post-Gazette* reported that five LNG export terminals are being planned for Canada's Atlantic coast, and that it "is likely all would need natural gas from the Marcellus [fields] . . . ."<sup>25</sup> Kinder Morgan has told investors: "Kinder Morgan's unparalleled natural gas

footprint is . . . [w]ell-positioned relative to major trends (Marcellus, . . . LNG exports . . .).”<sup>26</sup>

So, export to Canada via the proposed NED Pipeline seems a very real possibility, and subsequent LNG export of that gas from Canada (or Maine<sup>27</sup>) also seems likely.

Kinder Morgan in fact more specifically told your Commission: “Potential Atlantic Canada customers [for the NED project] include . . . liquefied natural gas (‘LNG’) export projects.”<sup>28</sup> Three of these exporters, Pieridae Energy, Bear Head LNG, and Saint John LNG, have already filed applications to export US gas through a reversed M&NP.

For example, the Canadian natural gas firm, Pieridae Energy, submitted an October 24 2014, export application to the U.S. Department of Energy (DOE) for shipping natural gas from Dracut north through the M&NP,<sup>29</sup> up to a proposed LNG export terminal in Goldboro, Nova Scotia, to be loaded on ships for sale overseas.<sup>30</sup> Pieridae’s proposed export quantity in that application was 0.8 Billion cubic feet of gas per day (Bcf/d).<sup>31</sup>

Pieridae told the DOE: “The natural gas . . . is intended to be exported from the US and imported into Canada via the M&N [Maritimes & Northeast] Pipeline . . . connecting Dracut, Massachusetts to . . . Halifax, Goldboro [Pieridae’s LNG export location], and Point Tupper, Nova Scotia.”<sup>32</sup> Pieridae added: “Although the present capacity of these facilities is not sufficient to accommodate the full volume of exports for which Pieridae US is seeking authorization, M&N US and other third parties have announced various projects to construct or expand pipeline infrastructure for the purpose of transporting natural gas from the Marcellus and Utica producing regions to customers in northeastern US and eastern Canada.”<sup>33</sup>

Pieridae listed some of those pipeline construction projects that could help move gas from the Marcellus shale fields to customers (like Pieridae’s LNG export terminal) in eastern Canada, and the list included Kinder Morgan / TGP’s NED Project.<sup>34</sup>

The Canadian National Energy Board recently approved Pieridae’s request to import gas from the U.S. and export it as LNG.<sup>35</sup> The U.S. Department of Energy approved Pieridae’s export request in May with respect to LNG export to Free Trade Agreement countries.<sup>36</sup> The LNG will be delivered to Europe and other countries.<sup>37</sup>

Pieridae hasn’t been the only company hoping to move Marcellus shale gas through the M&NP to Canada for LNG export abroad.<sup>38</sup> On November 6, 2014, Bear Head LNG Corporation applied to Canadian authorities for a license to bring 1.3 Billion cu. ft./day of gas from the U.S. into Canada through the M&NP, or from other import points if they become accessible.<sup>39</sup> The gas would be piped on to a proposed Bear Head LNG export terminal near Point Tupper, Nova Scotia for shipping to international markets.<sup>40</sup> Bear Head LNG is owned by the Australian company, Liquefied Natural Gas Limited.<sup>41</sup>

On February 25, 2015, Bear Head made a parallel export application to the U.S. Department of Energy.<sup>42</sup> In it, Bear Head noted that Kinder Morgan’s Northeast Energy Direct project would “transit gas from the Marcellus Shale region to the Dracut Hub in Massachusetts” and that new Canadian demand for Marcellus gas (like the Bear Head project, apparently) is “bolstering the need for additional New England pipeline expansion projects.”<sup>43</sup>

Bear Head attached an assessment of its export impact on the New England gas market where the base case assumed that Kinder Morgan’s proposed Northeast Energy Direct pipeline, and Spectra Energy’s proposed “Atlantic Bridge” and “Access Northeast” gas pipelines, would all be built and operating by 2018,<sup>44</sup> a year before the Bear Head export terminal would come on line, tapping gas through the M&NP.<sup>45</sup>

Saint John LNG Development Company Ltd. similarly applied to Canadian regulators to import about 0.7 Billion cu. ft./day of gas from the U.S. through the Maritimes & Northeast Pipeline, or such other import points as may become accessible, and to export the gas to international markets through a proposed LNG export facility in Saint John, New Brunswick.<sup>46</sup> Saint John LNG is indirectly owned by the Spanish firm Repsol.<sup>47</sup>

As Saint John LNG told Canadian regulators: “In the case of feed gas supply from the United States, gas would be procured from producers in the Appalachia [read: Marcellus shale region] and transported

to Dracut or Beverly, Massachusetts via expansions or extensions of the Tennessee Gas Pipeline and/or Algonquin Gas Transmission systems. From Dracut, the gas would be transported on [the] Maritimes & Northeast Pipeline” to the Canadian border and then on to Saint John’s proposed LNG project in New Brunswick for export.<sup>48</sup> (Emphasis added.)

While the details of these various export plans may be in flux, like the plans for the NED, it is clear from the above that from time to time LNG exporters have been extremely interested in using the possible transportation capacity of the proposed NED pipeline to get gas to their planned LNG export facilities from the Marcellus shale region in the U.S.

### **Some of the environmental impacts of LNG export**

LNG export will likely increase the drilling for, and combustion of, natural gas. The Department of Energy commissioned a study by the U.S. Energy Information Administration (“EIA”) that modeled a variety of U.S. LNG export scenarios. The Department reported that the “EIA projected that, across all cases, an average of 63 percent of increased export volumes would be accounted for by increased domestic [natural gas] production.”<sup>49</sup> In other words, LNG export will likely increase new natural gas drilling and production in the U.S., with the consequent burning of that gas produced.

Moreover, a key U.S. Department of Energy study suggests that LNG shipped from the United States could have a higher “expected value” for greenhouse gas impact, than LNG shipped to Europe and Asia from closer regional suppliers of LNG (Algeria to Europe, and Australia to Asia, respectively), although the DOE cautioned that these “expected value[s]” “should not be interpreted as the most likely values due to the wide range of scenario variability and uncertainty in the underlying modeled data” and “should be interpreted as general guidance to provide perspective on trends only”.<sup>50</sup> This DOE study definitely does not support any clear conclusion that US export of LNG will have a climate change mitigating effect better than available alternatives (such as regionally supplied LNG from Algeria and Australia, or renewable energy in Europe and Asia).

The Commission’s EIS needs to explore in much greater detail this “perspective on trends” of LNG climate change impacts as they may relate to LNG export from Maine and Maritime Canada supplied by gas transported by the NED project. The Commission needs to compare such impacts to those of alternatives like closer regional LNG shipment to Europe and Asia from Algeria, Australia or other suppliers, and also compared to renewable energy and energy efficiency alternatives to that LNG in Europe, Asia and other possible LNG destinations.

It would make sense, for example, that shipping LNG from Algeria to Europe, or from Australia to Asia, would generally have lower greenhouse gas emissions than shipping LNG from the United States to Europe and Asia, respectively, due to the greater (fossil fuel) tanker-ship energy used for shipping the LNG the greater distance from the United States. As the above-noted DOE Report notes, “[c]ompared to domestically produced and combusted gas, there is a significant increase in the life cycle GHG [Greenhouse Gas] emissions that are attributed to the LNG supply chain, specifically from liquefaction, tanker transport, and regasification processes.”<sup>51</sup> (Emphasis added.)

Because FERC certification of the NED Project would likely be a key permitting step helping to facilitate such LNG export from Maine and Atlantic Maritime Canada, and which could therefore lead to any net increase in greenhouse gas emissions resulting from such export, the Commission’s EIS should address scoping questions with respect to LNG and other export.

### **III. Timeframes**

#### **Scoping questions with respect to timeframe concerns**

With respect to the proposed NED project:

- (1) What is the presumed planning horizon within which alternatives must become available? 2018? 2038? 2068?
- (2) What are the projected quantities of daily transportation capacity use by each customer (where

known) plotted daily or weekly throughout the year, particularly during winter and summer peaks and what are the likely uses during each of these days or weeks for each of these customers, through that planning timeframe? Where are the peak demand shortfalls, when do they occur, and what is the quantity of the shortfall for each year through the planning horizon?

(3) What is the likely daily / monthly / yearly transport for end delivery into the Maritimes and Northeast Pipeline for northbound shipment from Dracut, MA through the planning horizon?

(4) What is the likely NED pipeline capacity that will not be used by Precedent Agreement contractees at each point in the year that would conceivably be used for spot market shipments of gas?

(5) What is the likely quantity of gas destined for delivery to LNG export facilities during each week of the year?

### **Reasons behind the scoping questions on timeframe**

#### **III.A Timeframe for planning horizon**

Even if the proposed NED pipeline gets built, TGP acknowledges that it would not be operational until November of 2018.<sup>52</sup> So the first segment of the planning horizon is over 3 years – from now until late 2018 – for comparing the alternatives that might be available to address the energy needs that purportedly would be addressed by the proposed NED project.

Beyond that, at least some of the Precedent Agreements that have been offered to partially ‘justify’ the NED project are 20 year agreements,<sup>53</sup> and, in the Berkshire Gas case at least (the one I have looked at most closely), that agreement is based on the assumption of growing demand through the 20 year agreement term.<sup>54</sup> Thus, the amounts of alternative energy resources needed at the beginning of the 20 year agreement – in November 2018 – are smaller than the amount of alternative energy resources that would be needed later, at the end of the Precedent Agreement term in October 2038, to substitute for the proposed NED Pipeline capacity.

The alternatives discussion has to be nuanced accordingly, with changing requirements over a long time horizon. Alternatives that may not be available until 2018, or 2028, or 2038 may still be relevant and significant, if they come in to supply additional quantities of energy resources that are not needed until these later dates.

If built, the TGP gas pipeline would likely be in service 50 years or more<sup>55</sup> – that is, until about 2068 – helping lock in more fossil fuel burning for over half a century.<sup>56</sup> Therefore, an argument can be made that we should really be looking at alternatives that are reasonably likely to, or could be caused to, come into force from 2015 through 2068.

At a minimum, it seems like the planning horizon for alternatives review should be 2015 through 2038 (i.e., through the first 20 year Precedent Agreements / Transportation Agreements that would begin no earlier than 2018).

#### **III.B. – The merged nature of the electricity and gas demand questions**

Kinder Morgan / TGP has stated that among the needs that would be met by the proposed NED Project would be the needs of gas-fired power generators (electrical generators) in New England.<sup>57</sup> In addition, it has argued that “[t]he Project will also have ancillary environmental benefits by reducing the region’s reliance on GHG-emitting [Greenhouse Gas-emitting] coal and oil-fired power plants.”<sup>58</sup> Therefore it is appropriate in discussion of need, impacts, and alternatives to look at energy alternatives more broadly, on both the gas side and on the electricity side (including improving efficiency, demand shifting and demand reduction with respect to both), because the energy questions being raised by review of the NED Project now involve both gas and electricity.

In that light, the Commission needs to address in its EIS whether increased use of gas-fired electrical generation in New England is likely to increase fossil fuel use for electrical generation, displacing (i) nuclear-generation, and (ii) renewable generation and electrical efficiency – to the detriment of the climate.<sup>59</sup>

*(i) Displacement of nuclear generation.* Increased gas-electric generation fueled by the gas from these

pipelines would likely be used to replace some significant portion of retiring nuclear generation of electricity,<sup>60</sup> with nuclear generally considered to have lower climate impact than fossil-fuel-sourced electricity.<sup>61</sup> Nuclear power provided 34% of New England’s net electric energy in 2014,<sup>62</sup> and, as ISO-New England (ISO-NE), the region’s electric grid administrator, has observed, “[e]nergy prices in the wholesale electricity markets may be too competitive for some nuclear resources because of the shale gas boom . . . . And the building of new nuclear resources in the region is unlikely.”<sup>63</sup> If expanded gas-generation, facilitated by large shale gas pipelines from the frack fields of the Marcellus region like the NED – rather than efficiency and renewables – fills the nuclear-generation space, the proposed NED Pipeline will have helped expand fossil fuel combustion for electricity generation.

(ii) Displacement of renewables and energy efficiency. There are growing worries that a flood of temporarily cheap Marcellus shale gas delivered in volume by pipelines like the proposed NED would significantly slow recent advances in energy efficiency and renewable energy development. This could mean that less wind, solar and other renewables are developed for electricity generation, and more gas generating stations are built, substituting more fossil fuel combustion for renewable energy use.<sup>64</sup> Temporarily cheap Marcellus shale gas could also cause a delay or deferral in the implementation of some energy efficiency measures, if those efficiency measures have to compete on narrowly judged “cost-effectiveness” grounds.<sup>65</sup>

#### **IV. Alternatives**

In reviewing the various alternatives to the pipeline, including those discussed below, the scope of the Commission’s EIS should include:

- (1) A qualitative and, to the extent possible, quantitative assessment of the disruption of the environment that would be involved in that alternative (as well as for the NED Project proposal itself), and the extent to which such disruption is unnecessary due to better available alternatives;
- (2) An assessment of the extent to which each alternative’s environmental impacts can be avoided or mitigated (including a comparison to the potential for avoidance or mitigation of the NED Project’s environmental impacts);
- (3) A cost comparison of the alternatives compared against the NED Project, including initial investment costs, operating costs, life-cycle costs, including the costs of any environmental externalities, and the decommissioning costs at the end of the alternative’s life cycle,<sup>66</sup> to the extent such can be estimated;
- (4) An assessment of the extent to which the alternatives would enhance the resilience, diversity, reliability, pricing stability and sustainability of the region’s energy supply (compared also to the NED Project);
- (5) An assessment of the extent to which each alternative (as well as the NED Project proposal itself) would require the exercise of eminent domain to implement, assessing whether the NED Project or particular alternatives would involve the “unneeded exercise of eminent domain”;
- (6) An assessment of the extent to which each alternative (as well as the NED Project) would advance compliance with national and state environmental laws, including whether any waivers of provisions of such laws or special dispensation would be required, including but not limited to legislative waivers of Article 97 land protections in Massachusetts;
- (7) An assessment of the extent to which each alternative would advance state and national greenhouse gas reduction goals, including but not limited to compliance with the goals set in Massachusetts by the Global Warming Solutions Act.

The following sections of this letter concern scoping questions regarding various possible alternatives to the pipeline, particularly focusing on those that received cursory, insufficient or no analysis in TGP’s Resource Report 10.

#### **IV.A. Energy efficiency and conservation, including leak repair**

The Commission's EIS scope should include:

- (1) A detailed review of the extent to which energy efficiency and energy conservation is likely to, or could reasonably, replace some or all of the need for the proposed pipeline over the 2015 to 2038 horizon;
- (2) A detailed review of the extent to which off-peak demand shifting by technological, market and/or voluntary means is likely to, or could reasonably, eliminate some of the need for the proposed pipeline;
- (3) A detailed review of the extent to which pipeline leak repair is likely to, or could reasonably eliminate some of the need for the proposed pipeline.

#### **Reasoning behind IV.A scoping questions**

##### **IV.A.1 Energy efficiency**

TGP argues that “Energy conservation alone is not a viable alternative to the proposed Project.”<sup>67</sup> (Emphasis added; TGP appears to be using the phrase “Energy conservation” to also sometimes include energy efficiency.)

However, a reasonable alternative to the NED Project may, and probably will, involve some combination of:

- energy efficiency (technology that does the same with less energy),
- energy conservation (humans deciding to use their technology less often or less extensively – like turning down the heat, or turning off lights),
- demand shifting to off-peak use by
  - automatic means (e.g., smart appliances in a smart grid<sup>68</sup>),
  - market means (e.g., peak hour pricing, off-peak rebates, or demand management contracts with larger users who have flexibility in hour of gas use and/or other substitutable options for energy – such as UMASS-Amherst's CHP plant that can burn pipeline gas, stored and re-gasified LNG, or ULSD fuel oil <sup>69</sup>), and/or
  - voluntary means (e.g., Connecticut's ‘Wait Until 8’ voluntary demand shifting program for night-time use of washers, dryers, dish washers and the like),
- pipeline system leak repair,
- energy storage (e.g., grid-scale or building-scale batteries, pumped storage, LNG)
- renewable energy, and
- more efficient or reorganized use of existing fossil fuel infrastructure on an interim basis (e.g., making use of existing LNG or gas pipeline infrastructure as the diminishing back-up to an increasingly renewably-based economy).

TGP, in fact, acknowledges that “energy conservation . . . may be a . . . partial alternative for the Project . . . .”<sup>70</sup> Here's one place where I essentially agree with TGP, energy conservation (including efficiency) is part of the alternative to the Project.

TGP asserts, however, that federal, state and municipal programs to increase efficiency and conservation “will most likely minimize energy use, [but] they are not expected to eliminate the steadily increasing demand for energy or natural gas.”<sup>71</sup> Actually, in the New England electricity arena at least, we are already seeing some reversal in the “steadily increasing demand for energy”.

For example, ISO New England now projects that winter peak electricity demand in New England should actually shrink by about 0.1% per year during its current ten year electricity demand forecast period, once expected energy efficiency gains and certain other factors are included.<sup>72</sup> Therefore, from a New England regional perspective, certainly in the electricity sphere, efficiency programs are already making a substantial change in the demand picture for New England.

Because winter peak electricity demands are the ones that could have most justified expanded gas pipelines

for electricity generation, due to the winter electric peaks overlapping with winter gas heating needs,<sup>73</sup> the peak demand rationale for expanded gas infrastructure for electricity generation thus appears extremely weak on a regional level, at least for the next decade.

Despite these marked efficiency improvements in New England, there is no doubt room for continued efficiency improvements in the electric sector. National Grid, one of the largest New England electricity (and gas) distribution companies, observes that, at least at a national level:

“Despite these [efficiency]efforts, approximately 57% of the energy consumed across the U.S. is lost each year to heat loss, leaks, and friction, putting us at the bottom of the world’s energy utilization rankings, just as we trail in energy efficiency. . . .

By cutting in half the energy wasted by 2030, we would be able to reinvest \$327 billion into the U.S. economy and create as many as 1.3 million new jobs.”<sup>74</sup>

Winter peak gas demand for space heating is obviously a somewhat different question, but there is significant evidence, discussed elsewhere in this letter, that we have alternatives to such demand that will have lower environmental impact than the proposed NED pipeline. The Commission needs to rigorously review and assess these alternatives.

In the gas space heating arena, there are some indicators that a reversal in the “steadily increasing demand for energy” may be possible. For example, Berkshire Gas, one of the LDCs planning to contract for gas transportation on the NED, has shown that energy efficiency programs have been reducing the average yearly residential gas use measurably.

According to Berkshire Gas, in the thirteen years from 2000 to the commencement of its current Forecast and Supply Plan in 2013, average gas use for its residential customers dropped from more than 118 Dth/year to 97.0 Dth/year,<sup>75</sup> i.e. an average residential gas use reduction of 21 Dth/year or 17.8% over the 13 years, or roughly a 1.4% reduction in average residential gas usage per year. Berkshire Gas attributed “this marked reduction in use per customer primarily to successful and comprehensive energy efficiency initiatives.”<sup>76</sup> Berkshire expects average residential use for its customers under Base Case conditions to continue to drop over its current five year forecast period (although at a slower rate of reduction).<sup>77</sup> In the same current forecast period, Berkshire expects the average low load factor Commercial and Industrial (C&I) customer’s use to also decrease, from 618.2 Dth/year to 608.4 Dth/year,<sup>78</sup> i.e. an average low load C&I gas use reduction of 1.6% over the five years, or about 0.3% reduction per year.

Of course, while average gas use for residential space heating and many business uses is dropping, any increase in the number of residences and businesses may mean that aggregate gas demand continues to grow, although at a slower rate than it would have without the gas efficiency measures being adopted by thousands of customers. Where we cannot further reduce any increasing demand for winter space heating, we will likely be able to satisfy an increasing percentage of that demand by higher energy efficiency standards in building construction and rehab, and high efficiency electric air-to-air heat pumps powered by renewably-generated electricity.

Energy efficiency continues to improve dramatically in nearly all arenas and will be an important component of any alternative strategy for the Commonwealth and New England, helping us avoid the need for damaging and costly new gas pipeline infrastructure. As two of the many possible examples of notable efficiency improvements in New England, as well as the potential for increased efficiency improvement, (i) the gathering revolution in building energy performance, and (ii) conversion to LED street lighting underway, are worth noting (both discussed below).

Frugal New Englanders also know how to conserve, and conserve in a hurry when we need to. In the face of spiking electric and gas prices last year, in one year’s time New England cut its total electricity usage by 2.6% this January (2015) compared to January a year ago (2014), despite the fact this January (2015) was actually colder and had more heating degrees than last January, according to ISO New England.<sup>79</sup>

(i) Dramatic energy efficiency improvements in building energy performance in New England

Buildings are responsible for about 40% of the nation’s energy use.<sup>80</sup> As a project manager, as well as a staff attorney, working in affordable housing development,<sup>81</sup> I know from experience that a revolution in building

science and technique is taking place, one that is making new buildings dramatically more energy efficient. Over the past several years, our affordable housing agency has regularly been building single family homes and multi-family apartment building that achieve a HERS index score of 56 to 50, or below. As you know, the HERS Index is a measure of the energy efficiency of a home, under a nationally adopted industry standard, with 100 equal to the energy performance of a standard new home, and every point below 100 indicating another 1% more efficient than a standard home (so lower scores mean a more energy efficient home).<sup>82</sup> The lowest HERS index I've gotten on some of our new housing so far is 46, meaning that tests by an independent energy rater projected that that housing unit would be 54% more energy efficient than a standard home (100 – 46 = 54).

Said another way, it will take less than half of the usual energy needed to heat and run this home. Less than half. This is not in 2018, 2028 or 2038. This is now. And this is without even using the more aggressive energy efficiency measures such as those under the "PassivHaus" standard that is growing in Europe. We can, right now, build buildings that use less than half the energy we have been conventionally using. Such highly efficient buildings are increasingly being referred to as "high performance buildings."

The most recent project I have been managing could very well beat that 46% score. It has double walled construction (giving about a 12 inch cavity for sidewall insulation), significant insulation above the ceiling, triple-glazed windows, and extremely rigorous air sealing in the construction of the apartments.

The end result is that each two-story apartment can be heated with two of the new highly energy efficient electric, air-to-air (aka "air source") "mini split" heat pumps, one per floor. These heat pumps offer the additional advantage that they can provide both winter heat and summer air conditioning with one system. These electric heat pumps use only about 1/3 of the electricity the old electric resistance heating used,<sup>83</sup> so they bring a much higher level of energy efficiency to electric heat than we knew in the last century.

So in this recent project, gas is not being used for the main space heating at all. Energy Star appliances, low flow shower heads (to save on water heating), and LED lighting help round out the energy savings package.

The renewably-powered energy system of our near future will be based on electricity, from both "distributed generation" resources, like roof top solar, and from important centralized renewable sources, like wind farms, solar fields, pumped storage and the like, coordinated and moved over a smart electric grid. In that rapidly coming energy realm, high efficiency electric space heating is likely to become one of the major heating methods, or even the major heating method. This will help us end our dependence on both gas and oil for space heating in New England. Local gas pipeline hook-up moratoria, including some linked to the NED Project, may have inadvertently accelerated this transformation, turning a gradual trend toward electric heating into a forced march.<sup>84</sup>

I do not think it would be an overstatement to suggest that with a few more years of such high performance building, we will see nearly all new buildings in New England using less than half the energy our recent 'standard' buildings did. We will also be seeing many buildings going far beyond that, to "net zero" or even "net positive" generation of energy at or on the building.

In a back of the envelope calculation, with new construction and significant rehab of buildings effectively turning over maybe 1% of the building stock each year,<sup>85</sup> over the 15 years until 2030, such dramatic new improvement in building energy efficiency should enable us to further reduce our overall energy use in New England by around 3 percentage points, just through efficiency changes in the building sector.

Very rough back of the envelope calculation here: at least 50% reduction in energy use in a new or substantially renovated high performance building, applied to, say, 1% per year of building stock change-over x 15 years (from 2015 to 2030) = 15% of the building stock affected, applied to the 40% of overall energy used for buildings = 50% x 15% x 40% = roughly 3% of overall regional energy demand eliminated over the 2015 to 2030 horizon by this construction sector, generating more highly skilled local employment and better pay along the way.<sup>86</sup> More aggressive adoption of high performance building, pushed by more

aggressive building codes, might take this rough estimate higher.

#### (ii) LED street lighting

Converting all of New England's remaining energy-extravagant mercury and sodium street lighting into energy efficient LED street lighting is likely another promising place to cut a notable chunk out of New England's electricity demand. Many street lights are deliberately left on all night, every night, so improving their efficiency could have a marked effect. They are on longer during the long nights of the winter, and kick on just as households ramp up their after-school/after work usage, when winter peak demand is an issue. So, efficiency here is likely to have a beneficial and disproportionate impact on peak winter electric demand as well as overall demand, making LED street lighting another part of the alternative to long-term investments in more gas transmission infrastructure.

Many Massachusetts municipalities are already taking advantage of LED street lighting substitution. Holyoke Gas & Electric (HG&E), for example, converted all of its 4,000 streetlights to LED lighting from 2011 to 2014.<sup>87</sup> The \$1.5 million conversion cost was partially funded by a \$168,000 grant from the Department of Energy Resources through the Green Communities Program,<sup>88</sup> so state subsidies here can and will clearly play a positive leveraging role. The 60% savings in electricity with the LED fixtures translates into more than \$100,000 in cash savings each year, according to HG&E.<sup>89</sup> HG&E estimates that the total energy savings from this street light conversion is equivalent to the annual output of a 2 MW solar facility.<sup>90</sup>

Easthampton, MA has similarly saved more than \$36,000 a year in electricity on street lighting since it converted 470 streetlights to LED fixtures.<sup>91</sup> This is a notable return on the \$227,740 spent to make the conversion,<sup>92</sup> and that doesn't count savings in maintenance costs, not to mention savings for the environment.

The City of Boston found that it was using a little over 1,000 kilowatt-hours of electricity a year for each of its 64,000 conventional street lights. It also reported about a 60% per light electricity savings when it began converting to LED street lights.<sup>93</sup> That's about 38.4 million kilowatt-hours of electricity potentially saved yearly just in Boston that can be used for something else, with no added gas pipelines for electricity generation, and no added generation capacity needed.

I have been unable to locate a statistic for the overall number of remaining mercury and sodium street lights left in New England, and their total energy use. However, a casual night-time drive, even just around western Massachusetts, suggests that number of lights has to be in the many, many thousands, and the kilowatt-hours of electricity wastage they represent, in the many millions.

#### **IV.A.2 Pipeline system leak repair**

Pipeline leak repair can serve as a significant source of additional gas, without increasing transmission pipeline or hydraulic fracturing ("fracking"), simply by retaining gas in our distribution pipelines that is now being lost to the atmosphere.

A 2013 report prepared by Congressional staffers for Senator Markey ("Markey Report" hereafter) made this sobering observation:

"[G]as companies in Massachusetts own and operate one of America's oldest natural gas pipeline distribution systems, ranking sixth among state systems in the number of miles of main distribution pipelines made of [leak-prone] cast iron or bare steel. These companies have replaced less than 4 percent of their leak-prone pipes per year while billing Massachusetts ratepayers an estimated \$640 million to \$1.5 billion from 2000-2011 for unaccounted for gas . . . ."<sup>94</sup> (Internal citations omitted.)

The Markey Report estimated that there were 99 to 227 Billion cubic feet of natural gas unaccounted for in the 2000 to 2011 period in Massachusetts.<sup>95</sup> This amounts to a yearly average of 9 to 20.6 Billion cubic feet of gas gone missing in Massachusetts -- roughly 0.025 to 0.056 Billion cubic feet of gas per day. A more recent study by atmospheric scientists at Harvard's School of Engineering and Applied Sciences similarly found about 15 Billion cubic feet of natural gas were leaking from the Boston regional gas delivery system annually, about 2.7% of the gas brought to the region.<sup>96</sup>

The *Boston Globe* similarly just reported the results of a new study of gas pipeline leakage in Massachusetts,

noting that “[t]he state’s aging natural gas pipelines are riddled with about 20,000 potentially dangerous and environmentally damaging leaks, many decades old, according to the first statewide analysis of the problem in Massachusetts.”<sup>97</sup> So, gas system leak repair may be able to address a notable percentage of possible peak demand shortfalls in New England, without bringing in additional gas.

#### **IV.B Demand shifting to off-peak times**

The Commission’s EIS scope should include:

- (1) A detailed review of the extent to which flattening the energy demand curve by shifting demand into off-peak hours or off-peak days, for both electricity and gas demand, is likely to, or could reasonably, replace some or all of the need for the proposed pipeline over the 2015 to 2038 horizon;
- (2) A review of the ways in which time-of-use billing, off-peak use rebates, and other market pricing tools are likely to, or could reasonably, replace some or all of the need for the proposed pipeline over the 2015 to 2038 horizon;
- (3) A review of the ways in which smart grid and smart appliance technology are likely to, or could reasonably, replace some or all of the need for the proposed pipeline over the 2015 to 2038 horizon;
- (4) A review of the extent to which increased demand management contracts and resources are likely to, or could reasonably, replace some or all of the need for the proposed pipeline over the 2015 to 2038 horizon;
- (5) A review of the extent to which public education campaigns for voluntary demand shifting, such as Connecticut’s “Wait Till 8” program, are likely to, or could reasonably, replace some or all of the need for the proposed pipeline over the 2015 to 2038 horizon.

#### **Reasoning behind IV.B scoping comments**

As ISO New England,<sup>98</sup> the Synapse / Mass. DOER “Massachusetts Low Gas Demand Analysis: Final Report”,<sup>99</sup> and others<sup>100</sup> have explicitly or implicitly noted, the big electric (and consequently gas) demand problem in our region is a peak demand problem, not an absolute demand problem. Thus the problem is apparently not one of absolute current gas pipeline capacity into the region. It is the problem of pipeline capacity when many users make demands on the system at the same time, during relatively short peak demand periods, particularly during the winter when gas heating demand peaks and winter peak electricity demand overlap. Flattening the electric load curve, and/or the gas demand curve, by moving portions of the electric and gas demand to other times of the day can actually reduce the amount of gas/electric infrastructure needed, even when the overall energy demand stays constant or even grows.

Thus, peak demand flattening is an important part of solving the gas infrastructure and electric generation capacity problem. Some of the alternatives discussed below specifically address flattening the demand curve, by shifting demand to less congested hours of the day, as one means to avoid the need for new gas infrastructure. Gas and electricity storage facilities and other energy storage also indirectly flatten the demand curve, by storing gas, electricity, or other energy during off-peak times and releasing it during peak demand times. (Some of the storage alternatives are discussed in Section IV.E of this letter, below.)

In Massachusetts, differently priced time-of-use electric rates are already being used in some non-residential rate classes,<sup>101</sup> and, in some areas, for residential billing, where off-peak electricity is billed at a lower rate than peak hour electricity. Time-of-use billing creates a price/market incentive to shift demand to late night hours, for example, when other users are not drawing electricity, helping to flatten peak demand and lower infrastructure needs. However, time-of-use billing is not available for all Massachusetts residential customers, so there are still extensive opportunities for widespread market incentives for residential users to wait to use washers and dryers, dishwashers, and the like at low demand parts of the day (usually later at night).

Fortunately, some Massachusetts utilities are beginning to test time-of-use residential electric rate differentials, and this partial alternative to increased pipeline infrastructure could be encouraged and accelerated, and will help our region moderate peak demand. National Grid, for example, is running a

pilot program in part of Worcester, MA that it calls its “Smart Energy Solutions Program,” where the price of electricity will be higher at peak times of year, and during certain peak demand hours during the day, allowing customers to save money by shifting their electricity usage to less expensive off-peak hours. In January, 2015, National Grid began billing most customers in this pilot area under a time-of-use “Smart Pricing” program which charges customers more for electricity in peak hours from 8 AM to 8 PM, and less for it from 8 PM to 8 AM and on weekends and holidays (“Off Peak” hours). A second pricing option under the program allows customers to obtain rebates for reducing electricity usage during “Peak Event” hours.<sup>102</sup>

The coming “smart grid”, wedding computer and internet-based monitoring and electricity dispatch with the electric transmission and distribution grid, will make even more refined time-of-use pricing and purchasing of electricity possible.<sup>103</sup> In the not-to-distant future, electricity pricing may vary throughout the day, and be “read” by appliances, and possibly electric vehicles, waiting to cycle or charge when the price for electricity used will be lowest.<sup>104</sup> This would help ‘automatically’ shift power usage from peak to off-peak hours, helping us better manage and lower peak demand in our electric grid. It may also enable more precisely timed and computer-controlled use of “demand response assets” to further reduce electricity demand during peak demand events. Smart grid technology may help increase the efficient utilization of our electric grid, effectively getting more power out of less cable-and-wire (and pipeline) infrastructure, and may also help us better integrate intermittent renewables like wind and solar into the electric grid.<sup>105</sup>

While we may need to monitor and mitigate the impact of such time-of-use pricing on lower income families, conceptually, wide-spread implementation of time-of-use rates seems to be coming, looks like a promising method of flattening peak electric demand, and could serve as a part of the alternative to costly gas and generation infrastructure investments being proposed primarily to address avoidable and needlessly excessive peak loads.

Another part of the alternatives to help shift demand to off-peak hours could and should be widespread adoption of public education campaigns similar to Connecticut’s “Wait ‘til 8” program. This Connecticut program encourages all of the state’s residents to wait until after 8 PM to run washers, dryers and dish washers, to reduce peak demand.<sup>106</sup>

In the commercial sector, demand response / demand management programs are being used to reduce commercial electricity use during periods of peak demand. Use of such programs should, and is likely to, increase over the decades ahead.<sup>107</sup> (Similar arrangements are already being made on the direct gas demand side. In 2014, Berkshire Gas, for example, reported that it had “entered into agreements with several large customers (with alternate fuel capabilities) that provide significant load management flexibility in that the Company [Berkshire] may curtail [gas] service for a designated period of time in order to promote the efficient use of its distribution system (also referred to as ‘demand-side management’).”<sup>108</sup>)

#### **IV.C Wind**

The Commission’s EIS scope should include:

- (1) A detailed review of the extent to which wind energy is likely to, or could reasonably, replace some or all of the need for the proposed pipeline through the 2015 to 2038 horizon;
- (2) A detailed review of off-shore wind potential and the likely timeframe for its acceleration for New England;
- (3) A detailed review of the coming changes in dispatchability and solutions for intermittency and their

impacts on the scale-up of wind energy in New England through this planning horizon.

### **Reasoning behind IV.C scoping comments**

In TGP's July 2015 draft Resource Report 10 on alternatives to the proposed NED project, TGP asserts that "[w]ind power currently is not an option for providing the existing or projected power needs in the region where the Project is located", arguing for example, that wind is "an intermittent and non-dispatchable source of generation" and that "[e]lectricity demand also varies during the day in ways that the supply from wind and solar generation may not match".<sup>109</sup>

TGP creates a strawman with respect to wind. As discussed above regarding other alternatives to the proposed NED Project, the question is not whether a single alternative, like wind generation of electricity, can answer the asserted power needs of the region, but whether a combination of alternatives, such as wind, solar, efficiency improvements, expansion of energy storage, shifting demand to off-peak times, etc. can answer the power needs of the region at the pace needed over the planning horizon appropriate for this project.

Moreover, as the Commission is aware, ISO-New England has already proposed to the Commission automated, so-called "Do Not Exceed" dispatch of wind, as discussed below, and there are numerous ways the intermittency issue can and will be addressed, as discussed below.

TGP's discussion of the wind alternative is therefore lamentably incomplete and does not reflect the current and changing environment for wind energy in New England, as discussed in more detail below. The Commission will have to undertake a much more rigorous review of wind energy in the EIS.

This is particularly needed given the international examples of the growing capability of wind and other renewables to take over from fossil fuels, as well as the growing strength of these alternatives in our own country. Germany, for example produced 31% of its electricity from renewables in the first half of 2014 (including 17% from wind and solar), according to *Bloomberg Business*.<sup>110</sup> Scotland has announced its intention to produce the equivalent of all its electricity needs from renewable energy by 2020, powered heavily by wind energy.<sup>111</sup> Denmark, one of the early pioneers of off-shore wind, is aggressively pursuing the elimination of fossil fuels in its entire energy system by 2050.<sup>112</sup>

#### **IV.C.1 Growth of windpower in New England**

Wind is the second largest type of new generation capacity requesting interconnection in the ISO-New England generator interconnection queue as of June, 2015, representing proposed projects totaling 33% of the 12,000 MW of newly proposed electric energy resources in our region.<sup>113</sup>

Large increases in land-based wind power are in the ISO-New England interconnection queue, including over 800 MW of proposed wind generation in northeastern Maine, and over 500 MW of proposed wind generation elsewhere in Maine and in New Hampshire, all making interconnection requests to the ISO.<sup>114</sup> SunEdison expects to complete its 56-turbine, 185 MW Bingham wind project (a/k/a Blue Sky West Wind project) in Maine by 2016.<sup>115</sup> SunEdison/First Wind's 50-turbine 150 MW Oakfield wind farm in Aroostook County, Maine began construction last September.<sup>116</sup> The *Portland Press Herald* reported that the Oakfield project has contracts to supply utility companies in Massachusetts.<sup>117</sup>

The *Portland Press Herald* also reported that EDP Renewables is planning a separate 250 MW wind project in Aroostook County, Maine (presumably the Number Nine Wind Farm), and that First Wind and EDP Renewables "say they see the potential for hundreds of additional megawatts of capacity in Aroostook County, and are willing to spend tens of millions of dollars to hook into the New England grid. The two projects, as well as others that may come, have the potential to create a major hub for wind power . . ." <sup>118</sup>

At year's end in 2014, New England had already installed wind generation capacity of 846 MW,<sup>119</sup> all on land at this point. Moreover, as the Maine examples above show, wind power is only going to grow in New England in the period from 2015 to 2020 and beyond. TGP itself appears to acknowledge that the 2,800 MW of wind (and hydro) generation that would be connected to Anbaric and National Grid's "Green Line Infrastructure Alliance's" ("GLIA") proposed underground HVDC electricity transmission line to southern New England "could reduce pressure from [sic, s/b "on"?] the New England gas supply and reduce

greenhouse gas emissions.”<sup>120</sup>

Notably, TGP does not estimate what portion of the energy proposed to be supplied to New England by the NED could be answered by these and other wind projects. The Commission’s EIS should make such an estimation, along with estimating what portion of the asserted New England energy need to be answered by NED could be answered by other alternatives or combination of alternatives. (Energy to be supplied to foreign consumers by the NED, whether in Canada or through LNG export, should not be factored into this need.)

This promising landside wind installation is, however, a very small fraction of the 391,892 MW of offshore wind resource potential existing within 50 nautical miles of shore along coastal New England, estimated by the Department of Energy.<sup>121</sup> This offshore wind potential is more than ten times the 36,100 MW in generating capacity that ISO New England predicts New England will need to meet electricity resource requirements in 2023.<sup>122</sup>

Offshore wind is still moving forward. The 462 MW Cape Wind offshore wind project is clearly struggling at this point. However, Cape Wind was still listed as an “active project” in ISO New England’s interconnection request queue as of 8/1/15.<sup>123</sup>

More significantly at the moment, the Deepwater Wind offshore wind project is moving forward and seems poised to become New England’s, and the nation’s, first offshore wind farm. Deepwater Wind announced March 2, 2015 that it had fully financed its initial group of offshore wind turbines, its 30 MW “Block Island Wind Farm.”<sup>124</sup> Just a few days ago, Deepwater Wind reached another milestone, placing “steel in the water” for the first of its offshore turbines,<sup>125</sup> installing the first of the steel structures in the ocean that will support its wind turbines about three miles off Block Island. The company reports that the turbine blades have already been manufactured for the project, with other components under construction, and that the offshore wind farm should be operational in late 2016.<sup>126</sup>

The company believes if it meets that operational date, its Block Island Wind Farm will become the nation’s first offshore wind farm.<sup>127</sup> Deep Water Wind hopes that the Block Island Wind Farm will be just the first installment in its plans to build 1,000 MW in offshore wind generation capacity off the coasts of Massachusetts and Rhode Island.<sup>128</sup>

Deepwater Wind New England LLC was the winner of the federal government’s historic 2013 auction of leases for the 164,750 acre “Wind Energy Area”, nine nautical miles off the Rhode Island coast.<sup>129</sup> According to the Department of the Interior, this Wind Energy Area “has the potential to support 3,395 megawatts of wind generation”, enough energy “to power more than one million homes.”<sup>130</sup>

There are other indicators that offshore wind will continue to move forward in the northeast during the NED planning horizon period. For example, the University of Maine is leading an offshore wind technology research initiative, the “DeepCwind Consortium,” funded by the Department of Energy and others.<sup>131</sup> Maine’s Public Law 270 allows the University of Maine to establish a Deepwater Offshore Wind Test Site.<sup>132</sup> The University of Delaware’s Special Initiative on Offshore Wind (SIOW) also just completed a study for the NY State Energy Research and Development Authority (NYSERDA) showing how costs for offshore wind could be reduced.<sup>133</sup>

More aggressive wind development, including offshore wind, could offer another sizable portion of the alternatives to the proposed NED pipeline during the 2015 – 2038 period.

#### **IV.C.2 Dispatchability of wind**

TGP asserts that “[w]ind power currently is not an option for providing the existing or projected power needs in the region where the Project is located.”<sup>134</sup> TGP further complains that wind power is an “intermittent and non-dispatchable source of generation”, and does not have the NED’s ability to supply generators with a source of energy on short notice when renewables like wind are not generating due to their “intermittability.”<sup>135</sup>

First, TGP’s assertion that wind power is “non-dispatchable” is a dubious one in the region served by ISO-New England, our region’s power grid coordinator. ISO-New England has reportedly been manually

dispatching wind generation resources since 2003.<sup>136</sup> More significantly, as the Commission is aware, since last year, ISO-New England has been working out the details of so-called “Do-Not-Exceed Dispatch” (aka “DNE Dispatch”) for wind energy, a type of generation dispatch adapted for wind- (and, with modifications, also certain hydro-) generation using short-interval localized wind forecasting, and computer-assisted dispatch of wind, at a generation output not to exceed a varying maximum (the Do-Not-Exceed point) that available transmission capacity can reliably handle.<sup>137</sup> ISO-New England believes that with this “use of an automated process for determining and telemetering Do Not Exceed Dispatch Points, the changes are expected to achieve higher utilization of existing limited transmission facilities which, in turn, will maximize the use of low cost renewable resources [like wind].”<sup>138</sup>

#### **IV.C.3 Addressing intermittency**

In addition to using more sophisticated means of dispatch for wind, the “intermittent” nature of wind (and solar) will likely be increasingly addressed by a combination of:

- Intra-regional transmission upgrades (so that renewably-generated electricity in one locale with an ‘excess’ of wind or sun can support an area where the wind has flagged or the sun isn’t shining, discussed below);
- Inter-regional transmission upgrades (to bring in Canadian hydropower, for example; see Section IV.D below);
- Energy storage facilities, both grid-scale and building-scale (discussed in section IV.E below);
- Smart grid advances (where grid-interfaced “smart” appliances, car chargers and other devices wait until times when renewable energy is peaking to operate or charge – see Section IV.B above); and
- residual existing gas-fired generators and existing pipeline infrastructure used as a diminishing part of the back-up (for a transition period).

#### **Intra-regional electricity transmission upgrades**

ISO New England has reported that some of the planned wind electricity generation will be challenging to integrate into the grid without major transmission improvements, for example in certain parts of Maine.<sup>139</sup>

In fact, ISO New England has acknowledged that “[a]t times, the [ISO New England] system can’t bear [the] full output from wind resources. . . . [W]ind farms are often built in remote areas where the transmission system isn’t designed to carry large amounts of power. To avoid overloading the transmission system, the ISO sometimes has to call on wind resources [i.e. wind generators] to reduce their electricity output.”<sup>140</sup>

It is shocking that we are actually shutting off wind turbines at times for lack of adequate transmission capability in certain parts of the regional electric grid. Obviously this circumstance can and will be remedied in the near term as competitive economics push more northern New England wind generating assets into the market. ISO New England appears to be actively working on these wind-related transmission problems, as are certain private developers.

Some Maine wind developers are making their own significant investments in transmission upgrades, or proposing to do so. The EIA notes, for example, that “First Wind built its own 38 mile 115-kV transmission line that began operating in 2009 to connect the 83 megawatt (MW) Stetson Wind projects to ISO-NE. . . . [The Oakfield wind farm and Number Nine Wind Farm both] have contracts with New England utilities for the power . . . and both plan to pay for their own transmission line connections to ISO-NE (each more than 50 miles).”<sup>141</sup>

The U.S. Energy Information Administration (EIA) also notes that “Loring Energy has proposed using a 200 mile corridor, initially used as a jet fuel pipeline to the former Loring Air Force Base, to construct the land-based portion of a land/sea HVDC [high voltage, direct current] line to Boston”.<sup>142</sup>

Similarly, a partnership involving the Massachusetts-based Anbaric Transmission company has also proposed an HVDC transmission line, from the Canadian border and Aroostook County, Maine, to the Boston area, the “Green Line,” capable of transmitting the electrical output of 1,000 MW of (wind and

other) generation, potentially expandable to 2,000 MW.<sup>143</sup> About 160 miles of the Green Line power cable would run on land, and about 190 miles of the cable would run underwater.<sup>144</sup> Although the project was initially expected to serve First Wind and other Maine wind generators it may also serve to link Boston with Canadian hydroelectric generation.<sup>145</sup>

The Maine project is part of an alliance between Anbaric Transmission and National Grid, an alliance they are calling the “Green Line Infrastructure Alliance,” advocating for “2800 MW of new High Voltage Direct Current (HVDC) transmission projects that combine wind and hydroelectric resources.”<sup>146</sup> The Alliance suggests that “[t]he extra \$3 billion New England consumers paid in wholesale electricity prices in the winter of 2014 is **enough to finance most of the proposed 2800 MW clean energy transmission system.**”<sup>147</sup>

In addition to the Maine Green Line project, the alliance is also proposing the 400 MW Vermont Green Line project (f/k/a the “Grand Isle Intertie”) to connect upstate New York wind and other renewable energy sources with the New England grid. The Vermont Green Line project is currently planned to be in service by 2019.<sup>148</sup>

Discussing their Green Line Infrastructure Alliance, National Grid’s vice president of Business Development claimed:

“We are committed to diversifying new England’s energy options and meeting renewable portfolio requirements as affordably as possible for New England consumers . . . . Anbaric’s track record as an innovative and efficient transmission developer will help us do that. . . . The New England states inevitably will have to address these issues, and we offer a very attractive, cost-effective regional option to do so.”<sup>149</sup> (Emphasis added.)

As noted below in Section IV.D, TGP itself, in its July 2015 Resource Report 10, appears to recognize the 2,800 MW potential of the proposed Green Line transmission projects as conceivably part of an alternative to the NED project.

When one of the larger New England utilities is describing such electricity transmission projects as a “cost-effective regional option”, and when TGP itself appears to acknowledge these as a conceivable part of an alternative to the NED Project, these proposed transmission projects (and others) should be reviewed in detail as possible alternatives, in whole or part, in the EIS.

#### **IV.D Hydropower and interregional transmission**

The “Wind Power” section of TGP’s July 2015 Resource Report 10 (Section 10.1.2.1) discusses in some detail the planned Anbaric / Green Line Infrastructure Alliance underground High Voltage Direct Current (“HVDC”) transmission lines to bring 2,800 MW of hydroelectric and wind power from Eastern Canada and northern New England into southern New England and concludes that if these projects are developed they “could reduce pressure from [sic] the New England gas supply and reduce greenhouse gas emissions”. However, puzzlingly, in the one-paragraph “Hydroelectric Power” section of that report (Section 10.1.2.7), TGP does not mention these underground HVDC projects, instead briefly mentioning unnamed “aboveground transmission line projects requir[ing] exhaustive review and extensive siting approval” and other unnamed transmission lines in a very generalized discussion of “proposed electric transmission line projects designed to import hydroelectric power from Canada to New England”.

After this unspecific and cursory “Hydroelectric Power” section of the report, TGP concludes that “a large electric transmission line project designed to import hydroelectric power from Canada will face similar siting difficulties” and that “use of domestic and imported hydroelectric power cannot meet the specific purpose and need of the Project and provide the required natural gas transportation capacity provided by the Project.”

It is obvious that electric transmission lines for hydropower will not provide gas transportation capacity, but that cannot seriously be given as the reason hydroelectric power is not feasible as an alternative to the NED project, given the growing interchangability of gas and electric energy resources, and TGP’s own arguments for the proposed NED project based in part on supplying gas to electricity generators. The question

regarding alternatives should not be centered on provision of gas, but rather upon the provision of sufficient energy resources (whether positive energy production or negative energy demand reduction or demand shifting), so this argument by TGP has no merit.

The other argument that TGP appears to be making against hydropower as an alternative, however, that siting difficulties will prevent the timely completion and availability of such hydropower resources, deserves detailed review by the Commission. However, it should be noted from the start that NED Project siting is also facing “similar siting difficulties”, so siting difficulties alone cannot decide the question about the viability of hydropower transmission as part of the alternative to the NED pipeline.

For the reasons discussed below, I believe there is facial evidence that one or more HVDC transmission lines for importing Canadian hydropower may be able to be sited and completed during the NED planning period, and likely in the early years of the 2015 to 2038 planning horizon.

Environmental disputes concerning the impacts of expanded overhead electric transmission lines from Canadian hydropower facilities to New England, such as the proposed Northern Pass project, have slowed the expansion of Canadian hydropower back-up for intermittent sources like wind and solar in our region. However, new approaches using buried and/or underwater high voltage direct current (HVDC) cables might be able to mitigate enough of that transmission impact to overcome this impasse.<sup>150</sup>

Several new underwater/underground HVDC transmission lines connecting from Canada to serve New England have been proposed, and at least one has permitting review pending.

TDI New England, for example, has proposed the “New England Clean Power Link,” a planned 1,000 MW HVDC transmission line to run underwater in Lake Champlain from Canada, and then underground in highway and other public right of ways, to connect to the New England power grid in central Vermont.<sup>151</sup> The transmission line would be composed of two six-inch-wide transmission cables, along with ancillary facilities.<sup>152</sup>

This \$1.2 billion HVDC transmission line proposal to bring more Canadian hydroelectric power to New England is currently under review by the Vermont Public Service Board.<sup>153</sup> The U.S. Department of Energy just recommended approval of this HVDC transmission project.<sup>154</sup> If approved, this high capacity transmission line is projected to come on line in 2019.<sup>155</sup> The Boston Globe recently reported that the TDI transmission project “cleared a major hurdle” when TDI reached a settlement with the Conservation Law Foundation (CLF) to do millions of dollars of additional Lake Champlain clean-up in exchange for CLF not opposing the project.<sup>156</sup>

TDI has reportedly received final approval from federal regulators for the similar, but even longer and more complex Champlain Hudson Power Express HVDC project, routed through Lake Champlain, the Hudson River, and the East River, to deliver Canadian power to New York City.<sup>157</sup> So, TDI seems to have the resources and technical capacity to get such projects permitted.

Another HVDC project, being proposed by a partnership of National Grid and Emera Inc., the 1,100 MW “Northeast Energy Link” (“NEL”) is under development to connect Orrington, Maine to the grid further south in Tewksbury, MA, and is projected to come on line by 2018.<sup>158</sup> The project proponents have “state[d] that the primary purpose of the NEL is to deliver renewable [electricity] generation to New England load centers to satisfy state renewable portfolio standard goals and to meet carbon reduction requirements over the next three years”, according to FERC.<sup>159</sup> According to the Energy Information Administration, the 230 mile Northeast Energy Link would deliver renewable energy from “Maine and eastern Canada into southern New England, using existing transportation corridors in eastern Maine, New Hampshire, and Massachusetts.”<sup>160</sup>

The proposed Maine Green Line, part of National Grid and Anbaric’s Green Line transmission projects, as well as the Vermont Green Line, discussed in the intraregional transmission section above (Section IV.C.3), may also involve possible interregional transmission capability, including the capability to

import electricity generated by Canadian hydro and wind facilities.

#### **IV.E Energy storage alternatives**

The Commission's EIS scope should include:

- (1) A detailed review of the LNG storage alternatives likely and/or possible, in the 2015 to 2038 horizon;
- (2) A detailed review of the pumped storage alternatives that would be possible in the 2015 to 2038 horizon;
- (3) A detailed review of distributed and grid-scale battery storage alternatives likely in the 2015 to 2038 horizon;
- (4) A detailed review of other storage alternatives that might be possible at scale in the 2015 to 2038 horizon,<sup>161</sup> such as compressed air,<sup>162</sup> thermal storage, flywheels, electrolysis / stored hydrogen / hydrogen fuel cells.<sup>163</sup>

#### **Reasoning behind IV.E scoping comments**

##### **IV.E.1 LNG storage**

TGP acknowledges that both liquefied natural gas (“LNG”) and propane/air storage and vaporization “have the potential to meet the Project objectives”.<sup>164</sup> However, TGP then summarily dismisses these options in one sentence, asserting “siting constraints, increased environmental impacts, and the time required to develop them” make them “not viable”.<sup>165</sup> This is a grossly inadequate discussion of these options, particularly LNG, considering how advanced and well-seasoned LNG infrastructure is in New England, and the planned additions to such infrastructure already in motion.

Expanded LNG storage could help diversify New England's energy supplies, helping mitigate supply risks during winter peaks and at times of any transmission pipeline disruption, a growing vulnerability concern.<sup>166</sup> It could make more efficient use of existing gas infrastructure, including New England's underutilized offshore LNG import terminals.

LNG storage can be more closely calibrated to any local area's actual winter peak gas shortfall – and avoid costly, high impact, decades-long over-investment in massive gas pipeline infrastructure – as we work on our transition to a renewable energy economy. Smaller-scale LNG storage is typically faster to put up, a smaller investment, and could mean less sunk and wasted investment (fewer “stranded assets”) in fossil fuel infrastructure, as we un-wind New England's dependence on fossil fuels in the years ahead.

As the Northeast Gas Association has noted, “LNG remains an important fuel for New England - providing from 25% to over 40% of design day supply in the winter for several local gas utilities. LNG provides about 6% of New England's total annual gas supply.”<sup>167</sup> The operators of the Distrigas LNG facility in Boston have in fact argued that their facility can meet the rising demand for natural gas and is an alternative to new gas pipelines (such as the NED project).<sup>168</sup>

The Energyzt energy consulting firm doing analysis for GDF Suez (the latter, the owner of the Everett, MA Distrigas LNG import terminal) has stated that:

“In total, deliverability from the existing LNG facilities (on-shore and off-shore) is 3.7 billion cubic feet per day, nearly the maximum demand for natural gas in New England. . . .

Existing LNG infrastructure represents enough delivery capacity to meet the entire winter peak demand (i.e., 3.7 billion cubic feet per day) on a continuous basis, as well as a higher peak delivery capacity with LNG storage that can hold more than five days equivalent of winter peak demand. . . .

LNG import facilities are an existing energy asset that can provide winter reliability without expensive infrastructure investment costs and risks.”<sup>169</sup>

As ISO New England has observed, “increased use of existing LNG storage capability or the expansion of this capability also could improve fuel certainty” for the electric power system (as well as other uses).<sup>170</sup> (Emphasis added.) In a similar vein, the U.S. Energy Information Administration has suggested:

“Utilities in New England might also enhance winter supply reliability by investing directly in proposed

U.S. LNG liquefaction plants and receiving occasional LNG cargoes as a stipulation of their investment. It may be possible that investing a relatively small amount of capital could provide access to this source of swing supply during periods of high winter demand in New England.”<sup>171</sup> (Emphasis added.)

Thus, in general terms, LNG and expanded LNG storage should be seriously reviewed as a potentially cost-effective alternative to the NED.

Moreover, Massachusetts is unusual among northeastern states in that it has three LNG import facilities that can be used for stopgap deliveries of LNG to help address peak gas needs during the winter, during the transition to a fully renewable energy system. Those facilities are the GDF Suez Distrigas LNG import terminal in Everett, MA,<sup>172</sup> the Northeast Gateway Deepwater Port, thirteen miles offshore from Gloucester,<sup>173</sup> and the Neptune Deepwater Port offshore LNG import buoy facility, ten miles offshore from Gloucester, MA.<sup>174</sup> In addition, New England receives gas supplies from the Canaport LNG import facility in Saint John, New Brunswick, Canada, approximately 60 miles over the Maine border.<sup>175</sup>

Low or, (in the case of the two Deepwater Port facilities) no,<sup>176</sup> LNG deliveries to Massachusetts were an important factor in high prices during the winter of 2014.

The greater delivery of LNG this past winter (2015) has played a role in keeping gas more available and wholesale gas prices lower in our region,<sup>177</sup> and it can again in winters to come, and without any additional pipeline infrastructure needed in Massachusetts for the supply. As the Boston Globe reported, “shipments of liquefied natural gas, or LNG, into the region have dramatically increased this winter, and at prices 50 percent lower than last winter. The change has prevented natural gas shortages caused by pipeline constraints and moderated fuel prices.”<sup>178</sup>

LNG tankers bring in an immense quantity of gas in a single ship. The LNG tanker the Suez Matthew, for example, which unloaded at Distrigas in Everett this past February, holds the equivalent of 2.6 Billion cubic feet of gas, once the LNG is regasified.<sup>179</sup> The LNG tanker, the Excelerate, which unloaded at the Northeast Gateway Deepwater Port in January (2015), holds the equivalent of 2.85 Billion cubic feet of gas, and includes an on-board regasification unit.<sup>180</sup> These huge cargoes amount to about 3 to 4 days of the Synapse Report’s estimated peak Massachusetts gas shortfall in 2030, in a single ship’s delivery. We likely only need to cover a few dozen days peak demand in a winter in Massachusetts, the equivalent of maybe 6 to 10 LNG tanker loads, even if we adopt none of the other alternatives suggested here to reduce peak gas demand.

Market forces will likely bring this LNG import capacity into play during future winter peak demand events, if the price signals are strong enough.<sup>181</sup> However, we will likely pay a premium to wait for market forces to draw LNG shipments to New England, and availability on the LNG spot market in severe winters could be constrained -- that was part of the price spike problem during the winter of 2013/2014.

Therefore, it seems likely New England could consider public LNG hedging, contracting or leasing arrangements by individual New England states, or a New England regional public consortium, to acquire and reserve LNG at lower prices in advance of each winter, as one more alternative to manage peak winter demand.

The nation created the national Strategic Petroleum Reserve in the 1970s to improve the nation’s petroleum energy security.<sup>182</sup> Oil stocks in the reserve are federally owned,<sup>183</sup> and the reserve is maintained by the U.S. Department of Energy.<sup>184</sup> Later, the similar 1 million barrel Northeast Home Heating Oil Reserve was established in Groton, Connecticut and Revere, Massachusetts, managed by the U.S. Department of Energy, but held in private oil terminals (the Hess terminal in Groton, and the Global Montello Group, LLC terminal in Revere).<sup>185</sup> According to the Department of Energy, the Northeast Home Heating Oil Reserve “provides protection for homes and businesses in the northeastern United States should a disruption in supplies occur.”

<sup>186</sup>

The possibility of one or more of the New England states creating a similar publicly owned natural gas / LNG reserve, and stockpiling winter gas reserves and/or LNG there, should be considered among the alternatives to the proposed NED pipeline.

The Commission’s EIS needs to review the wide range of LNG options that will be, or could reasonably be

part of the alternative to the NED Project during the 2015 – 2038 planning horizon.

### **A local example of LNG storage alternatives not adequately explored – Berkshire Gas**

As the Commission is aware, Berkshire Gas is one of the Local Distribution Companies (LDCs) for gas that has signed a Precedent Agreement with TGP for capacity on the proposed NED pipeline. Berkshire Gas recently announced a gas hook-up moratorium in its Eastern Division until the NED is built, basically arguing that the NED is the only solution that can allow it to keep adding customers and accommodate growth on its local gas distribution system.<sup>187</sup>

It is, in essence, making a small parallel argument to the one TGP is making about the NED project writ large – that there are no other feasible alternatives to accommodate growing gas demand except the NED. The Berkshire case is therefore instructive about whether other alternatives, like LNG, are being overlooked in the rush to build a massive new gas transmission pipeline.

Critics like me have argued that Berkshire could have at least addressed part of growing demand by greater utilization of LNG storage, a plan that Berkshire itself had to accommodate winter peak demand growth but did not implement. Berkshire’s Manager – Regulatory Economics in fact acknowledged that “the expansion of on-system peaking resources” was one of the “‘conceptual’ alternatives to the NED Project” for Berkshire.<sup>188</sup> (According to this Manager, Berkshire’s on-system peaking resources are LP and LNG.<sup>189</sup>)

It’s hard to accept Berkshire’s argument that it has no other options except the NED, when Berkshire failed to carry out its own plan to accommodate demand growth with increasing LNG storage. Here’s the LNG plan that Berkshire Gas did not carry out:

In 1999, to alleviate pressure, capacity and peaking issues, Berkshire added a permanent LNG storage facility to its system, at 369 Long View Road in Whately, MA, originally comprised of two 70,000-gallon LNG tanks.<sup>190</sup> In 1999, at least, Berkshire determined that the proposed LNG storage would be lower cost, in net present value of 20 year revenue requirements, than the alternative of building a 12” diameter pipeline upgrade in the Northampton, Hatfield and Whately portions of its line coupled with increased gas transport from Tennessee Gas Pipeline.<sup>191</sup> According to the Massachusetts Energy Facilities Siting Board (EFSB) in 1999, “Berkshire [Gas] stated that the proposed [Whately] LNG storage and vaporization facility would make it possible to ‘maintain adequate operating pressures during peak or near peak periods’ for the next twenty years . . . .”<sup>192</sup>

Berkshire had originally planned in 1999 to add three additional LNG tanks in Whately in about 2003, 2011 and 2018, with the installation taking place over these twenty years “as needed to meet projected [gas] sendout requirements”, according to the EFSB.<sup>193</sup> But in 2006, Berkshire Gas still only had two 70,000-gallon LNG tanks at its Whately LNG facility, with space for three more LNG tanks.<sup>194</sup> Based on this author’s personal observations, a Google Earth view of Berkshire Gas’ Long Plain Road site in Whately, and Berkshire’s own recent testimony,<sup>195</sup> it appears that there are still only two LNG tanks there, with space still vacant for three more LNG tanks.

So, Berkshire seems to be ignoring this possible local LNG capacity upgrade to “maintain adequate operating pressures during peak or near peak periods”, and to “meet projected [gas] sendout requirements.” Berkshire’s Manager – Regulatory Economics’ arguments for not exploring the expansion of LNG as an alternative to the NED Project were not convincing. This manager first argued that such expansion could not meet Berkshire’s identified design-day need through this alternative.<sup>196</sup> However, the methodology for arriving at that design-day may have inappropriately inflated that need. Moreover, even if expanding Berkshire’s LNG storage could not meet the full ten year design-day need, it seems possible that it could meet some significant portion and sooner than the 3 ½ year moratorium delay.

Secondly, this Berkshire Manager argued there are gas-mixing constraints involved in expansion of such on-system peaking resources. However, LNG is already being used by Berkshire for answering peak demand, so clearly they have mastered any gas-mixing issues with the use of LNG.

Thirdly, this Manager argued there are operational issues with (LNG) product and trucking availability, and that the price has typically been higher and more volatile (than piped gas). However, as noted above, the Boston Globe reported LNG shipments into the region increased “dramatically” during the winter of 2015, at prices 50% lower than the previous winter, moderating gas prices.<sup>197</sup> For the first time in several

years, for example, one of the moth-balled offshore LNG import buoy terminals off the coast of Gloucester, MA, the Northeast Gateway Deepwater Port, was put back into service during 2015.<sup>198</sup> So any issues with availability and price may be moderating. Thus, the arguments against at least exploring LNG use seem to be weakening.

Within the 20 year term of the proposed Precedent Agreement, and perhaps even prior to its possible November 2018 commencement date, it also seems possible that LNG shipments might also be available by rail tank car to Berkshire's LNG facility,<sup>199</sup> further alleviating Berkshire's asserted concern about trucking issues. Berkshire's Whately LNG facility site immediately abuts a rail line.

UMASS-Amherst isn't waiting for the NED pipeline to be built 3 years from now. The University is currently proposing to build a new permanent 108,000 gallon LNG storage facility next to its Combined Heat-Power plant on its Amherst, MA campus.<sup>200</sup> UMASS-Amherst plans to begin construction of the first 56,000 gallon LNG tank in the fall of 2015, and to have that tank operational by November 2016.<sup>201</sup> So such LNG storage facilities can be built in roughly a year.

In addition, Columbia Gas has found economic justification for a gas liquification facility in Ludlow,<sup>202</sup> enabling it to purchase gas off-peak at lower cost, and liquefy it for storage until winter peak use. These local examples of LNG utilization, storage expansion and expansion possibilities point to the likelihood of LNG being a significant part of the New England-wide alternative to the proposed NED pipeline, that the Commission's EIS needs to address in detail.

#### **IV.E.2 Pumped storage**

As the Commission is well aware, pumped storage stores energy from surplus electricity generation during off-peak hours, by using that electricity to pump water up into reservoirs or dam headwaters that are connected to raceways equipped with hydropower generating turbines.<sup>203</sup> When electricity is needed later, for example during peak demand periods, the pumped and stored water is released and gravity takes it down the raceways, spinning hydropower turbines to generate electricity on demand.

In the past that surplus electricity generation for pumped storage came from high volume baseload generating stations like the Vermont Yankee nuclear plant. In the near future pumped storage could be used to store the energy from surplus renewable generation like off-shore wind overnight, or solar generation on a bright but temperate day, and make it available when the wind or sun are down, or during peak demand.<sup>204</sup>

With the coming surge of wind and solar power, pumped storage is experiencing renewed interest nationally, as we look for ways to expand energy storage to complement intermittent generation by wind and solar.<sup>205</sup> Pumped storage creates, in effect, a giant battery, rechargeable by wind and solar for later use.

New England currently has large-scale pumped storage capability of 1,777 MW,<sup>206</sup> about equal to 5% of the electrical generating capacity in the region<sup>207</sup> – a great, if insufficient, start in high capacity regional energy storage to balance a renewable energy portfolio. This pumped storage is comprised primarily of the very large Northfield Mountain 1,124 MW pumped storage facility in Northfield, MA, which, at the time it was completed in 1972, was the largest such facility in the world.<sup>208</sup> New England also includes the oldest operating U.S. pumped storage facility, the Rocky River Station in Connecticut, completed in 1929,<sup>209</sup> and the 600 MW Bear Swamp (a/k/a Jack Cockwell) pumped storage facility in Florida, MA on the Deerfield River.<sup>210</sup> Not far is the recently modernized 1,160 MW Blenheim-Gilboa pumped storage facility in New York's Catskills.<sup>211</sup>

An expansion of New England's pumped storage capacity during the 2015 – 2038 horizon could help support the reliability of greater renewable energy generation in our region, and could be part of the alternative to massive new gas pipeline infrastructure. The fastest opportunities for such expansion may be at one or more of the existing pumped storage facilities.

Northfield Mountain, in fact requested permission last fall to increase its power production by about 2,170 megawatt-hours/ per day of generation on a temporary basis overwinter (equivalent to about 90 MW of added generation capacity),<sup>212</sup> by simply raising the reservoir's upper limit by 4 feet and its lower limit by 18 feet.<sup>213</sup> Modernization of pumps, turbines and other equipment might offer another avenue for expanding

the effective electrical output of existing pumped storage facilities.<sup>214</sup>

New pumped storage facilities could also be investigated, and implemented where feasible. Last year, a study by the Idaho National Laboratory (INL), a U.S. Department of Energy National Laboratory, looked for possible new pumped storage sites around the nation, including sites with existing hydropower dams and non-powered dams that had nearby lakes or reservoirs that were plausible candidates for higher elevation pumped storage connected to the dam.<sup>215</sup> It also screened for sites that promised at least 10 megawatts (MW) of pumped storage hydro generating capacity.

The INL study found five such sites in New England, out of the 38 such sites nationwide. They are:

- i) A Connecticut River / Turners Falls Pond reservoir combination in Massachusetts (current nameplate hydropower generation rating of 51 MW);
- ii) A Little River / Cobble Mountain Reservoir combination in Massachusetts (current nameplate rating of 33 MW);
- iii) A Deerfield River / Fife Brook Reservoir combination in Massachusetts (current nameplate rating of 11 MW);
- iv) A Pemigewasset River / Webster Lake reservoir combination in New Hampshire (non-powered dam with an estimated potential generating capacity of 42 MW);
- v) A Deerfield River / Sadawag Lake reservoir combination in Vermont (current nameplate rating of 34 MW).<sup>216</sup>

While these potential power storage facilities would be small additional pumped storage generators compared to the very large existing 1,124 MW Northfield, MA pumped storage facility,<sup>217</sup> they apparently have not been assessed for upgrades to increase power output, and would in any event appear to offer the possibility in the aggregate of about a 15% increase in New England pumped storage capacity over Northfield alone.

Moreover, the INL study did not look at so-called “closed loop” pumped storage possibilities in New England or elsewhere (where both upper and lower reservoirs are newly constructed, and do not relate to existing water bodies). I am also excluding from detailed mention here INL’s list of potential “greenfield” pumped storage sites (no existing dam or reservoir, 97 sites nationally) and paired waterbody sites (2,370 sites nationally), as likely being too challenging to get permitted and built in the coming decade.

The INL study recommended follow-on feasibility studies of the sites it identified, along with new studies of possible “pump back” pumped storage (where water is pumped from the tailwater back up to the headwater of an existing dam, without a separated reservoir<sup>218</sup>), closed loop pumped storage (including abandoned mines), and shoreline saltwater-based pumped storage, among other recommendations.<sup>219</sup> So, ultimately there could be other opportunities for pumped storage that could serve as part of the on-demand back-up to renewable energy in New England.

With respect to the INL’s note of closed loop, abandoned mine pumped storage, it is worth mentioning that a 1981 U.S. Army Engineer Institute for Water Resources study observed that it would be possible to construct one or two pumped storage reservoirs underground in connection with a surface reservoir, pumping up and down between them to store and then generate back-up / peak demand power,<sup>220</sup> potentially reducing competition with other surface land uses.<sup>221</sup> Such an approach might liberate pumped storage from needing to be located in certain topography near certain water bodies, although geological factors would no doubt come more strongly into play.<sup>222</sup> The Army Institute of Engineers study noted that an underground pumped storage system could use the water descending through hydropower turbines into an underground reservoir to also compress air in the underground reservoir, driving a second set of compressed air turbines to deliver additional peak demand electricity.<sup>223</sup>

In line with this renewed interest in pumped storage as support for renewable energy, since 2008 your Commission has received more than 100 preliminary applications for new pumped storage projects around the country, mostly closed-loop / off-stream proposals,<sup>224</sup> including a number that reportedly plan to use underground caverns as the lower reservoir.<sup>225</sup> So the Army Institute of Engineers’ intriguing underground

pumped storage concepts may yet be tested in the U.S.

### **IV.E.3 Grid-scale battery storage**

As the Commission is no doubt aware, high capacity, grid-scale battery storage is already being installed around the United States. As the *Economist* noted last December, grid scale batteries have an immediate advantage in smoothing out “irregular demand through the day by absorbing electricity during troughs and regurgitating it during peaks. If that pans out, it will eliminate the need for gas powered ‘peaker’ stations which fire up quickly when needed, but are expensive to run.”<sup>226</sup>

Beyond that, battery storage promises to be one of the multiple paths to overcoming the question of “intermittency” of wind, solar and other renewable energy sources. Moreover, grid-scale battery storage has proven useful in frequency regulation and improving the quality of the electricity being supplied.<sup>227</sup>

Grid-scale battery development is a rapidly expanding field. The Swiss energy services and battery company Alevo just opened a new production facility in North Carolina last fall in which it plans to build batteries totaling 16.2 Gigawatt-hours (GWhr) in capacity each year.<sup>228</sup> Alevo believes the facility will ultimately create 2,500 to 6,000 new jobs.<sup>229</sup> In an interesting twist potentially heralding changed directions for the U.S. economy and manufacturing, Alevo bought the 3.5 million square foot former Philip Morris cigarette factory in Concord, North Carolina for this facility.<sup>230</sup> Ironically, the former cigarette factory may help us clear the air of fossil fuel emissions.

Tesla is building a similarly enormous factory near Reno, NV to produce batteries for both cars and grid-scale utility storage.<sup>231</sup> Tesla has partnered with Panasonic in this \$5 billion “gigfactory” in Nevada, which Tesla’s founder says will produce more battery capacity than all of the world’s current total lithium-ion battery production combined, up to a quarter of which will be for stationary power supplies including grid-scale storage batteries.<sup>232</sup> Tesla’s huge battery factory will employ up to 6,500 people, according to the *Wall Street Journal*.<sup>233</sup>

But grid-scale battery storage is not just “coming soon” to an electric utility near you. Such storage is already installed and operating on the grid in different parts of the country. Examples of grid-scale battery storage already installed include:

- the 36 MW Notrees Battery Storage Project in Texas, adjoining the 153 MW wind farm there,<sup>234</sup>
- the 32 MW battery storage facility adjoining the 94 MW wind turbines at the AES Laurel Mountain facility in West Virginia,<sup>235</sup>
- the 20 MW battery storage facility at the Tait Electric Generating Station in Ohio,<sup>236</sup>
- the 3 MW Lyon Station, PA battery storage facility.<sup>237</sup>

The California Public Utilities Commission has set a target of 1.3 GW of electrical storage installed by 2020.<sup>238</sup> This is already pushing energy storage development significantly. Late in 2014 Southern California Edison announced 261 MW of storage-related development contracts, including a 100 MW battery storage facility to be built by AES in Los Angeles County.<sup>239</sup>

Closer to home, one modular energy storage company has announced plans to work with Holyoke Gas & Electric and UMASS-Amherst to develop a network of residential energy storage systems.<sup>240</sup>

Moreover, as home power batteries system enter the market, like Tesla’s Powerwall, in the future utilities may benefit from reduced peak demand on their grid due to the home batteries, or even be able to interface with thousands of these batteries to create “virtual power plants” for the grid.<sup>241</sup> This may also be possible with electric vehicles’ batteries in the future.<sup>242</sup> While cabled in for charging, these batteries might be drawn from when the need for peak power is high and the cost of it makes it worthwhile for the owner to automatically send power from his or her car battery back into the grid to make more money than the owner paid for the electricity during off-peak charging.

### **IV.E.4 Other forms of storage**

As the Commission is aware, other forms of grid-scale energy storage have already been installed around

the country, or are in active development, including:

- compressed air storage,<sup>243</sup>
- thermal storage (molten salts, gravel, possible ice manufacture and storage for cooling loads, etc.),<sup>244</sup> and
- flywheels.<sup>245</sup>

At the residential level, in addition to residential battery storage, such as Tesla's Powerwall, VCharge presented a discussion of home thermal storage using its water- or ceramic-based home storage units, at the recent Massachusetts DPU conference on energy storage.<sup>246</sup>

The Commission should examine these and other energy storage alternatives, including those discussed above, in its EIS.

#### **IV.F Solar**

The Commission's EIS scope should include:

- (1) A detailed review of the extent to which expanded solar energy (particularly solar photovoltaics) is likely to, or could reasonably, replace some or all of the need for the proposed NED Pipeline through the 2015 to 2038 horizon;
- (2) A detailed review of the coming changes in dispatchability and solutions for intermittency and their impacts on the scale-up of solar energy in New England through this planning horizon.

#### **Reasoning behind the IV.F scoping questions**

Similar to its dismissal of wind as an alternative, TGP, in its July 2015 draft Resource Report 10, asserts that "renewable resources, such as solar power . . . are not being developed at a pace fast enough to provide for the projected energy needs in the region", also arguing, as with wind, that solar is "an intermittent and non-dispatchable source of generation".<sup>247</sup>

But as with wind, TGP has again created a strawman with respect to solar. Again, the question is not whether a single alternative, like solar generation of electricity, can answer the asserted power needs of the region, but whether a combination of alternatives, such as wind, solar, efficiency improvements, expansion of energy storage, etc. can answer the power needs of the region at the pace needed over the planning horizon appropriate for this project.

TGP does not offer even the semblance of a quantitative review of solar capacity or its growth in New England, so it's worth mentioning some basics here. Massachusetts, for example, has been rapidly increasing the installation of solar/photovoltaic (PV) electricity generation over the past three years. In 2011, Massachusetts had less than 100 megawatts (MW) of photovoltaic generation capacity installed in the state,<sup>248</sup> in a state with approximately 14,321 MW of net generating capacity.<sup>249</sup> By 2014, installed photovoltaic generating capacity in Massachusetts had reached 776 MW,<sup>250</sup> more than a seven-fold increase in three years, equivalent to an average annual increase in PV capacity in Massachusetts of about 225 MW per year.

Assuming no increase in that 225 MW/year rate of PV installation, a conservative assumption at this point, the state should be able to install at least another 1,125 MW of photovoltaic capacity by 2020, taking us to a statewide photovoltaic generation capacity of about 1,901 MW (776 MW + 1,125 MW). This estimate is more or less in line with the Massachusetts Executive Office of Energy and Environmental Affairs' new solar goal of 1,600 MW installed by 2020, since the state has reached previous solar goals earlier than expected.<sup>251</sup>

Similarly, although a little more conservatively, ISO New England forecasts that photovoltaic generating capacity will be over 1,800 MW regionally by 2023, with almost 70% of that projected to be in Massachusetts (i.e., about 1,260 MW).<sup>252</sup> For capacity comparison, 1,800 MW of solar is approximately equal to the 1,838 MW in conventional electricity generation capacity of the 604 MW Vermont Yankee nuclear generating station,<sup>253</sup> 749 MW Salem Harbor coal- and oil-fired station,<sup>254</sup> 143 MW Mount Tom coal-fired generating station<sup>255</sup> and 342 MW Norwalk Harbor oil-fired generating station<sup>256</sup> combined,

which all retired prior to January 2015.<sup>257</sup> (Their retirement was much pointed to as a reason for needing the NED pipeline and more gas-fired generation, with predictions of catastrophic regional electricity prices in the winter of 2015 that did not materialize.)

ISO New England acknowledges that it has typically not been aware prospectively of the timing or location of distributed generation [“DG”] resources, like small-scale solar, although it “is working to improve its operating forecasts to more fully account for PV.”<sup>258</sup> So it is quite possible its estimates of future solar installation are on the low side.

At a new installation rate of 225 MW per year, we should be able to achieve an additional PV installation of at least 2,250 MW more by 2030, giving us at least 4,151 MW of installed solar (PV) capacity in Massachusetts by 2030 (1,901 MW + 2,250 MW), about 29% of the state’s current net generating capacity<sup>259</sup> (4,151 MW ÷ 14,321 MW).

The Commonwealth will of course need to make sure it keeps in place any necessary policies and incentives to maintain, and hopefully increase, this level of photovoltaic installation and push our sister states in New England to do likewise.

Two such important policies are (i) continuing to raise the net-metering cap, and (ii) encouraging more solar “co-location” with other land uses.

(i) Raising the net metering caps. As the Commission is aware, net metering allows a consumer with photovoltaic panels or other renewable energy installation to run its electric meter ‘backwards’ when it produces more electricity than it is using and sends the surplus electricity back into the grid. Net metering has encouraged the installation of a large quantity of new photovoltaic generation capacity in Massachusetts. Raising the net metering cap is an alternative fully within the technical capability of the state within the near-end of the planning horizon for this project.

The state, however, has imposed two caps on how much solar and other renewable energy over a certain production capacity can be installed in each utility’s area and net metered back into the grid – a 4% of peak historic electric demand cap on private installations, and a 5% of peak historic electric demand on public installations.<sup>260</sup> These net metering caps put a limit on the amount of possible solar and other renewable generation that can be installed under this favorable economic arrangement.<sup>261</sup>

The U.S. Department of Energy’s National Renewable Energy Laboratory projected that Massachusetts would reach these net metering caps around 2017 (a year before the proposed NED Pipeline could come on line), with some utilities “likely to meet the private and/or public cap before 2017.”<sup>262</sup> In fact, by 2015, National Grid, for one, had already hit its net metering cap in Massachusetts.<sup>263</sup>

In other words, unless these statutory net metering caps are again raised, in about two years the phenomenal escalation of renewables in Massachusetts will likely hit the caps across all the utilities involved, and the caps will put the brakes on the installation of solar and other renewables. Said another way, Massachusetts state law will soon slow the phenomenal growth of electricity generation by solar and other renewables under net metering. Raising the net-metering caps, fortunately, is being actively debated in the legislature, and there is a good chance that this arbitrary limit dampening solar development will soon be raised.

(ii) Greater co-location of solar. Greater co-location of photovoltaic panels with existing land uses is also possible in New England. One solar co-location option where Massachusetts has been a national leader, but which is still significantly underdeveloped, is co-location of photovoltaic panels over parking lots.<sup>264</sup> Although cost is currently still an issue, redirection of some portion of a possible multi-billion dollar misinvestment in gas pipelines might make parking lot co-location of photovoltaics feasible at a much larger scale. Again, this is one of the partial alternatives to the proposed NED pipeline that is achievable within the near end of the planning horizon at issue here.

Another very visible opportunity for more co-location of solar panels has appeared along the Massachusetts turnpike (Mass Pike). A number of 250 KW to 300 KW solar panel arrays have already been installed along the north side of the Mass Pike right-of-way by the Massachusetts Department of Transportation (“DOT”), notably in the Framingham to Boston section of the east-west turnpike, to save money and reduce carbon emissions according to the Department’s project manager for this initiative. The Massachusetts Department

of Transportation has planned other such installations and has actually studied 600 possible locations for such panels.<sup>265</sup> The DOT estimates the initial solar arrays will save or earn taxpayers about \$15 million over the life of the power purchase agreements with the solar company operating these highway right-of-way solar sites.<sup>266</sup>

In its EIS, the Commission should thoroughly examine the potential that solar energy will, or reasonably could, provide at least part of the alternative to the proposed NED Pipeline through the 2015 to 2038 planning horizon.

#### **IV.G Biogas**

The Commission's EIS scope should include:

- (1) A detailed review of the potential for biogas heat and electricity generation in New England that will be or could reasonably be installed during the planning horizon;
- (2) An analysis of the net climate impacts, and other net environmental impacts, of such biogas as compared to the gas that would be transported on the proposed NED pipeline, derived from hydraulically fractured or other fossil-sourced gas.

So-called "biogas" is typically derived from the controlled anaerobic digestion of organic wastes, such as cow manure, discarded food wastes, and sewage, inside containment tanks. The biogas can then be burned for either space or process heating, or to power electrical generators, or in "Combined Heat and Power" (CHP) units that produce both heat and electricity.

Because it represents a contained and controlled generation of methane, methane that could otherwise be naturally produced in the breakdown of these wastes and lost to the atmosphere (where it would have significantly more impact per pound than carbon dioxide), biogas potentially has positive climate change mitigation impacts.<sup>267</sup> Even if climate impacts were neutral, biogas would likely present advantages over imported fracked gas in terms of:

- being a renewable energy source,
- distributing energy production geographically,
- diversifying energy supply sources and the companies that control them / reducing over-reliance on a handful of critical energy facilities (e.g., a few critical transmission pipelines) and a handful of energy monopolies,
- mitigating fuel price volatility,<sup>268</sup>
- reducing municipal,<sup>269</sup> farm and food industry energy and/or disposal costs,
- increasing energy system resilience,
- supporting rural economies,<sup>270</sup>
- retaining energy dollars in New England,
- reducing solids sent to landfills, and
- lessening aggregate environmental and health impacts due to hydrofracturing and pipeline transmission projects.

(Many of the above advantages also apply to other alternatives discussed in this letter.) As a Massachusetts study of biogas potential at the states many waste water treatment plants ("WWTPs") observed: "Treating millions of gallons of wastewater containing biosolids, these Massachusetts WWTPs are processing a potential fuel every day, and more often than not, that fuel simply passes through the plant and goes to [a] landfill."<sup>271</sup>

Biogas is not simply a theoretical possibility within the NED planning horizon; it is already being produced and used to generate electricity in numerous installations throughout New England. Examples of biogas production and energy generation facilities already installed in New England include:

- Jordan Dairy Farm's manure and food waste-based anaerobic digester and on-site 300kW CHP biogas-

fueled electrical generating facility in Rutland, MA,<sup>272</sup>

- Barstow’s Longview Farm anaerobic digester and 300kW on-site biogas-fueled generator in Hadley, MA, which reportedly produces heat for the farmhouse and milking parlor and supplies enough electricity into the WMECO electric grid to supply 250 homes continuously,<sup>273</sup>
- Massachusetts Water Resources Authority (MWRA) anaerobic digesters and biogas-generating turbine at Deer Island;<sup>274</sup>
- Fairhaven, MA Water Pollution Control Facility’s 149kW biogas-fueled combined heat and power plant and anaerobic digester.<sup>275</sup>

In addition, the Pittsfield, MA Waste Water Treatment Plant “which generates 80,000 cubic feet of methane per day, recently obtained funding for a co-generation system that will use three turbines to convert excess methane into electricity.”<sup>276</sup>

The Department of Energy’s National Renewable Energy Laboratory (NREL) has estimated that the methane potential from landfills, animal manure, sewage, and industrial, institutional and commercial organic wastes is about 7.9 million tons per year nationally, equal to about 420 billion cubic feet of gas, sufficient to displace about 5% of the drilled gas being used to generate electricity in the U.S., as of 2013.<sup>277</sup> Duke University’s Nicholas Institute for Environmental Policy Solutions similarly estimated that, given appropriate conditions, “biogas could be expanded to perhaps 3-5% of the natural gas market” within the 2040 energy planning horizon.<sup>278</sup>

The European Union is reportedly already obtaining 2% of its gas consumption from biogas.<sup>279</sup> The European Union managed to increase its production and use of biogas by 30% in just the short period from 2009 to 2010, according to one study.<sup>280</sup>

According to NREL, all of the New England States have counties with the potential to each produce biogas exceeding 5,000 tons (annually) in methane potential, and some counties in New England have the potential to produce over 10,000 tons each.<sup>281</sup> As noted, biogas is already being produced in New England at numerous locations, including farms and wastewater treatment plants, and is being used for both heating and electricity generation.

Biogas production could likely be expanded significantly as an alternative source of gas during the NED project planning horizon.<sup>282</sup> For example, a 2011 Massachusetts Department of Environmental Protection study on the energy potential for biogas production at wastewater treatment plants noted that, “[a]s of June 2011, only six of 133 municipal WWTPs [Waste Water Treatment Plants] in Massachusetts utilize anaerobic digestion, and of those six, only three are using or in the process of installing a CHP [Combined Heat and Power] system to generate renewable energy on-site.”<sup>283</sup>

The Commission’s EIS should include an assessment of biogas as part of the alternative to the proposed NED Project.

## **Conclusion**

In sum, TGP’s analysis of alternatives in its July 2015 Resource Report 10 was a completely inadequate discussion of the potential alternatives to the NED Project. A number of important alternatives such as energy storage, demand shifting, and biogas were barely discussed or not discussed at all. Other important alternatives, such as hydropower, wind and solar were dismissed by TGP without a thorough-going and quantitative review of their potential as alternatives.

The scope of the Commission’s EIS will need to include a much more rigorous review of such alternatives over the appropriate planning horizon, a comparison of their adequacy to deliver equivalent energy resources in the appropriate timeframes, and their respective environmental impacts when compared to the impacts of the proposed TGP Project.

It is my strong belief that when such a review of the alternatives is properly done, the likely conclusion will be that there are reasonable and sufficient alternatives to the NED Project that have far less environmental impact, particularly with respect to climate change, and that we should be pursuing these alternatives,

instead of wasting billions of dollars on the proposed NED Pipeline.

Thank you for your consideration of these comments.

Sincerely,

/s/ Rutilious (Rudy) B. Perkins III, Esq.  
42 Cherry Lane  
Amherst, MA 01002

Cc: Senator Elizabeth Warren  
Senator Edward Markey  
Congressman Jim McGovern  
Attorney General Maura Healey  
Senate President Stan Rosenberg  
Representative Ellen Story

**(Endnotes)**

<sup>1</sup> Myersville Citizens for a Rural Community, Inc. v. Federal Energy Regulatory Commission, 783 F.3d 1301, 1322 (D.C. Cir. 2015), citing 42 U.S.C. § 4332(C).

See also Federal Energy Regulatory Commission, Notice of Intent to Prepare An Environmental Impact Statement for the Planned Northeast Energy Direct Project, Request for Comments on Environmental Issues, and Notice of Public Scoping Meetings, Docket No. PF14-22-000 (June 30, 2015), p. 1 (comments regarding scoping for the EIS “should focus on the potential environmental effects, reasonable alternatives, and measures to avoid or lessen environmental impacts” [Emphasis added.]).

<sup>2</sup> 42 U.S.C.A. § 4332 (E) (Thomson Reuters 2015). See also 18 CFR 380.12(l) (requiring a Resource Report from the applicant describing “alternatives to the project and compar[ing] the environmental impacts of such alternatives to those of the proposal”, including a discussion of the “no action” alternative “and the potential for accomplishing the proposed objectives through the use of other systems and /or energy conservation”).

<sup>3</sup> 42 U.S.C.A. § 4332 (F) (Thomson Reuters 2015).

<sup>4</sup> 18 CFR 380.7(b).

<sup>5</sup> 18 CFR 380.12(l).

<sup>6</sup> 18 CFR 380.12(l)(1).

<sup>7</sup> 18 CFR 380.12(a)(2).

<sup>8</sup> Compare Federal Energy Regulatory Commission, Notice of Intent to Prepare An Environmental Impact Statement for the Planned Northeast Energy Direct Project, Request for Comments on Environmental Issues, and Notice of Public Scoping Meetings, Docket No. PF14-22-000 (June 30, 2015), pp. 5-6 (topic areas to be covered in EIS), and 18 CFR 380.12 (topic areas to be covered in Resource Reports).

<sup>9</sup> See Office of the Attorney General, “AG Healey’s Office to Lead Regional Gas Capacity Study,” (press release) (July 6, 2015), available at <http://www.mass.gov/ago/news-and-updates/press-releases/2015/2015-07-06-regional-gas-capacity-study.html>.

<sup>10</sup> See Eversource Energy, “Eversource’s Point of View on Energy Storage / Prepared for [Massachusetts] DPU’s Stakeholder Conference on Energy Storage,” (July 9, 2015), , available through <http://web1.env.state.ma.us/DPU/FileRoom/dockets/bynumber> at DPU Docket no. 15-ESC-1, p. 7 (noting timeframe for Massachusetts Energy Storage Study.).

<sup>11</sup> Kinder Morgan, the parent company of TGP, is frequently the entity associated with documents regarding the proposed NED Project, and so is used interchangeably with TGP in this letter.

<sup>12</sup> See Jack Newsham, “Pipeline moves forward, despite lack of customers,” Boston Globe (July 17, 2015) (“So far, Kinder Morgan has contracts to ship only about 550 million cubic feet a day [on its proposed 188-mile natural gas pipeline across Massachusetts and New Hampshire].”).

<sup>13</sup> See Tennessee Gas Pipeline Company, L.L.C., “Northeast Energy Direct Project / Docket No. PF14-22-000 / Draft Environmental Report / Resource Report 1 / General Project Description / Public [Version],” (July 2015), available through the FERC Online docket at FERC Accession number 20150724-5061 [hereinafter “July 2015 Resource Report 1”], p. 1-10.

See also Northwest Gas Association, “Glossary of terms,” (downloaded 4/5/15), available at <http://www.nwga.org/glossary-of-terms/> (“DTH: Unit of measurement for natural gas; a dekatherm is 10 therms, which is one thousand cubic feet (volume) or one million BTUs (energy).” [Emphasis added.]);

and American Gas Association, “Natural Gas Glossary,” (downloaded 4/5/15), available at <https://www.aga.org/knowledgecenter/>

[natural-gas-101/natural-gas-glossary/d](#) (A Dekatherm is “[a] unit of heating value equivalent to 10 therms or 1,000,000 Btu’s.”).

<sup>14</sup> See *Delaware Riverkeeper Network v. Federal Energy Regulatory Commission*, 753 F.3d 1304, 1308 (D.C. Cir. 2014).

<sup>15</sup> See generally Energyzt Advisors, LLC, “Analysis of Alternative Winter Reliability Solutions for New England Energy Markets,” prepared for GDF SUEZ Energy North America, (Aug. 2015), available at <http://nebula.wsimg.com/bb7e738fbf3b67cf923f218fbedd118?AccessKeyId=0CF32B0C493F619624BA&disposition=0&alloworigin=1>, p. ES-3:

“Given existing energy infrastructure, expansions already underway, and other market responses to winter peak prices, a new pipeline subsidized by electricity ratepayers will overserve the New England market, resulting in a glut of natural gas throughout the year that is likely to flow to markets outside of New England into Canada and overseas. This would leave New England ratepayers paying for the cost of building a new pipeline for twelve months of the year, and reselling back unused capacity at a lower rate for at least nine months to natural gas shippers selling into other markets.”

<sup>16</sup> Federal Energy Regulatory Commission, Statement of Policy, Certification of New Interstate Natural Gas Pipeline Facilities, Docket No. PL99-3-000, 88 FERC ¶ 61,227 (Sept. 15, 1999), p.2.

<sup>17</sup> See Federal Energy Regulatory Commission, Order Clarifying Statement of Policy, Certification of New Interstate Natural Gas Pipeline Facilities, Docket No. PL99-3-001, 90 FERC ¶ 61,128 (Feb. 9, 2000), p. 16, Section III.

<sup>18</sup> See generally Energyzt Advisors, LLC, “Analysis of Alternative Winter Reliability Solutions for New England Energy Markets,” prepared for GDF SUEZ Energy North America, (Aug. 2015), available at <http://nebula.wsimg.com/bb7e738fbf3b67cf923f218fbedd118?AccessKeyId=0CF32B0C493F619624BA&disposition=0&alloworigin=1>, pp. 26, 27 :

“If enough natural gas flows through New England to the Maritimes for export from Canada, basis differentials could increase and New England electric ratepayers will have funded construction of pipeline capacity from which they receive no benefit. . . .

The addition of proposed electricity ratepayer-funded pipeline(s) is an unnecessary capital cost and risk that may eventually harm New England ratepayers, not benefit them. Given anticipated market conditions, government-mandated funding of a new pipeline using electricity ratepayer dollars is likely to expose those ratepayers to a needless infrastructure investment to the benefit of gas suppliers pipeline owners, Canadian Maritime LNG export facilities and foreign buyers of USLNG.”

<sup>19</sup> See Kinder Morgan, “Tennessee Gas Pipeline Northeast Energy Direct (NED) Project [Frequently Asked Questions] (downloaded 1/27/15), Question: “Will the pipeline carry gas derived from fracking?”, available at [http://www.kindermorgan.com/business/gas\\_pipelines/east/neenergydirect/faq.aspx](http://www.kindermorgan.com/business/gas_pipelines/east/neenergydirect/faq.aspx) (“Tennessee understands that its customers on the NED Project, whether they are gas utilities, marketers or power generators, will transport natural gas produced in the Marcellus Shale supply area in Pennsylvania to their markets in the Northeast and New England.”);

and Kinder Morgan, “Kinder Morgan Confirms Anchor Shippers for Northeast Energy Direct Project,” (March 5, 2015) (press release), available at <http://news.kindermorgan.com/press-release/all/kinder-morgan-confirms-anchor-shippers-northeast-energy-direct-project> (“Kinder Morgan, Inc. (NYSE: KMI) today announced that its subsidiary, Tennessee Gas Pipeline Company (TGP), has finalized its anchor shippers for the market path component of the proposed Northeast Energy Direct Project (NED) following the formal close of the anchor shipper period in February. Collectively, the anchor shippers have executed agreements to transport approximately 500,000 dekatherms per day (Dth/d) of incremental natural gas supplies sourced from the prolific Marcellus Shale region . . .” [Emphasis added.]);

and Presentation about the Northeast Expansion Project (now called Northeast Energy Direct Project) by Kinder Morgan Director of Public Affairs, Allen Fore, in Plainfield, MA , (April 22, 2014), available on Youtube, at about 8:45 into the video, at <https://www.youtube.com/watch?v=B4gblhIMtFc> (Fore, showing TGP gas pipeline system map: “[The] Tennessee Gas [Pipeline system is] . . . situated right above the Marcellus Shale. So, that’s where a lot of the gas is being drawn from for projects like this. In fact, 60, 70 percent of the gas currently serving New England is from the Marcellus Shale. That’s anticipated to be 90 plus percent by, in the next twenty years.”).

Under TGP’s revised December 2014 Resource Report, TGP noted proposed pipeline facilities for the NED project would begin in Bradford County and Susquehanna County, Pennsylvania and run to Dracut, MA. See Tennessee Gas Pipeline Company, L.L.C. [ / a Kinder Morgan company], “Northeast Energy Direct Project / Docket No. PF14-22-000 / Draft Environmental Report / Resource Report 1 / General Project Description,” (December 2014) [FERC Accession Number: 20141208-5217, component document labeled: “[NED RR 1 12-05-14 Public CLEAN.PDF](#)”], Table 1.1-1, available through [http://elibrary.ferc.gov/idmws/file\\_list.asp?accession\\_num=20141208-5217](http://elibrary.ferc.gov/idmws/file_list.asp?accession_num=20141208-5217), also available at [http://www.tyngsboroughma.gov/download/documents/2014/KinderMorgan/2014-12\\_KinderMorgan\\_DraftEnvironmentalReport.pdf](http://www.tyngsboroughma.gov/download/documents/2014/KinderMorgan/2014-12_KinderMorgan_DraftEnvironmentalReport.pdf).

Bradford and Susquehanna Counties are located in the Marcellus Shale region of Pennsylvania. See Bradford County Pennsylvania, available at <http://www.bradfordcountypa.org/Natural-Gas.asp?specifTab=2> (Marcellus Well Permits map, showing

Bradford County as falling within the boundaries of the Marcellus Shale area), and Bradford County Pennsylvania, “Marcellus Well Permits Issued as of 1/18/2011” map, available at [http://www.bradfordcountypa.org/Images/Gas-Map-Pdfs/Maps/marcellus\\_wells.pdf](http://www.bradfordcountypa.org/Images/Gas-Map-Pdfs/Maps/marcellus_wells.pdf) (showing Bradford County as the county with the highest number of [Marcellus] well permits issued in the state of Pennsylvania, and Susquehanna County as the county with the fifth highest number of [Marcellus] well permits issued in the state of Pennsylvania, in that year).

See also FracFocus Chemical Disclosure Registry, Find a Well webpage (downloaded 1/25/15), available at <http://www.fracfocusdata.org/DisclosureSearch/> through <https://fracfocus.org/> (search for Bradford County, Pennsylvania well sites that have been hydraulically fractured producing 39 pages of well listings, at about 20 wells listed per page [meaning roughly 780 fracked wells], and parallel search for such wells in Susquehanna County, Pennsylvania producing 38 pages of well listings [meaning roughly 760 fracked wells]).

<sup>20</sup> See Tennessee Gas Pipeline Company, L.L.C., “Northeast Energy Direct Project / Docket No. PF14-22-000 / Draft Environmental Report / Resource Report 1 / General Project Description / Public [Version],” (July 2015), available through the FERC Online docket at FERC Accession number 20150724-5061 [hereinafter “July 2015 Resource Report 1”], p. 1-10 (NED Project “Market Path Component” would involve new and co-located gas pipeline extending from Wright, NY “to an interconnect with the Joint Facilities of Maritimes & Northeast Pipeline System and Portland Natural Gas Transmission System (“PNGTS”) (“Joint Facilities”) at Dracut, Massachusetts”).

<sup>21</sup> See Kinder Morgan, NED Project Map (downloaded 4/12/15), available at <http://www.kindermorgan.com/content/docs/nedprojectmap.pdf> through [http://www.kindermorgan.com/business/gas\\_pipelines/east/neenergydirect/](http://www.kindermorgan.com/business/gas_pipelines/east/neenergydirect/) (showing proposed NED pipeline linkage through Dracut, MA to the M&NP pipeline [Maritimes and Northeast Pipeline]); and Kinder Morgan, “Northeast Energy Direct Project: The ‘Transformative’ Market Solution Advances Versus A Recently Announced Competing Effort In Need of Customers,” (September 30, 2014) available at [http://www.kindermorgan.com/content/docs/NED\\_Competition.pdf](http://www.kindermorgan.com/content/docs/NED_Competition.pdf) (the Northeast Energy Direct Project “[p]rovides deliveries to M&NP Joint Facilities, with the anticipated reversal of the primary flow direction of the Joint Facilities, which will enable the Northeast Energy Direct Project to access more New England customers in New Hampshire, Maine and the Atlantic Canada region.”); See also Mary Serreze, “Tennessee Gas Pipeline Co. files environmental report with Federal Energy Regulatory Commission,” *The Republican / Masslive.com*, (March 16, 2015), available at [http://www.masslive.com/news/index.ssf/2015/03/tennessee\\_gas\\_pipeline\\_co\\_file.html](http://www.masslive.com/news/index.ssf/2015/03/tennessee_gas_pipeline_co_file.html):

“Northeast Energy Direct would have the capacity to transport up to 2.2 billion cubic feet of natural gas per day from wells in Pennsylvania to markets in the Northeast. . . .

Northeast Energy Direct, or NED, would comprise 165 miles of new pipeline from Pennsylvania to Wright, N.Y.; 53 miles in New York to the Massachusetts border, 64 miles in Western Massachusetts, and 71 miles across New Hampshire. The line would terminate in Dracut at a hub connecting the Tennessee Gas pipeline with the Maritimes & Northeast and Portland Natural Gas pipeline systems. . . .

The pipeline appears poised to serve possible export markets as well through its connection with pipes in Maine and Canada.” and Maritimes & Northeast Pipeline [Canadian website home page], (downloaded 1/18/15), available at [www.mnpp.com/canada/](http://www.mnpp.com/canada/) (“The M&NP system consists of an approximately 30”/24” diameter underground mainline running from Goldboro, Nova Scotia . . . through Maine and New Hampshire into Massachusetts where it connects with the existing North American pipeline grid at Dracut, Massachusetts. . . M&NP also provides natural gas to downstream North American markets through interconnects with . . . Tennessee Gas Transmission . . .”);

and Black & Veatch, “Natural Gas Infrastructure and Electric Generation: Proposed Solutions for New England / Prepared for The New England States Committee on Electricity,” (August 26, 2013), pp. 34-35, available at [http://www.nescoe.com/uploads/Phase\\_III\\_Gas-Elec\\_Report\\_Sept.\\_2013.pdf](http://www.nescoe.com/uploads/Phase_III_Gas-Elec_Report_Sept._2013.pdf) (“a Cross-Regional Natural Gas Pipeline [essentially the NED] would originate at Wright, the existing Tennessee Gas Pipeline (‘Tennessee’) and Iroquois interconnect in Schoharie County, New York , and terminate at Dracut, Tennessee Gas Pipeline’s interconnect with M&NP [Maritimes & Northeast Pipeline] in Middlesex County Massachusetts. . . . By delivering natural gas to Dracut, the Cross-Regional Natural Gas Pipeline . . . can also deliver directly into Maine with the flow reversal of M&NP . . . .”); and *ibid.*, p. 9 (“the Maritimes & Northeast Pipeline (‘M&NP’) [is] capable of reverse flow on an economic basis to meet demand growth from Maine and Maritimes Canada.”).

<sup>22</sup> See Tennessee Gas Pipeline Company, L.L.C., “Northeast Energy Direct Project / Docket No. PF14-22-000 / Draft Environmental Report / Resource Report 1 / General Project Description / Public [Version],” (July 2015), available through the FERC Online docket at FERC Accession number 20150724-5061 [hereinafter “July 2015 Resource Report 1”], p. 1-10.

<sup>23</sup> Tennessee Gas Pipeline Company, L.L.C., “Northeast Energy Direct Project / Docket No. PF14-22-000 / Draft Environmental

Report / Resource Report 1 / General Project Description / Public [Version],” (July 2015), available through the FERC Online docket at FERC Accession number 20150724-5061, p. 1-12.

<sup>24</sup> For a quick overview of this possibility, please see my op ed piece “On the trail of the natural gas shell game,” Hampshire Gazette (Northampton, MA) (March 6, 2015), p. A6.

Unbeknownst to me at the time, the very day this op ed was published, the Department of Energy used a more lenient section of the Natural Gas Act to approve the LNG export application of 0.46 Billion cubic feet of natural gas per day from yet another LNG export terminal to be connected to the M&NP, the proposed Downeast LNG export terminal to be built in Robbinston, Maine. See United States of America / Department of Energy / Office of Fossil Energy / Downeast LNG, Inc. / FE Docket No. 14-172-LNG, “Order Granting Long-Term, Multi-contract Authorization to Export Liquefied Natural Gas by Vessel from the Proposed Downeast LNG Terminal in Robbinston, Maine, to Free Trade Agreement Nations / DOE/FE Order No. 3600,” (March 6, 2015), available at [http://energy.gov/sites/prod/files/2015/03/f20/ord3600\\_0.pdf](http://energy.gov/sites/prod/files/2015/03/f20/ord3600_0.pdf) , pp. 2, 4.

<sup>25</sup> Michael Sanserino, “Northern Exposure / Canada Offers More Avenues for Overseas LNG Exports,” Pittsburgh Post-Gazette (Aug. 12, 2014), Westlaw Doc #2014 WLNR 22047524.

See also “Eastern Canada LNG projects look to Marcellus,” Energy Monitor Worldwide (Nov. 15, 2014), [Westlaw doc. # 2014 WLNR 32155634] :

“Five LNG projects have been proposed for eastern Canada and are in various stages of development, with plans to export the fuel to Europe, South America and Asia. Which of them will succeed depends on approvals, financing, timing and -- most importantly -- securing gas supply. . . . Three projects in Nova Scotia -- Goldboro LNG, Bearhead LNG and H-Energy -- have plans to build liquefaction plants . . . with startup dates estimated at around 2018 -- 2020. All plan to source most of their gas from the huge Marcellus shale in the US via the existing Maritimes & Northeast Pipeline (M&NP) . . . .”

and Joe Mahoney, “Another pipeline rules out I-88 route,” The Daily Star (Oneonta, NY) (Nov. 12, 2014) (West Law Doc. #2014 WLNR 31771970 :

“Tennessee [Gas Pipeline], based in Houston, noted in a list of ‘frequently asked questions’ about the project that it ‘cannot discriminate among customers based on the ultimate destination of the gas’ and it was powerless to stop receivers of the gas from exporting it to foreign markets.

The company pointed out that there are four liquefied natural gas export projects on Canada’s Atlantic Coast and one LNG export project in northern Maine ‘that could find capacity on the NED Project useful to service their proposed LNG export facilities.’”

and “Nova Scotia regulator approves transfer of LNG plant build permit,” The Canadian Press (8/15/14) [excerpt available at <http://www.news957.com/2014/08/15/nova-scotia-regulator-approves-transfer-of-lng-plant-build-permit/> ], (reporting that the Nova Scotia Utility and Review Board has approved transfer of permit to build Bear Head LNG plant to Mayflower LNG PTY Ltd., a wholly owned subsidiary of Liquefied Natural Gas Ltd.; “Liquefied Natural Gas Ltd. announced last month that it would purchase the partially constructed Anadarko Bear Head LNG terminal for U.S. \$11 million and develop it as a liquefied natural gas export facility.”; original owner had planned to build an LNG [import] terminal supplying natural gas to the Maritimes and Northeast pipeline [but that plan encountered problems]. [Emphasis added]);

and Quentin Casey, “Nova Scotia hopefuls; Proponents keen to capitalize on geography, create jobs,” National Post (Ontario, Canada) (Nov. 27, 2014):

“When it comes to proposed LNG export terminals, Canada’s West Coast gets most of the national attention, yet there’s growing talk of building LNG export terminals on Canada’s East Coast.

At this point there’s no clear front-runner, and it’s unclear if any of the projects will make the leap from idea to reality. Still, proponents are bullish on the potential of LNG projects, especially in Nova Scotia.

Bear Head LN, a subsidiary of Perth, Australia-based Liquefied natural Gas Ltd., is among the proponents hoping to capitalize on the province’s North Atlantic geography.

When compared to U.S. Gulf ports, Nova Scotia is about half the shipping distance to European markets, and closer to India than British Columbia. . . .

On Nov. 6, Bear Head LNG filed an application with the National Energy Board, seeking an export licence for up to 12 million tonnes of LNG per year. Its proposed Nova Scotia development site is situated near Point Tupper, on the Cape Breton side of the Strait of Canso and comes complete with roads, utilities and foundations for LNG holding tanks. . . .

Bear Head LNG is expected to source gas from three potential sources: Nova Scotia’s offshore fields, Western Canada and the U.S., including the Marcellus shale fields. Indeed, the company is seeking permission to import up to 503 billion cubic

feet of natural gas annually from the U.S.

‘We are in serious negotiations with major natural gas suppliers in North America as well as major LNG buyers globally, both in Europe and Asia,’ Mr. Godbold said. ‘I think the odds of Bear Head going ahead are incredibly high given the global demand for LNG.’

Bill Gwozd echoes that point. The Calgary-based consultant with Ziff Energy says it’s no surprise that three LNG export proposals have popped up in Nova Scotia, given its proximity to Europe. . . .

According to Mr. Gwozd, global demand for LNG is 35 billion cubic feet per day, a figure that is forecast to grow by two bcf a year for the next decade. . . .

The Maritimes and Northeast Pipeline, a 1,101-kilometre route that takes Maritime gas to the northeast U.S., could be reversed to take American gas to LNG plants in Nova Scotia. . . .

Pieridae Energy Ltd. [is] another of the Nova Scotia [LNG export] hopefuls.

Thomas Dawson, Pieridae’s chief operating officer, believes his project’s advantage lies in its proposed location at Goldboro, where Nova Scotia’s offshore gas makes landfall and enters the Maritimes and Northeast Pipeline. . . .

The company [Pieridae] also benefits from having an agreement with E.ON SE, a German utility, to purchase half of the proposed facility’s 10 million tonne output. . . .

A third proposal, floated by India’s H-Energy Private Ltd., would involve a 13.5 million tonne export terminal in Melford. The company says memorandums of understanding have been signed for six million tonnes of LNG, roughly half of the proposed output at the estimated \$9-billion plant. The MoUs involve undisclosed customers in India, the Middle East and Europe. . . .

Spanish giant Repsol YPF SA, which owns 75% of the Canaport LNG facility in Saint John, N.B. is also considering turning its LNG import terminal into an export plant. In addition, GNL Quebec Inc., backed by U.S.-based Freestone Capital LLC and Breyer Capital LLC, have proposed a \$7-billion LNG export terminal in Saguenay, Q.C.” (Emphasis added.)

and Department of Energy, Office of Fossil Energy, “Pieridae Energy (USA) Ltd.; Application for Long-Term Authorization To Export Domestically Produced Natural Gas Through Canada to Non-Free Trade Agreement Countries After Liquefaction to Liquefied Natural Gas for a 20-Year Period,” [FE Docket No. 14-179-LNG] Federal Register, Vol. 79, No. 237, (Dec. 10, 2014), p. 73285, available at [http://energy.gov/sites/prod/files/2014/12/f19/FR%20Published%202014\\_179%2012\\_10\\_14\\_0.pdf](http://energy.gov/sites/prod/files/2014/12/f19/FR%20Published%202014_179%2012_10_14_0.pdf) :

“The Office of Fossil Energy (FE) of the Department of Energy (DOE) gives notice of receipt of an application (Application) filed on October 24, 2014, by Pieridae Energy (USA) Ltd. (Pieridae US) requesting long-term, multicontract authorization to export domestically produced natural gas in a volume up to 292 billion cubic feet per year (Bcf/yr), or approximately 0.8 Bcf per day (Bcf/d). Pieridae US proposes to export domestically produced natural gas as follows: (i) To export the natural gas to Canada at the United States-Canada border near Baileyville, Maine, at the juncture of the Maritimes & Northeast (M&N) U.S. Pipeline and the M&N Canada Pipeline; (ii) to use a portion of the U.S.-sourced natural gas as feedstock in a Canadian natural gas liquefaction facility called the Goldboro LNG Project, to be developed by one or more Pieridae affiliates and to be located at the Goldboro Industrial Park in Guysborough County, Nova Scotia, Canada; and (iii) to export a portion of the U.S.-sourced natural gas in the form of liquefied natural gas (LNG) by vessel from Canada . . . .” (Emphasis added; internal citations omitted.)

and Maritimes & Northeast Pipeline, Maritimes & Northeast Pipeline system map, (downloaded 1/18/15), available at [www.mnpp.com/canada/map](http://www.mnpp.com/canada/map) (showing the Maritimes & Northeast Pipeline connections on mainlines or laterals to the Repsol-Irving Canaport LNG facility in Saint John, New Brunswick, and also to, or near, the Atlantic Coast at Point Tupper, Nova Scotia and Goldboro, Nova Scotia (Sable Offshore Energy Goldboro Meter Station)).

<sup>26</sup> See Kinder Morgan [investor presentation] (Dec. 2, 2014), p. 15 (“Natural Gas Megatrend” page), available at [http://www.kindermorgan.com/content/docs/1202\\_Investor\\_Pres.pdf](http://www.kindermorgan.com/content/docs/1202_Investor_Pres.pdf) (“Kinder Morgan’s unparalleled natural gas footprint is . . . [w]ell-positioned relative to major trends (Marcellus / Utica, exports to Mexico, LNG exports . . . .)”); and *ibid.* p. 23 (“Natural Gas Pipelines / Segment Outlook” page) (“Natural Gas Pipelines . . . Long-term Growth Drivers: . . . [include] LNG exports”).

<sup>27</sup> See United States of America / Department of Energy / Office of Fossil Energy / Downeast LNG, Inc. / FE Docket No. 14-172-LNG, “Order Granting Long-Term, Multi-contract Authorization to Export Liquefied Natural Gas by Vessel from the Proposed Downeast LNG Terminal in Robbinston, Maine, to Free Trade Agreement Nations / DOE/FE Order No. 3600,” (March 6, 2015), available at [http://energy.gov/sites/prod/files/2015/03/f20/ord3600\\_0.pdf](http://energy.gov/sites/prod/files/2015/03/f20/ord3600_0.pdf), pp. 2, 4.

<sup>28</sup> See Tennessee Gas Pipeline Company, L.L.C. / a Kinder Morgan company [letterhead], letter to Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, “Re: Tennessee Gas Pipeline Company, L.L.C., Docket No. PF14-\_\_\_-000 / Request to Use Pre-filing Procedures / Proposed Northeast Energy Direct Project,” (Sept. 15, 2014), [a component document under FERC

Accession Number 20140915-5200, labeled “NED Pre-filing Letter.DOCX”] p. 2, available through the FERC docket:

“The interconnection with the Joint Facilities, together with the anticipated reversal of the primary flow direction of the Joint Facilities, will enable the NED Project to access more New England customers in New Hampshire and Maine and in the Atlantic Canada region, as well as Algonquin Gas Transmission’s system through the HubLine. Potential Atlantic Canada customers include LDCs, power generators, industrials, and liquefied natural gas (‘LNG’) export projects.” (Emphasis added.)

See also Mary Serreze, “Tennessee Gas Pipeline Co. files environmental report with Federal Energy Regulatory Commission,” The Republican [Springfield, MA] / Masslive.com, (March 16, 2015), available at [http://www.masslive.com/news/index.ssf/2015/03/tennessee\\_gas\\_pipeline\\_co\\_file.html](http://www.masslive.com/news/index.ssf/2015/03/tennessee_gas_pipeline_co_file.html):

“Northeast Energy Direct would have the capacity to transport up to 2.2 billion cubic feet of natural gas per day from wells in Pennsylvania to markets in the Northeast. . . .

The line would terminate in Dracut at a hub connecting the Tennessee Gas pipeline with the Maritimes & Northeast and Portland Natural Gas pipeline systems. . . .

The pipeline appears poised to serve possible export markets as well through its connection with pipes in Maine and Canada.” and Energyzt Advisors, LLC, “Analysis of Alternative Winter Reliability Solutions for New England Energy Markets,” prepared for GDF SUEZ Energy North America, (Aug. 2015), available at <http://nebula.wsimg.com/bb7e738fbf3b67cfc923f218fbed118?AccessKeyId=0CF32B0C493F619624BA&disposition=0&alloworigin=1>, p. 3 (“Forcing electricity ratepayers to fund a new pipeline will result in a glut of pipeline capacity in New England, likely leading to higher total costs to ratepayers and supporting the export of U.S. gas supplies from the Marcellus to foreign markets in Canada and overseas year-round.”); and *ibid.* p. 25 (“Incremental pipeline capacity funded by electricity ratepayers will require electric utilities to try to remarket the resulting excess pipeline capacity on the secondary market during at least nine months out of the year. . . . The most likely secondary market will be Canadian Maritimes where production is dropping and several LNG export facilities have been proposed.”)

<sup>29</sup> See United States of America Before the Department of Energy / Office of Fossil Energy, In the Matter Of: Pieridae Energy (USA) Ltd., Docket No. 14-179-LNG, “Application for Long-Term Multi-Contract Authorization to Export Natural Gas into Canada for Consumption and Through Canada to Free Trade and Non-Free Trade Agreement Nations After Conversion into LNG,” (submitted October 24, 2014), pp. 8-9, 12, 17.

See also *ibid.*, Appendix E, pp. E-4 (discussing proposed Northeast Energy Direct Project pipeline to an interconnect with the joint facilities of the Maritimes & Northeast Pipeline at Dracut, MA and the anticipated reversal of the primary flow of such joint facilities enabling access to customers in New Hampshire, Maine and the Atlantic Canada region).

<sup>30</sup> See United States of America Before the Department of Energy / Office of Fossil Energy, In the Matter Of: Pieridae Energy (USA) Ltd., Docket No. 14-179-LNG, “Application for Long-Term Multi-Contract Authorization to Export Natural Gas into Canada for Consumption and Through Canada to Free Trade and Non-Free Trade Agreement Nations After Conversion into LNG,” (submitted October 24, 2014), pp. 3-4 (LNG would be exported from Canada to one or more countries with which US has Free Trade Agreement [FTA], or one or more countries which do not qualify as FTA countries), p. 9 (“Goldboro LNG Project is to be located at the Goldboro Industrial Park in Guysborough County, Nova Scotia, Canada”) , p. 10 (“Goldboro LNG Project will include . . . marine loading facilities”).

See also Department of Energy, Office of Fossil Energy, “Pieridae Energy (USA) Ltd.;

Application for Long-Term Authorization To Export Domestically Produced Natural Gas Through Canada to Non-Free Trade Agreement Countries After Liquefaction to Liquefied Natural Gas for a 20-Year Period,” [FE Docket No. 14-179-LNG] Federal Register, Vol. 79, No. 237, (Dec. 10, 2014), p. 73285, available at [http://energy.gov/sites/prod/files/2014/12/f19/FR%20Published%2014\\_179%2012\\_10\\_14\\_0.pdf](http://energy.gov/sites/prod/files/2014/12/f19/FR%20Published%2014_179%2012_10_14_0.pdf) :

“The Office of Fossil Energy (FE) of the Department of Energy (DOE) gives notice of receipt of an application (Application) filed on October 24, 2014, by Pieridae Energy (USA) Ltd. (Pieridae US) requesting long-term, multicontract authorization to export domestically produced natural gas in a volume up to 292 billion cubic feet per year (Bcf/yr), or approximately 0.8 Bcf per day (Bcf/d). Pieridae US proposes to export domestically produced natural gas as follows: (i) To export the natural gas to Canada at the United States-Canada border near Baileyville, Maine, at the juncture of the Maritimes & Northeast (M&N) U.S. Pipeline and the M&N Canada Pipeline; (ii) to use a portion of the U.S.-sourced natural gas as feedstock in a Canadian natural gas liquefaction facility called the Goldboro LNG Project, to be developed by one or more Pieridae affiliates and to be located at the Goldboro Industrial Park in Guysborough County, Nova Scotia, Canada; and (iii) to export a portion of the U.S.-sourced natural gas in the form of liquefied natural gas (LNG) by vessel from Canada . . .” (Emphasis added; internal

citations omitted.)

and Mark Hand / SNL Financial, “Developers see Nova Scotia as LNG export hub for US, Canadian gas,” SNL FERC Gas Report (Jan. 22, 2014), [Westlaw doc. # 2014 WLNR 2436434]:

“At least one LNG export terminal developer in eastern Canada is working to lock up access to [gas] supplies in the Marcellus and Utica shales. Pieridae Energy, which has proposed an LNG export terminal in Nova Scotia, is engaged in discussions with shale gas producers in the U.S. about securing long-term supplies of gas . . . Pieridae Energy’s LNG export project . . . would be northeast of Halifax, near Goldboro, Nova Scotia, adjacent to the Maritimes pipeline. The facility would have a sendout capacity of up to 10 million tonnes per year, or about 1.4 Bcf/d.” [difference in this sendout figure from 0.7 Bcf/day may be due to Canadian gas also being added in for export]

and Goldboro LNG, factsheet, available at [http://goldborolng.com/wp-content/uploads/2013/08/Goldboro\\_factsheet\\_Aug1.pdf](http://goldborolng.com/wp-content/uploads/2013/08/Goldboro_factsheet_Aug1.pdf) (based on url, date may be 8/1/13; downloaded 3/3/15) (“Project Overview . . . Consists of a natural gas liquefaction plant and facilities for the storage and export of LNG, including a marine jetty for loading . . . Gas supply feed via the existing Maritimes & Northeast Pipeline directly adjacent to the project . . . Its location [is in] Goldboro, Nova Scotia”);

and Goldboro LNG, home page, available at <http://goldborolng.com/> (downloaded 3/3/15) (“North American natural gas supplies will be transported to Goldboro, Nova Scotia using existing pipelines and exported by ship to international markets. . . . Goldboro is the site for the connection between the Maritimes & Northeast Pipeline and the Sable Offshore Energy Project.”);

Pieridae Energy (USA) Ltd, a/k/a Pieridae US, is the general partner of Goldboro LNG Limited Partnership II, and filed its application with the Department of Energy in that capacity, with respect to the export request. United States of America Before the Department of Energy / Office of Fossil Energy, In the Matter Of: Pieridae Energy (USA) Ltd., Docket No. 14-179-LNG, “Application for Long-Term Multi-Contract Authorization to Export Natural Gas into Canada for Consumption and Through Canada to Free Trade and Non-Free Trade Agreement Nations After Conversion into LNG,” (submitted October 24, 2014), p. 5.

<sup>31</sup> See United States of America Before the Department of Energy / Office of Fossil Energy, In the Matter Of: Pieridae Energy (USA) Ltd., Docket No. 14-179-LNG, “Application for Long-Term Multi-Contract Authorization to Export Natural Gas into Canada for Consumption and Through Canada to Free Trade and Non-Free Trade Agreement Nations After Conversion into LNG,” (submitted October 24, 2014), p.7 [292 Bcf / year = 0.8 Bcf/day].

<sup>32</sup> United States of America Before the Department of Energy / Office of Fossil Energy, In the Matter Of: Pieridae Energy (USA) Ltd., Docket No. 14-179-LNG, “Application for Long-Term Multi-Contract Authorization to Export Natural Gas into Canada for Consumption and Through Canada to Free Trade and Non-Free Trade Agreement Nations After Conversion into LNG,” (submitted October 24, 2014), p. 17.

See also ibid., p. 4, note 5 (defining “M&N Pipeline”).

<sup>33</sup> United States of America Before the Department of Energy / Office of Fossil Energy, In the Matter Of: Pieridae Energy (USA) Ltd., Docket No. 14-179-LNG, “Application for Long-Term Multi-Contract Authorization to Export Natural Gas into Canada for Consumption and Through Canada to Free Trade and Non-Free Trade Agreement Nations After Conversion into LNG,” (submitted October 24, 2014), pp. 17-18.

See also U.S. Department of Energy, Office of Fossil Energy, Pieridae Energy (USA), Ltd., FE DOCKET NO. 14-179-LNG, ORDER GRANTING LONG-TERM, MULTI-CONTRACT AUTHORIZATION TO EXPORT NATURAL GAS TO CANADA AND TO OTHER FREE TRADE AGREEMENT NATIONS, DOE/FE Order No. 3639, (May 22, 2015), available at <http://energy.gov/sites/prod/files/2015/05/f22/ord3639.pdf>, p.6:

“Pieridae states that it will source natural gas from the United States and Canada for use as feedstock in the production of LNG from Train 2 for export to its customers. Citing the existing M&N US Pipeline, its interconnections with other pipeline systems in the Eastern United States, and the ‘various proposed enhancements to such natural gas transportation facilities,’ Pieridae asserts that it will have the ability to source natural gas from ‘almost any point’ on the U.S. natural gas pipeline grid through direct physical delivery or by displacement. Pieridae further states that natural gas from the Marcellus and Utica producing regions can be readily tapped to source its proposed exports.” (Emphasis added.)

<sup>34</sup> See United States of America Before the Department of Energy / Office of Fossil Energy, In the Matter Of: Pieridae Energy (USA) Ltd., Docket No. 14-179-LNG, pp. 17-18 (“Although the present capacity of these facilities is not sufficient to accommodate the full volume of exports for which Pieridae US is seeking authorization, M&N US and other third parties have announced various projects to construct or expand pipeline infrastructure for the purpose of transporting natural gas from the Marcellus and Utica producing regions to customers in northeastern US and eastern Canada. Many of these projects are discussed in greater detail below in Part VIII.”); ibid., Part VIII, p. 66-67 (“Recently, numerous projects have been announced by third parties to construct or expand pipeline infrastructure for the purpose of transporting natural gas from the Marcellus and Utica

producing regions to New York, the New England states and Canada.”); ibid. Part VIII, p. 67, note 166 (“Appendix E of this Application provides an overview of natural gas pipeline facility expansion plans that have recently become a matter of public record.”);

and ibid., Appendix E, pp. E-3 - E-4:

“On September 15, 2014, Tennessee Gas [Pipeline Company, L.L.C.] filed a request with the FERC for approval to commence the pre-filing process for its proposed ‘Northeast Energy Direct Project’ consisting of (1) approximately 167 miles of new and co-located pipeline and two pipeline looping segments on its existing 300 Line in Pennsylvania, and compression facilities designed to receive gas from its 300 Line for deliveries to its system near Wright, New York, Iroquois Gas Transmission System, LP, and/or the proposed Constitution Pipeline, and (2) approximately 177 miles of new and co-located pipeline facilities extending from Wright, New York to an interconnect with the joint facilities of the M&N Pipeline and Portland Natural Gas Transmission System (‘Joint Facilities’) at Dracut, Massachusetts and its existing 200 Line near Dracut, Massachusetts. In its request Tennessee Gas states that ‘[t]he interconnection with the Joint Facilities, together with the anticipated reversal of the primary flow direction of the Joint Facilities, will enable the . . . [project] to access more New England customers in New Hampshire and Maine and in the Atlantic Canada region. . . . Potential Atlantic Canada customers include [local distribution companies], power generators, industrials, and liquefied natural gas . . . export projects.’” [Ellipses and brackets in original, internal citations deleted, emphasis added.]

See also United States of America Before the Department of Energy / Office of Fossil Energy, In the Matter Of: Pieridae Energy (USA) Ltd., Docket No. 14-179-LNG, “Application for Long-Term Multi-Contract Authorization to Export Natural Gas into Canada for Consumption and Through Canada to Free Trade and Non-Free Trade Agreement Nations After Conversion into LNG,” (submitted October 24, 2014), Appendix A (“Locator Map and [Pieridae] Project Location Information” showing M&N US Pipeline running from “TGP Dracut” in Massachusetts to the [initial US to Canada] export point “on US/Canada border near Baileyville, Maine on the M&N US Pipeline at or near meter station ID 30014”); and ibid. Appendix B (presenting “M&N US and CA [Canada] Pipelines Map” showing pipeline running from the Dracut, MA interconnect with Tennessee Gas to coastal points in Nova Scotia via the Point Tupper Lateral, the Halifax Lateral and the pipeline to the Sable Offshore Energy/Goldboro Meter Station);

and Maritimes & Northeast Pipeline, system map, available at <http://www.mnpp.com/us/map> (downloaded 3/3/15) (showing pipeline running from the Dracut, MA interconnect with Tennessee Gas to coastal points in Nova Scotia via the Point Tupper Lateral, the Halifax Lateral and the pipeline to the Sable Offshore Energy/Goldboro Meter Station).

<sup>35</sup> See Goldboro LNG, “National Energy Board Issues Import and Export Licences to Pieridae Energy (Canada) Ltd.,” (press release) (Aug. 17, 2015), available at <http://goldborolng.com/2015/08/national-energy-board-issues-import-and-export-licences-to-pieridae-energy-canada-ltd/> (“Pieridae Energy (Canada) Ltd. (Pieridae) is pleased to announce that it has been issued long-term licenses by the National Energy Board of Canada to import natural gas from the USA and to export liquefied natural gas (LNG) from Canada. The licenses issued with terms and conditions on August 13, 2015 were granted in response to an application by Pieridae submitted on October 24, 2014 to the National Energy Board. The natural gas imported from the USA and natural gas supplied from Canadian sources will be processed at the proposed Goldboro LNG facility to be located in Goldboro, Nova Scotia and exported from Canada as LNG for delivery to Europe and other countries.”)

<sup>36</sup> See U.S. Department of Energy, Office of Fossil Energy, Pieridae Energy (USA), Ltd., FE DOCKET NO. 14-179-LNG, ORDER GRANTING LONG-TERM, MULTI-CONTRACT AUTHORIZATION TO EXPORT NATURAL GAS TO CANADA AND TO OTHER FREE TRADE AGREEMENT NATIONS, DOE/FE Order No. 3639, (May 22, 2015), available at <http://energy.gov/sites/prod/files/2015/05/f22/ord3639.pdf>.

See also Goldboro LNG, “National Energy Board Issues Import and Export Licences to Pieridae Energy (Canada) Ltd.,” (press release) (Aug. 17, 2015), available at <http://goldborolng.com/2015/08/national-energy-board-issues-import-and-export-licences-to-pieridae-energy-canada-ltd/> (“In May 2015, Pieridae Energy (USA) Ltd., a corporation affiliated with Pieridae, received authorization from the Department of Energy of the USA to export natural gas to Canada for end use in Canada and for further export to countries with which the USA has free trade agreements for trade in natural gas.”);

and CBC News, “Goldboro LNG project approved to import, export by National Energy Board,” (Aug. 17, 2015), available at <http://www.cbc.ca/news/canada/nova-scotia/goldboro-lng-project-approved-to-import-export-by-national-energy-board-1.3193565> (“An affiliated company has already received similar approvals from the U.S. Department of Energy. Pieridae is one of three groups that has sought the National Energy Boards’s approval for liquefied natural gas terminals in Atlantic Canada.”).

<sup>37</sup> See Goldboro LNG, “National Energy Board Issues Import and Export Licences to Pieridae Energy (Canada) Ltd.,” (press release) (Aug. 17, 2015), available at <http://goldborolng.com/2015/08/national-energy-board-issues-import-and-export-licences->

[to-pieridae-energy-canada-ltd/](http://www.pieridae-energy-canada-ltd/).

<sup>38</sup> See Bear Head LNG, a subsidiary company of Liquefied Natural Gas Limited, Application of Bear Head LNG Corporation to the National Energy Board of Canada, “IN THE MATTER OF the National Energy Board Act, being Chapter N-7 of the Revised Statutes of Canada, as amended, and the Regulations made thereunder; AND IN THE MATTER of an Application by Bear Head LNG Corporation pursuant to Section 117 of the Act for licences authorizing the importation of natural gas and the exportation of liquefied natural gas.”, filed November 6, 2014, [available through National Energy Board of Canada, <https://www.neb-one.gc.ca/pplctnflng/mjrpp/lnxprtclnc/index-eng.html> ], p. 9, paragraphs 22 and 23:

“The Applicant [Bear Head LNG Corporation] currently anticipates that its natural gas supply will be transported to the LNG Facility by a dedicated lateral pipeline connected to the existing facilities of the Maritime and Northeast Pipeline (‘M&NE Pipeline’). . . . The M&NE Pipeline currently carries natural gas from offshore Canadian sources south to northeast United States markets. However, . . . there is the potential to reverse the flow on the M&NE Pipeline. If the demand in Nova Scotia, including from the proposed LNG Facility [Bear Head’s], exceeds the supply available from the Canadian offshore [sources], this expanded Canadian natural gas market in the Maritimes Provinces may provide an economic market for other Canadian or United States onshore production. The LNG Facility [Bear Head’s] will enhance the potential for this [Maritime and Northeast Pipeline] reversal . . . .”

<sup>39</sup> See Bear Head LNG, a subsidiary company of Liquefied Natural Gas Limited, Application of Bear Head LNG Corporation to the National Energy Board of Canada, “IN THE MATTER OF the National Energy Board Act, being Chapter N-7 of the Revised Statutes of Canada, as amended, and the Regulations made thereunder; AND IN THE MATTER of an Application by Bear Head LNG Corporation pursuant to Section 117 of the Act for licences authorizing the importation of natural gas and the exportation of liquefied natural gas.”, filed November 6, 2014, [available through National Energy Board of Canada, <https://www.neb-one.gc.ca/pplctnflng/mjrpp/lnxprtclnc/index-eng.html> ], pp. 3-4, Sections A.1, A.2(a), (c) [503 Bcf annually divided by 365 days /year = 1.378 Bcf/day], (e).

See also “Bear Head LNG Corp. files application to export LNG from Nova Scotia,” The Southern Gazette / The Canadian Press (TC Media / Transcontinental Media G.P., Montreal Quebec) (November 7, 2014), available at <http://www.southerngazette.ca/Provincial-News/2014-11-07/article-3932242/Bear-Head-LNG-Corp.-files-application-to-export-LNG-from-Nova-Scotia/1#> (“The company behind a proposed liquefied natural gas project in Nova Scotia says it has filed an application with the National Energy Board for an export licence. Bear Head LNG Corporation, a subsid[ar]y of the Australia-based Liquefied Natural Gas Ltd., says it’s asking for licences to import natural gas from the United States and export liquefied natural gas for a 25-year term.”; proposed Bear Head LNG plant is in Point Tupper).

<sup>40</sup> See Bear Head LNG, a subsidiary company of Liquefied Natural Gas Limited, Application of Bear Head LNG Corporation to the National Energy Board of Canada, “IN THE MATTER OF the National Energy Board Act, being Chapter N-7 of the Revised Statutes of Canada, as amended, and the Regulations made thereunder; AND IN THE MATTER of an Application by Bear Head LNG Corporation pursuant to Section 117 of the Act for licences authorizing the importation of natural gas and the exportation of liquefied natural gas.”, filed November 6, 2014, [available through National Energy Board of Canada, <https://www.neb-one.gc.ca/pplctnflng/mjrpp/lnxprtclnc/index-eng.html> ], pp. 3-4, Sections A.1, 3(a), (f), p. 7, section C.II.14.

<sup>41</sup> See Liquefied Natural Gas Limited, ASX/Media Release, “Bear Head LNG Files with US DOE for Export of LNG,” (Feb. 26, 2015), available at <http://www.lnglimited.com.au/IRM/Company/ShowPage.aspx/PDFs/2268-10000000/BearHeadLNGFileswithUSDOEforExportofLNG> (Liquefied Natural Gas Limited announcing “that its wholly owned subsidiaries, Bear Head LNG Corporation and Bear Head LNG (USA) LLC have filed an application with the US Department of Energy (DOE) requesting authorization to export up to 440 billion cubic feet per year of US natural gas to Canada and up to 8 million tonnes per annum of natural gas from Canada to Free Trade Agreement (FTA) and Non-FTA nations”);

and Bear Head LNG, a subsidiary company of Liquefied Natural Gas Limited, Application of Bear Head LNG Corporation to the National Energy Board of Canada, “IN THE MATTER OF the National Energy Board Act, being Chapter N-7 of the Revised Statutes of Canada, as amended, and the Regulations made thereunder; AND IN THE MATTER of an Application by Bear Head LNG Corporation pursuant to Section 117 of the Act for licences authorizing the importation of natural gas and the exportation of liquefied natural gas.”, filed November 6, 2014, [available through National Energy Board of Canada, <https://www.neb-one.gc.ca/pplctnflng/mjrpp/lnxprtclnc/index-eng.html> ], p. 7, Section C.I.11 (Applicant, Bear Head LNG, a Canadian company, is a subsidiary of Liquefied Natural Gas Limited, an Australian listed company based in Perth, Western Australia).

<sup>42</sup> See United States of America / Before the Department of Energy / Office of Fossil Energy, In the Matter of Bear Head LNG Corporation / Bear Head LNG (USA), LLC, FE Docket No. 15-33-LNG, Application for Long-Term Authorizations to

Export Natural Gas to Canada and to Export Liquefied Natural Gas from Canada to Free Trade Agreement and Non-Free Trade Agreement Nations, (submitted Feb. 25, 2015) [available through the Office of Fossil Energy, at <http://energy.gov/fe/downloads/bear-head-lng-corporation-and-bear-head-lng-usa-llc-fe-dkt-no-15-33-lng> ].

See also Liquefied Natural Gas Limited, ASX/Media Release, “Bear Head LNG Files with US DOE for Export of LNG,” (Feb. 26, 2015) (Liquefied Natural Gas Limited announcing “that its wholly owned subsidiaries, Bear Head LNG Corporation and Bear Head LNG (USA) LLC have filed an application with the US Department of Energy (DOE) requesting authorization to export up to 440 billion cubic feet per year of US natural gas to Canada and up to 8 million tonnes per annum of natural gas from Canada to Free Trade Agreement (FTA) and Non-FTA nations”).

<sup>43</sup> See United States of America / Before the Department of Energy / Office of Fossil Energy, In the Matter of Bear Head LNG Corporation / Bear Head LNG (USA), LLC, FE Docket No. 15-33-LNG, Application for Long-Term Authorizations to Export Natural Gas to Canada and to Export Liquefied Natural Gas from Canada to Free Trade Agreement and Non-Free Trade Agreement Nations, (submitted Feb. 25, 2015) [available through the Office of Fossil Energy, at <http://energy.gov/fe/downloads/bear-head-lng-corporation-and-bear-head-lng-usa-llc-fe-dkt-no-15-33-lng> ], p. 34.

<sup>44</sup> See United States of America / Before the Department of Energy / Office of Fossil Energy, In the Matter of Bear Head LNG Corporation / Bear Head LNG (USA), LLC, FE Docket No. 15-33-LNG, Application for Long-Term Authorizations to Export Natural Gas to Canada and to Export Liquefied Natural Gas from Canada to Free Trade Agreement and Non-Free Trade Agreement Nations, (submitted Feb. 25, 2015) [available through the Office of Fossil Energy, at <http://energy.gov/fe/downloads/bear-head-lng-corporation-and-bear-head-lng-usa-llc-fe-dkt-no-15-33-lng> ], Appendix C, p. 3.

See also *ibid.*, p.3 (explaining the attached New England Market Impact Assessment) and *ibid.*, Appendix C, p. 5, Figure 1 “Key Pricing Points in New England” (showing, without labeling, the Northeast Energy Direct proposed pipeline route as being part of the Tennessee Gas Pipeline system in pipelines connecting up to the proposed Bear Head LNG terminal location in Canada).

<sup>45</sup> See United States of America / Before the Department of Energy / Office of Fossil Energy, In the Matter of Bear Head LNG Corporation / Bear Head LNG (USA), LLC, FE Docket No. 15-33-LNG, Application for Long-Term Authorizations to Export Natural Gas to Canada and to Export Liquefied Natural Gas from Canada to Free Trade Agreement and Non-Free Trade Agreement Nations, (submitted Feb. 25, 2015) [available through the Office of Fossil Energy, at <http://energy.gov/fe/downloads/bear-head-lng-corporation-and-bear-head-lng-usa-llc-fe-dkt-no-15-33-lng> ], p. 7 (“Bear Head LNG expects the first LNG exports from the Project to foreign markets to occur starting in 2019.”).

<sup>46</sup> See IN THE MATTER OF the National Energy Board Act, RSC 1985, c N-7, as amended; AND IN THE MATTER OF an Application by Saint John LNG Development Company Ltd. for licenses pursuant to section 117 of the National Energy Board Act authorizing the import of natural gas and the export of liquefied natural gas, Feb. 11, 2015 [available through the National Energy Board of Canada at <https://www.neb-one.gc.ca/pplctnflng/mjrpp/lngxprtlcnc/index-eng.html> ], pp. 1-2, paragraph 1 (application to import natural gas from US to Eastern Canada and export LNG from Eastern Canada to international markets), paragraph 2 (annual import quantity not to exceed 271.97 billion cubic feet [which is 0.745 billion cubic feet / day]; point of import of gas into Canada will be point at which Maritimes & Northeast Pipeline crosses the Canada-United States border or such other points as may become accessible over the import license term), paragraph 3 (annual export quantity not to exceed 249.37 Bcf [which is 0.683 billion cubic feet /day]; point of export from Canada will be outlet of LNG liquefaction project facility in Saint John, New Brunswick, Canada).

<sup>47</sup> See IN THE MATTER OF the National Energy Board Act, RSC 1985, c N-7, as amended; AND IN THE MATTER OF an Application by Saint John LNG Development Company Ltd. For licenses pursuant to section 117 of the National Energy Board Act authorizing the import of natural gas and the export of liquefied natural gas, Feb. 11, 2015 [available through the National Energy Board of Canada at <https://www.neb-one.gc.ca/pplctnflng/mjrpp/lngxprtlcnc/index-eng.html> ], p. 4, paragraph 17 (“The Applicant is a Canadian company . . . wholly owned by Repsol St. John LNG S.L. . . . which is, in turn, indirectly owned by Repsol, S.A. of Spain.”) .

<sup>48</sup> See IN THE MATTER OF the National Energy Board Act, RSC 1985, c N-7, as amended; AND IN THE MATTER OF an Application by Saint John LNG Development Company Ltd. for licenses pursuant to section 117 of the National Energy Board Act authorizing the import of natural gas and the export of liquefied natural gas, Feb. 11, 2015 [available through the National Energy Board of Canada at <https://www.neb-one.gc.ca/pplctnflng/mjrpp/lngxprtlcnc/index-eng.html> ], p. 7, paragraph 34.

<sup>49</sup> See U.S. Department of Energy, [Final] *Addendum to Environmental Review Documents Concerning Exports of Natural Gas From the United States*, 79 FR 48,132 (Aug. 15, 2014), p. 4.

<sup>50</sup> See U.S. Department of Energy, Office of Fossil Energy / National Energy Technology Laboratory, *Life Cycle Greenhouse Gas Perspective on Exporting Liquefied Natural Gas From the United States*, (May 29, 2014), DOE/NETL-2014/1649, referenced in

79 FR 32,260 (June 4, 2014), p. 9, and Fig. 6-1; p. 10, Fig. 6-2.

<sup>51</sup> See U.S. Department of Energy, Office of Fossil Energy / National Energy Technology Laboratory, *Life Cycle Greenhouse Gas Perspective on Exporting Liquefied Natural Gas From the United States*, (May 29, 2014), DOE/NETL-2014/1649, referenced in 79 FR 32,260 (June 4, 2014), p. 10.

<sup>52</sup> See, e.g., Tennessee Gas Pipeline Company, L.L.C., “Northeast Energy Direct Project / Docket No. PF14-22-000 / Draft Environmental Report / Resource Report 1 / General Project Description / Public [Version],” (July 2015), available through the FERC Online docket at FERC Accession number 20150724-5061, p. 1-3 (“Tennessee is requesting issuance of a certificate order for the [NED] Project in November 2016 and proposes to commence construction activities in January 2017, in anticipation of placing the Project facilities in-service by November 2018 . . . .”);

and Tennessee Gas Pipeline Company, L.L.C. [ / a Kinder Morgan company], “Northeast Energy Direct Project / Docket No. PF14-22-000 / Draft Environmental Report / Resource Report 1 / General Project Description,” (December 2014) [FERC Accession Number: 20141208-5217, component document labeled: “[NED RR 1 12-05-14 Public CLEAN.PDF](#)”], p. 1-2, available through [http://elibrary.ferc.gov/idmws/file\\_list.asp?accession\\_num=20141208-5217](http://elibrary.ferc.gov/idmws/file_list.asp?accession_num=20141208-5217), also available at [http://www.tyngsboroughma.gov/download/documents/2014/KinderMorgan/2014-12\\_KinderMorgan\\_DraftEnvironmentalReport.pdf](http://www.tyngsboroughma.gov/download/documents/2014/KinderMorgan/2014-12_KinderMorgan_DraftEnvironmentalReport.pdf) (Tennessee Gas Pipeline anticipates “placing the Project facilities in-service by November, 2018”);

and Tom Martin, president Natural Gas Pipeline Group, Kinder Morgan, “Natural Gas Pipelines,” [Jan 2014 investor materials], p. 19, available at [http://www.kindermorgan.com/content/docs/2014\\_Analysts\\_Conf\\_02\\_NaturalGas.pdf](http://www.kindermorgan.com/content/docs/2014_Analysts_Conf_02_NaturalGas.pdf) (stating TGP Northeast Expansion Project to Dracut, MA has an “Estimated In-service [date of]: November 2018”).

<sup>53</sup> See, e.g., Commonwealth of Massachusetts, Department of Public Utilities, D.P.U. 15-48, Petition of The Berkshire Gas Company for Approval of a Precedent Agreement with Tennessee Gas Pipeline Company, LLC, pursuant to G.L. c. 164, § 94A, Notice of Filing and Public Hearing (April 29, 2015) (describing Berkshire Gas’s petition for approval of a precedent agreement with Tennessee Gas Pipeline Company relating to execution of gas transportation agreements for terms of 20 years with respect to the NED Project, with the NED Project “expected to go into service November 1, 2018”).

<sup>54</sup> See e.g., The Berkshire Gas Company / Direct Testimony of [Berkshire Gas Manager – Regulatory Economics] Jennifer M. Boucher / Exhibit BGC-JMB-1, attached to the April 21, 2015 Petition of the Berkshire Gas Company for Approval of Precedent Agreement for natural Gas Transportation Service, [before the] Commonwealth of Massachusetts / Department of Public Utilities, D.P.U. 15-48, p. 11 (with Ms. Boucher explaining how portions of the Planning Load for its Precedent Agreement with TGP for NED transportation capacity were calculated by examining an initial ten year planning horizon and stating that “In order to determine Planning Load design day requirements through the planning period, Berkshire first applied the average annual Design Day growth rate over the most recent F&SP forecast period, and then applied this annual increase to Base Case Demand requirements through 2024.” [Emphasis added.]).

<sup>55</sup> See Presentation about the Northeast Expansion Project (now called Northeast Energy Direct Project) by Kinder Morgan Director of Public Affairs, Allen Fore, in Plainfield, MA , (April 22, 2014), available on Youtube, at about 30:44 into the video, at <https://www.youtube.com/watch?v=B4gblhMtFc> (Fore asserting that pipe that is well maintained can last indefinitely, noting TGP has existing pipes from the 1950s; and stating that “One of the questions we often get is ‘how long is this pipe going to last?’ Well there really is no end date to a pipeline’s usefulness in transportation of energy, if it’s properly maintained . . . .”).

See also Tennessee Gas Pipeline Company, L.L.C. / a Kinder Morgan Company, letter to Kimberly D. Bose, Secretary / Federal Energy Regulatory Commission, “Re: Tennessee Gas Pipeline Company, L.L.C., Docket No. PF14-22-000 / Northeast Energy Direct Project / Supplemental Filing -- Adoption of Alternative Route as Part of Proposed Route (Wright, New York to Dracut, Massachusetts Pipeline Segment),” (Dec. 8, 2014), p.3, available through [http://elibrary.ferc.gov/idmws/file\\_list.asp?accession\\_num=20141208-5217](http://elibrary.ferc.gov/idmws/file_list.asp?accession_num=20141208-5217) (“The [NED] Project will provide regional confidence in competitively priced natural gas supplies for decades to come . . . .” [Emphasis added.]);

and Maritimes & Northeast Pipeline, “Frequently Asked Questions,” (downloaded 1/18/15), available at [www.mnpp.com/canada/faq#n59](http://www.mnpp.com/canada/faq#n59) (answering a question about its [similar] transmission pipeline: “What is the life expectancy of the pipeline? The pipeline is constructed to last virtually forever, through ongoing operation and maintenance of the system.”);

and Robert W. Howarth, “A bridge to nowhere: methane emissions and the greenhouse gas footprint of natural gas,” *Energy Science & Engineering*, available at [http://www.eeb.cornell.edu/howarth/publications/Howarth\\_2014\\_ESE\\_methane\\_emissions.pdf](http://www.eeb.cornell.edu/howarth/publications/Howarth_2014_ESE_methane_emissions.pdf) (“Half of the high-pressure [gas] pipelines in the United States are older than 50 years . . . .”).

<sup>56</sup> Potential for more fossil-fuel combustion due to possible substitution of gas for renewable energy and energy efficiency. There are growing worries that a flood of temporarily cheap Marcellus shale gas delivered in volume by these pipelines would significantly slow recent advances in energy efficiency and renewable energy development. This could mean that less solar and

wind is developed for electricity generation, and more gas generating stations are built, substituting more fossil fuel combustion for renewable energy use. See the discussion of the possibility that natural gas could displace renewables and energy efficiency at endnote 10. Compare also Synapse Energy Economics, Inc., “Massachusetts Low Gas Demand Analysis: Final Report / RFR-ENE-2015-012 / Prepared for the Massachusetts Department of Energy Resources [DOER],” (Jan. 7, 2015), p. 30 (“This study does not consider pipeline investments[‘] potential displacement of alternative resources, thereby slowing their growth.”).

Potential for more fossil-fuel combustion due to possible substitution of gas for nuclear. To the extent any gas from the Kinder Morgan pipeline fuels electricity generation, it is likely the gas would in essence be used to replace some significant portion of retiring nuclear generation of electricity, with nuclear generally considered to have lower climate impact than fossil-fuel-sourced electricity. See, e.g., ISO New England, “2015 Regional Electricity Outlook,” (Jan. 2015), p. 20 (“New England has long relied on its nuclear plants to help supply baseload power (the region’s minimum electricity needs). But the 2014 closing of the Vermont Yankee Nuclear Power Station is another example of how interrelated market and policy forces are shaping the region’s generating fleet. Energy prices in the wholesale electricity markets may be too competitive for some nuclear resources because of the shale gas boom . . . . And the building of new nuclear resources in the region is unlikely.”).

Nuclear power provided 34% of New England’s net electric energy in 2014. See ISO New England, “2015 Regional Electricity Outlook,” (Jan. 2015), p.15.

If gas-generation fills the nuclear-generation space, we have expanded fossil fuel combustion for electricity generation, and not simply substituted gas for coal- or oil-fired electricity generation.

Potential for more fossil-fuel combustion due to possible LNG export.

As discussed in the text of the Fact Sheet and related endnotes, it’s likely that much of the gas that would be transported by Kinder Morgan’s Northeast Energy Direct pipeline could be exported out of Canada to overseas markets as liquefied natural gas (LNG). See this Fact Sheet and its endnotes 43-50.

The U.S. Department of Energy commissioned a study by the U.S. Energy Information Administration (“EIA”) that modeled a variety of U.S. LNG export scenarios, and noted that the “EIA projected that, across all cases, an average of 63 percent of increased export volumes would be accounted for by increased domestic [natural gas] production. Of that 63 percent, EIA projected that 93 percent would come from unconventional sources (72 percent shale gas, 13 percent tight gas, and 8 percent coalbed methane . . . )”, with certain caveats. See U.S. Department of Energy, [Final] *Addendum to Environmental Review Documents Concerning Exports of Natural Gas From the United States*, 79 FR 48,132 (Aug. 15, 2014) [hereinafter, “Addendum”], pp. 4-5.

In other words, increasing LNG export is likely to increase domestic production and ultimate global combustion of natural gas, a fossil fuel contributing to climate change. Moreover, that increased domestic production is likely to come primarily from unconventional sources, like shale gas, which may have a higher methane leakage rate (and therefore climate change impact), as compared to conventional gas production, according to a study by both the National Energy Technology Laboratory and by Cornell University’s Howarth. See Addendum, p. 41, Table 10 (Comparison of Leakage Rates from Upstream U.S. Natural Gas Industry by various authors, listing a 2014 National Energy Technology Laboratory (NETL) study that found a 1.4% methane leakage rate for unconventional resources and a 1.3% methane leakage rate for conventional resources, and a Howarth (Cornell University) study that found a 5.75% methane leakage rate for unconventional resources and a 3.85% methane leakage rate for conventional resources).

The U.S. Department of Energy also did a “Life Cycle Report” of Greenhouse Gas Emissions / climate change impacts for four scenarios for providing Europe, and Asia, with electricity, either by (1) US natural gas exported as LNG, (2) Regional export of LNG, to Europe from Algeria, and to Asia from Australia, (3) piped natural gas from Russia, and (4) regional coal. Charts in this Life Cycle Report show that the lowest end of the range for expected possible Greenhouse Gas emissions was for the scenario of LNG from a nearer regional source (Algeria for Europe / Australia for Asia), not LNG from the United States, on both the 20 year and 100 year time horizons, although the Department of Energy cautioned that these “expected value[s]” “should not be interpreted as the most likely values due to the wide range of scenario variability and uncertainty in the underlying modeled data” and “should be interpreted as general guidance to provide perspective on trends only”. See U.S. Department of Energy, Office of Fossil Energy / National Energy Technology Laboratory, *Life Cycle Greenhouse Gas Perspective on Exporting Liquefied Natural Gas From the United States*, (May 29, 2014), DOE/NETL-2014/1649, referenced in 79 FR 32,260 (June 4, 2014), p. 9, and Fig. 6-1; p. 10, Fig. 6-2.

Nevertheless, it would make sense that shipping LNG from Algeria to Europe, or from Australia to Asia, would generally have lower greenhouse gas emissions than shipping LNG from the United States to Europe and Asia, respectively, due to the greater (fossil fuel) tanker-ship energy used for shipping the LNG the greater distance from the United States. As the Life Cycle Report

notes, “[c]ompared to domestically produced and combusted gas, there is a significant increase in the life cycle GHG [Greenhouse Gas] emissions that are attributed to the LNG supply chain, specifically from liquefaction, tanker transport, and regasification processes.” *Ibid.*, p. 10. (Emphasis added.)

<sup>57</sup> See Tennessee Gas Pipeline Company, L.L.C., “Northeast Energy Direct Project / Docket No. PF14-22-000 / Draft Environmental Report / Resource Report 1 / General Project Description / Public [Version],” (July 2015), available through the FERC Online docket at FERC Accession number 20150724-5061 [hereinafter “July 2015 Resource Report 1”], p. 1-10.

<sup>58</sup> July 2015 Resource Report 1, p. 1-13.

<sup>59</sup> In my opinion nuclear energy presents other severe environmental risks that mean that it must also be phased out and replaced with renewable energy and energy efficiency. However, looking solely from a climate change perspective, natural gas would appear to have greater negative climate change impacts than nuclear energy, even considering the embedded fossil fuel energy in the nuclear fuel cycle and construction of nuclear facilities.

<sup>60</sup> See, e.g., ISO New England, “2015 Regional Electricity Outlook,” (Jan. 2015), p. 20 (“New England has long relied on its nuclear plants to help supply baseload power (the region’s minimum electricity needs). But the 2014 closing of the Vermont Yankee Nuclear Power Station is another example of how interrelated market and policy forces are shaping the region’s generating fleet. Energy prices in the wholesale electricity markets may be too competitive for some nuclear resources because of the shale gas boom . . . . And the building of new nuclear resources in the region is unlikely.”).

<sup>61</sup> See, e.g., Chris Mooney, “Why climate change is forcing some environmentalists to back nuclear power,” *Washington Post* (“Wonkblog”) (Dec. 16, 2014), available at <http://www.washingtonpost.com/news/wonkblog/wp/2014/12/16/why-climate-change-is-forcing-some-environmentalists-to-back-nuclear-power/> (“Nuclear power gives off virtually no greenhouse gas emissions -- although the processes of extracting uranium, and building nuclear plants themselves, certainly do.”); and Union of Concerned Scientists, “Nuclear Power & Global Warming,” (downloaded 8/26/15), available at <http://www.ucsusa.org/nuclear-power/nuclear-power-and-global-warming#.Vd2C3pdEOSo> (“Nuclear power provides low-carbon electricity, though its long-term role in combatting climate change depends on overcoming economic and safety hurdles.”).

See also “Nuclear energy: assessing the emissions,” *Nature* (Sept. 24, 2008) available at <http://www.nature.com/climate/2008/0810/full/climate.2008.99.html> (discussing carbon emissions throughout nuclear fuel cycle compared to coal plants and renewables).

<sup>62</sup> See ISO New England, “2015 Regional Electricity Outlook,” (Jan. 2015), p.15.

<sup>63</sup> See, e.g., ISO New England, “2015 Regional Electricity Outlook,” (Jan. 2015), p. 20.

See also Energyzt Advisors, LLC, “Analysis of Alternative Winter Reliability Solutions for New England Energy Markets,” prepared for GDF SUEZ Energy North America, (Aug. 2015), available at <http://nebula.wsimg.com/bb7e738fbf3b67cfc923f218fbbbd118?AccessKeyId=0CF32B0C493F619624BA&disposition=0&alloworigin=1>, p. 3, footnote 4 (“Increasing pipeline supply outside of market economics could financially strain non-gas-fired generation resources (e.g., nuclear), potentially accelerating their retirement.”).

<sup>64</sup> Compare Synapse Energy Economics, Inc., “Massachusetts Low Gas Demand Analysis: Final Report,” Prepared for the Massachusetts Department of Energy Resources, RFR-ENE-2015-012 (January 7, 2015), [“Synapse Report” hereafter], p. 30 (“This study does not consider pipeline investments[’] potential displacement of alternative resources, thereby slowing their growth.”).

See generally Associated Press, “Natural gas switch won’t slow climate change, study suggests / Greenhouse gas emissions boosted by leaking methane, displacement of greener energy,” *CBC News* (Oct. 16, 2014), available at <http://www.cbc.ca/news/technology/natural-gas-switch-won-t-slow-climate-change-study-suggests-1.2800549>:

“Cheap and plentiful natural gas isn’t quite a bridge to a brighter energy future as claimed and won’t slow global warming, a new study projects.

Abundant natural gas in the United States has been displacing coal, which contains a higher proportion of carbon and produces more of the chief global warming gas carbon dioxide.

But the new international study says an expansion of natural gas use by 2050 would also keep other energy-producing technologies like wind, solar and nuclear, from being used more. And those technologies are even better than natural gas for avoiding global warming.

Computer simulations show that emissions of heat-trapping gases to make electricity would not decline worldwide and could possibly go up, says the study, released Wednesday by the journal *Nature*.”

and “Can natural gas help tackle global warming? A primer,” *Washington Post* (August 20, 2012), available at <http://www.washingtonpost.com/blogs/wonkblog/wp/2012/08/20/can-natural-gas-really-help-tackle-global-warming-heres-everything-you->

[need-to-know/](#) (“One study from MIT suggested that cheap natural gas could actually lead to higher greenhouse-gas emissions in the United States by 2050 if it stunts the growth of renewable energy.”);

[and](#) David J. Unger, “US eases natural gas glut with second export terminal,” *Christian Science Monitor* (May 18, 2013), available at <http://www.csmonitor.com/Environment/Energy-Voices/2013/0518/US-eases-natural-gas-glut-with-second-export-terminal-video> :

“The US Department of Energy approved Friday the country’s first liquified natural gas (LNG) export terminal since 2011. It’s a shift in policy that opens up America’s newfound – and vast – natural gas resources to world markets. Advocates say they will improve the US trade balance and provide a boost for the natural gas industry, creating more jobs. The announcement is also a boost to key US allies, especially Japan, which has been lobbying the Obama administration to allow LNG exports as it transitions away from nuclear power.

But US consumers and manufacturers have benefited from the oversupply in the form of lower energy costs. Natural gas prices, which in March 2012 reached a 13-year low, will soar with the increase in foreign demand, critics warn. There are environmental concerns, as well. A global interest in US natural gas means an extended reliance on fossil fuels, delays a shift to clean-tech energy, and increases the use of potentially damaging drilling techniques, environmentalists say.

“It’s a bad deal all around: for public health, the environment, and America’s working people,” Deb Nardone, director of the Sierra Club’s Beyond Natural Gas campaign, said in a statement Friday.” (Emphasis added.)

[and](#) Brian C. Murray, et al, “Biogas in the United States: An Assessment of Market Potential in a Carbon-Constrained Future,” Nicholas Institute for Environmental Policy Solutions Report NI R 14-02, Duke University (Feb. 2014), p. 42 (“The future market for pipeline biogas, a perfect substitute for fossil methane, is closely tied to broader energy market trends, especially those in the natural gas market. If new exploration continues to reveal large reserves and fossil fuels are not subject to additional GHG [Greenhouse Gas] controls, natural gas will remain relatively low cost and will continue to place downward pressure on the demand for [renewable] biogas.”).

<sup>65</sup> [See generally](#) Ian Hoffman, et al, Lawrence Berkeley National Laboratory, “Assessing Natural Gas Energy Efficiency Programs in a Low-Price Environment,” [LBNL-6105E] (April 30, 2013), available at [http://emp.lbl.gov/sites/all/files/lbnl-6105e\\_0.pdf](http://emp.lbl.gov/sites/all/files/lbnl-6105e_0.pdf) (“[N]atural gas efficiency programs must pass cost-effectiveness screening thresholds in most states. The decrease in natural gas prices over the past several years, by reducing avoided cost forecasts, make it more difficult for gas efficiency measures and programs to pass these screenings and calls into question whether some gas efficiency programs or portfolios will continue . . .”).

<sup>66</sup> [Compare](#) 18 CFR 380.12(a)(3) (applicant proposing construction under specified provisions of Natural Gas Act must submit environmental report consisting of specified resource reports and, as appropriate, each resource report shall identify the “effects of construction, operation (including maintenance and malfunctions), and termination of the project . . .”). (Emphasis added.)

<sup>67</sup> Tennessee Gas Pipeline Company, L.L.C., “Northeast Energy Direct Project / Docket No. PF14-22-000 / Draft Environmental Report / Resource Report 10 / Alternatives / Public [Version],” (July 2015), available through the FERC Online docket at FERC Accession number 20150724-5061 [hereinafter “July 2015 Resource Report 10”], p. 10-3.

<sup>68</sup> [See e.g.,](#) Burlington Electric Department (Burlington, VT), “Our Future / BEDs Smart Grid Project,”(downloaded 8/7/15), available at <https://www.burlingtonelectric.com/about-us/our-mission/our-future> (“Through the installation of new advanced meters and other improvements, a smarter, more efficient grid offers many benefits, including: . . . Improved efficiency and a better environment: Smart Grid will make it easier to integrate renewable energy generation, electric vehicles and other energy-saving devices and appliances into our system . . .”);

[and](#) U.S. Department of Energy, Office of Electricity Delivery & Energy Reliability, “Whirlpool Corporation / Smart Appliance Project,” (downloaded 8/26/15), available at [https://www.smartgrid.gov/project/whirlpool\\_corporation\\_smart\\_appliance\\_project.html](https://www.smartgrid.gov/project/whirlpool_corporation_smart_appliance_project.html) (“The Whirlpool Smart Appliance Project developed and marketed smart grid kitchen appliances and management protocols that allow Whirlpool appliances to interact with the U.S. grid system, wifi internet cloud systems, and smart device applications.”);

[and](#) Whirlpool, “Questions [re Whirlpool smart appliances]?” (downloaded 8/26/15) available at <https://mysmartappliances.com/questions/> (“How does the energy management feature work? First you select your local electric utility company from a drop down list. From then on the app will identify peak periods that are more expensive and alert you in advance. For example, the refrigerator will automatically move its defrost cycle out of the peak period, while the dishwasher will cleverly delay until the rates are cheaper.”)

<sup>69</sup> [See](#) Commonwealth of Massachusetts / Energy Facilities Siting Board, “The University of Massachusetts at Amherst, Request for Supplemental Advisory Ruling, EFSB 14-3,” Supplemental Advisory Ruling (Aug. 14, 2014), available at <http://web1.env>.

[state.ma.us/DPU/FileRoomAPI/api/Attachments/Get/?path=EF5B14-3%2fSupplementalAdvisoryRuling.pdf](http://state.ma.us/DPU/FileRoomAPI/api/Attachments/Get/?path=EF5B14-3%2fSupplementalAdvisoryRuling.pdf), pp. 2, 3, 6.

<sup>70</sup> July 2015 Resource Report 10, p. 10-3.

<sup>71</sup> Tennessee Gas Pipeline Company, L.L.C., “Northeast Energy Direct Project / Docket No. PF14-22-000 / Draft Environmental Report / Resource Report 10 / Alternatives / Public [Version],” (July 2015), available through the FERC Online docket at FERC Accession number 20150724-5061 [hereinafter “July 2015 Resource Report 10”], p. 10-3.

<sup>72</sup> See ISO New England, “2014 Regional System Plan,” (November 6, 2014), available through <http://www.iso-ne.com/system-planning/system-plans-studies/rsp>, p.10 (“After allowing for FCM [Forward Capacity Market] energy efficiency and the EE [Energy Efficiency] forecast, the winter peak demand is expected to slightly decline at a rate of 0.1% over the 10-year forecast.”); p. 48 (“The net winter peak is flat (i.e., negative 0.1%) over the 10-year forecast.”); and *ibid.*, p. 53 (“The annual load forecast minus both the FCM passive demand resources and the ISO EE forecast shows . . . 0.1% reductions in the winter peak load.”). For a glossary of ISO New England abbreviations and acronyms, including “FCM” and “EE”, see *ibid.*, at pp. 197 et seq. See also Energyzt Advisors, LLC, “Analysis of Alternative Winter Reliability Solutions for New England Energy Markets,” prepared for GDF SUEZ Energy North America, (Aug. 2015), available at <http://nebula.wsimg.com/bb7e738fbf3b67cfc923f218fbedd118?AccessKeyId=0CF32B0C493F619624BA&disposition=0&alloworigin=1>, p. 4, and p. 5, Figure 1 (“there is no discernable trend regarding growth in total demand for natural gas during the winter season [in New England]”).

<sup>73</sup> See generally Synapse Report, p. 15 (“Massachusetts’ gas demand is at its greatest during a very cold winter day.”).

<sup>74</sup> National Grid, “New Grids Now,” (downloaded 8/6/15), available at <http://us.nationalgridconnecting.com/connect21/> (footnotes omitted).

<sup>75</sup> The Berkshire Gas Company – D.P.U. 14-XX, 2013/2014 to 2018/2019 Forecast and Supply Plan (Long Range Forecast and Supply Plan), (Aug. 4, 2014), p.10.

<sup>76</sup> The Berkshire Gas Company – D.P.U. 14-XX, 2013/2014 to 2018/2019 Forecast and Supply Plan (Long Range Forecast and Supply Plan), (Aug. 4, 2014), p.10.

<sup>77</sup> See The Berkshire Gas Company – D.P.U. 14-XX, 2013/2014 to 2018/2019 Forecast and Supply Plan (Long Range Forecast and Supply Plan), (Aug. 4, 2014), p.10.

<sup>78</sup> See The Berkshire Gas Company – D.P.U. 14-XX, 2013/2014 to 2018/2019 Forecast and Supply Plan (Long Range Forecast and Supply Plan), (Aug. 4, 2014), p.11.

<sup>79</sup> See ISO New England, ISO Newswire (Feb. 26, 2015), available at <http://isonewswire.com/updates/2015/2/26/wholesale-electricity-prices-and-demand-in-new-england.html> (“The average New England temperature was half-a-degree colder than January 2014 and January’s total electricity usage and peak demand were slightly lower compared to January 2014, though heating degree days were slightly higher last month. . . . Energy usage during January dropped to 11,713 gigawatt-hours (GWh), about 2.6% lower than consumption during January 2014. The average temperature in New England for the month was about 23.5°F, which was about 0.5°F colder than the average New England temperature of 24°F recorded during January a year ago. The impact of weather is reflected in heating and cooling degree days. During January, the region saw 1,285 heating degree days (HDD), slightly more than the 1,272 HDD recorded during January 2014.” [Emphasis added; internal footnote omitted.]). See also Mark Hand, “In New England power market, small changes lead to big price differences,” *SNL Gas Utility Week* (March 9, 2015) [Westlaw Doc # 2015 WLNR 7544101] (“February [2015] was one of the coldest in New England history, if not the coldest. But the prolonged period of below-normal temperatures was not enough to send the region’s energy markets spiraling out of control. The same relative tranquility occurred a month earlier, when the region’s electricity and natural gas markets battled through one of the snowiest Januarys in Boston’s history with only brief price spikes.”); *and* Andy Gelbaugh and Jesse Gilbert, “Falling power prices spell mixed results for generators in SNL Energy’s latest forecast,” *SNL Renewable Energy Week* (Jan. 23, 2015) [Westlaw Doc # 2015 WLNR 2817978]:

“Near-term market forwards and the SNL Energy forecast fell sharply quarter over quarter at all locations, marking a second consecutive quarter of declines . . . . Despite the sharp drop in near-term power prices, gas generators may benefit from the fall in natural gas prices through improved margins . . . . The fourth quarter of 2014 continued a trend of weak [electric] load seen in the prior two quarters across most of the U.S., with markets in the Northeast again hit the hardest. ISO-NE experienced the largest year-over-year drop in load [i.e., electricity demand] in the fourth quarter, falling more than 3% below 2013 levels.”

<sup>80</sup> See U.S. Department of Energy, “Buildings Energy Data Book,” (downloaded 3/20/15), available at <http://buildingsdatabook.eren.doe.gov/ChapterIntro1.aspx>, ch. 1, and sec. 1.1.

<sup>81</sup> Please note that I am writing here in an entirely personal capacity, and not as a representative of my employer, whose views

may differ.

<sup>82</sup> See Residential Energy Services Network (RESNET), “What Is the HERS Index?”, (downloaded 3/21/15), available at [www.resnet.us/hers-index](http://www.resnet.us/hers-index) (“The HERS Index measures a home’s energy efficiency . . . . The lower the number, the more energy efficient the home. The U.S. Department of Energy has determined that a typical resale home scores 130 on the HERS Index while a standard new home is awarded a rating of 100. . . . A home with a HERS Index Score of 70 is 30% more energy efficient than a standard new home”).

<sup>83</sup> See Massachusetts Clean Energy Center, “About Heat Pumps,” (downloaded 3/20/15), available at <http://www.masscec.com/technology/heat-pumps>.

<sup>84</sup> See generally Mary Serreze, “Developer now signing leases for luxury apartments at former Parsons Street School in Easthampton,” *The Republican* (Springfield, MA) / *Masslive.com*, (July 9, 2015), available at [http://www.masslive.com/news/index.ssf/2015/07/developer\\_now\\_signing\\_leases\\_f.html](http://www.masslive.com/news/index.ssf/2015/07/developer_now_signing_leases_f.html):

“Perrier said he was not able to get natural gas service to the building, because of a moratorium on new customers imposed by Columbia Gas. ‘It would have been nice, if only for cooking,’ said Perrier.

Instead, the units have been outfitted with electric heat pumps that are actually more efficient and cost-effective than gas furnaces, he said. ‘We ran the numbers. Each tenant will spend about a thousand dollars less per year on their utility bills than they would with gas heat.’”

<sup>85</sup> See generally Energy Information Administration, “Household Energy Use in Massachusetts,” (with data said to be from 2009; downloaded 4/5/15), available at [http://www.eia.gov/consumption/residential/reports/2009/state\\_briefs/pdf/ma.pdf](http://www.eia.gov/consumption/residential/reports/2009/state_briefs/pdf/ma.pdf) (bar graph showing years of construction for housing in Massachusetts until 2009 suggesting that at least 50-55% of the housing in Massachusetts was built since 1950 [50-55% divided by 59 years from 1950 to 2009 = average of 0.85% to 0.93% of housing stock built per year]).

<sup>86</sup> See generally Massachusetts Clean Energy Center, “Governor Patrick Announces Third Straight Year of Double-Digit Job Growth in Clean Energy Industry,” (Sept. 29, 2014), available at <http://www.masscec.com/news/governor-patrick-announces-third-straight-year-double-digit-job-growth-clean-energy-industry> (“[T]he clean energy sector has grown by nearly 50 percent since 2010 and now includes 88,372 employees and 5,985 businesses. . . . The Massachusetts clean energy sector is now a \$10 billion industry, responsible for 2.5 percent of Massachusetts’ Gross State Product. Employers are optimistic about the future, predicting a 13.3 percent jump in clean energy employment over the next year, with clean energy employment expected to surpass 100,000 in early 2015. . . . Statewide, energy efficiency jobs are the largest segment of the clean energy workplace, with 65,000 workers . . . . Renewable energy employment accounts for 21,000 jobs with more than 12,000 of those jobs related to Massachusetts’ growing solar industry.”);

and speech by Massachusetts Attorney General Maura Healey, text reprinted in *Commonwealth*, “Healey comes out strong for renewables,” (March 13, 2015), available at <http://commonwealthmagazine.org/environment/healey-comes-strong-renewables/> (“The clean energy sector is now a \$10 billion dollar industry in Massachusetts, employing 88,000 workers in 6,000 firms, primarily in the renewable energy and energy efficiency fields. Between 2013 and 2014, clean energy employment grew by 10.5 percent—that is eight times faster than the state’s overall job growth rate. This year, clean energy employers expect to add another 11,700 jobs. These are good, quality, long-term jobs.”);

and Robert Pollin et al / Department of Economics and Political Economy Research Institute (PERI) / University of Massachusetts, Amherst, “The Economic Benefits of Investing in Clean Energy,” (June 2009), pp. 1-2, available at [http://cdn.americanprogress.org/wp-content/uploads/issues/2009/06/pdf/peri\\_report\\_execsumm.pdf](http://cdn.americanprogress.org/wp-content/uploads/issues/2009/06/pdf/peri_report_execsumm.pdf) (roughly \$150 billion in new spending annually in clean energy investments in the U.S. can create a net increase of about 1.7 million jobs);

and National Grid, “New Grids Now,” (downloaded 8/6/15), available at <http://us.nationalgridconnecting.com/connect21/> (footnotes omitted) (“By cutting in half the energy wasted by 2030, we would be able to reinvest \$327 billion into the U.S. economy and create as many as 1.3 million new jobs.”).

<sup>87</sup> See HG&E [Holyoke Gas & Electric], “LED Street Lights,” (downloaded 3/22/15), available at [www.hged.com/customers/services/lighting/led-street-lights.aspx](http://www.hged.com/customers/services/lighting/led-street-lights.aspx).

<sup>88</sup> See HG&E [Holyoke Gas & Electric], “LED Street Lights,” (downloaded 3/22/15), available at [www.hged.com/customers/services/lighting/led-street-lights.aspx](http://www.hged.com/customers/services/lighting/led-street-lights.aspx).

<sup>89</sup> See HG&E [Holyoke Gas & Electric], “LED Street Lights,” (downloaded 3/22/15), available at [www.hged.com/customers/services/lighting/led-street-lights.aspx](http://www.hged.com/customers/services/lighting/led-street-lights.aspx).

<sup>90</sup> See HG&E [Holyoke Gas & Electric], “LED Street Lights,” (downloaded 3/22/15), available at [www.hged.com/customers/](http://www.hged.com/customers/)

[services/lighting/led-street-lights.aspx](#) .

<sup>91</sup> See Nick Grabbe, “LEDs gain fans for cost, environmental reasons,” *Hampshire Gazette* (Jan. 1, 2013), at <http://www.gazettenet.com/home/3521211-95/led-lights-streetlights-costs> .

<sup>92</sup> See Nick Grabbe, “LEDs gain fans for cost, environmental reasons,” *Hampshire Gazette* (Jan. 1, 2013), at <http://www.gazettenet.com/home/3521211-95/led-lights-streetlights-costs> .

<sup>93</sup> See City of Boston, “LED Street Lighting,” (downloaded 12/22/14), at <http://www.cityofboston.gov/publicworks/lighting/led.asp> .

<sup>94</sup> See “America Pays for Gas Leaks / Natural Gas Pipeline Leaks Cost Consumers Billions,” a report prepared for Sen. Edward J. Markey (Aug. 1, 2013), available at [www.markey.senate.gov/documents/markey\\_lost\\_gas\\_report.pdf](http://www.markey.senate.gov/documents/markey_lost_gas_report.pdf) , p. 2.

See also David Abel, “Project reveals 20,000 leaks in Mass. gas lines / Trouble spots widespread, some decades old,” *Boston Globe* (Aug. 21, 2015), available at <http://www.bostonglobe.com/metro/2015/08/20/new-law-casts-light-state-natural-gas-leaks/qJJPCjRZITc5ai0JeHNOqO/story.html> :

“The state’s aging natural gas pipelines are riddled with about 20,000 potentially dangerous and environmentally damaging leaks, many decades old, according to the first statewide analysis of the problem in Massachusetts. . . .

‘The leaks are potentially explosive, kill trees, harm human health, and release an extraordinarily destructive greenhouse gas,’ said Audrey Schulman, president of the Home Energy Efficiency Team, a Cambridge nonprofit that mapped the leak data submitted by the utilities. ‘To add insult to injury, we ratepayers have to pay for the lost gas.’ . . .

Schulman said there may be even more leaks than the utilities are reporting. Last year, her organization tested for gas leaks in Somerville and found nearly 500 of them — almost three times the number reported by Eversource Energy and National Grid, the region’s main gas suppliers, she said. . . .

A federal study commissioned two years ago by Senator Edward Markey found that Massachusetts residents paid as much as \$1.5 billion from 2000 to 2011 for gas they never used because of leaks.”

and Lenny Bernstein, “Researchers find nearly 6,000 natural gas leaks in District’s aging pipe system,” *Washington Post* (Jan. 16, 2014), available at [http://www.washingtonpost.com/national/health-science/researchers-find-nearly-6000-natural-gas-leaks-in-districts-aging-pipe-system/2014/01/15/f6ee2204-7dff-11e3-9556-4a4bf7bcb84\\_story.html](http://www.washingtonpost.com/national/health-science/researchers-find-nearly-6000-natural-gas-leaks-in-districts-aging-pipe-system/2014/01/15/f6ee2204-7dff-11e3-9556-4a4bf7bcb84_story.html) (“Researchers who conducted a street-by-street survey of the District [of Columbia] found nearly 6,000 natural gas leaks from the city’s aging pipe system, including 12 in manholes where methane had collected to potentially explosive levels, according to a study published Thursday.”);

and Presentation about the Northeast Expansion Project (now called Northeast Energy Direct Project) by Kinder Morgan Director of Public Affairs, Allen Fore, in Plainfield, MA , (April 22, 2014), available on Youtube, at about 30:44 into the video, at <https://www.youtube.com/watch?v=B4gblhMtFc> (Fore: “We have a zero tolerance for leakage, but I’m not going to say we don’t have incidents where we have leaks, and we repair those. But from an industry perspective, it is a big issue. . . . aging infrastructure is an issue of the millions of miles of pipe that’s out there, and companies need to step up and address it.”);

and Mark Fischetti, “Fracking Would Emit Large Quantities of Greenhouse Gases,” *Scientific American* (Jan. 20, 2012), available at <http://www.scientificamerican.com/article/fracking-would-emit-methane/> (“recent data from the two Cornell scientists and others indicate that within the next 20 years, methane will contribute 44 percent of the greenhouse gas load produced by the U.S. Of that portion, 17 percent will come from all natural gas operations. Currently, pipeline leaks are the main culprit, but fracking is a quickly growing contributor.” [Emphasis added].)

<sup>95</sup> See “America Pays for Gas Leaks / Natural Gas Pipeline Leaks Cost Consumers Billions,” a report prepared for Sen. Edward J. Markey (Aug. 1, 2013), available at [www.markey.senate.gov/documents/markey\\_lost\\_gas\\_report.pdf](http://www.markey.senate.gov/documents/markey_lost_gas_report.pdf) , p. 4.

<sup>96</sup> See Associated Press, “Boston-Area Natural Gas Pipeline Leaks Amount to \$90M Annually,” *WBUR* (Jan. 22, 2015), available at <http://www.wbur.org/2015/01/22/harvard-natural-gas-escapes-region> ;

and David Abel, “Leaks in Boston area gas pipes exceed estimates,” *Boston Globe*, (Jan. 22, 2015), available at <http://www.bostonglobe.com/metro/2015/01/22/natural-gas-leaks-boston-area-are-far-more-extensive-than-thought/5BykQrnaGRr2XLxpHqLIM/story.html> :

“The amount of methane leaking from natural gas pipelines, storage facilities, and other sources in the Boston area is as much as three times greater than previously estimated — a loss that contributes to the region’s high energy costs and adds potent greenhouse gases to the atmosphere, according to a new study by scientists at Harvard University.

The leaks would be enough to heat as many as 200,000 homes a year and are valued at \$90 million a year, the authors said.

The study — the first of its kind to quantify methane emissions from natural gas leaks in an urban area — also suggests that regulators are substantially underestimating the amount of the nation’s methane emissions. Methane is 20 times more

powerful than carbon dioxide, meaning small amounts of the heat-trapping gas can have a significant impact on global warming. . . .

The instruments found about 300,000 metric tons of natural gas leaks — about 2.7 percent of all natural gas delivered to the region. State and federal authorities had previously estimated that 1.1 percent of natural gas was being lost to leaks from a range of sources in the area, including homes, businesses, and electricity generation facilities.

If federal estimates are correct, that would mean the Boston area is contributing to 9 percent of the nation’s methane from natural gas, the authors said.

‘That seems pretty impossible, and it suggests the entire national estimate is wrong,’ McKain said. ‘It’s difficult to imagine that our region is contributing that much to the total number.’”

<sup>97</sup> See David Abel, “Project reveals 20,000 leaks in Mass. gas lines / Trouble spots widespread, some decades old,” Boston Globe (Aug.21, 2015), available at <http://www.bostonglobe.com/metro/2015/08/20/new-law-casts-light-state-natural-gas-leaks/qJJPCjRZITc5ai0JeHNOqO/story.html>.

<sup>98</sup> See generally ISO New England, “2015 Regional Electricity Outlook,” (Jan. 2015), p. 23:

“If power systems were planned to simply meet average electricity use, there wouldn’t be enough electricity at times of very high demand. That is why the power system is designed with enough capacity to meet peak demand (the points of highest use) even though it’s just a couple hours each day and for longer periods a few days in winter and summer. Like much of the country, New England’s peak demand is growing faster than average demand because of things like greater household air conditioning use. As a consequence of greater peak demand: More regional [generating] capacity sits idle during non-peak hours.”

<sup>99</sup> See Synapse Energy Economics, Inc., “Massachusetts Low Gas Demand Analysis: Final Report,” Prepared for the Massachusetts Department of Energy Resources, RFR-ENE-2015-012 (January 7, 2015), [“Synapse Report” hereafter], p. 2 (“New England’s natural gas infrastructure has become increasingly stressed during peak winter periods as regional demand for natural gas has grown. This situation has led to gas supply and transmission deficits into the region [sic] for the gas-fired electric generators during those winter months.”).

<sup>100</sup> See, e.g., Energyzt Advisors, LLC, “Analysis of Alternative Winter Reliability Solutions for New England Energy Markets,” prepared for GDF SUEZ Energy North America, (Aug. 2015), available at <http://nebula.wsimg.com/bb7e738fbf3b67cfc923f218fbed118?AccessKeyId=0CF32B0C493F619624BA&disposition=0&alloworigin=1>, p. ES-2 (“High prices from the winters of 2012/13 and 2013/14 reflect a peaking problem and lack of commercial arrangements with existing infrastructure, not a baseload issue that justifies new pipeline capacity.”);

and ibid., pp. 6, 7 (“natural gas prices peak in the winter, indicating a winter peaking problem primarily during December through February, not a baseload issue . . . . Shoulder months and summer periods correspond to relatively low natural gas demand, creating more than enough excess pipeline capacity and supply to meet natural gas-fired power generation needs.”).

<sup>101</sup> See, e.g., Office of Technical Assistance & Technology, “Understanding Your Electric Bill: Saving Money on Demand Charges and Power Factor,” available at <http://www.mass.gov/eea/docs/eea/ota/fact-sheets/elec-bill-fact-sheet-final.pdf>.

<sup>102</sup> See National Grid, “Supply Costs,” Smart Energy Solutions Program section, (downloaded 3/15/15), available at [https://www.nationalgridus.com/masselectric/home/rates/3\\_supply.asp](https://www.nationalgridus.com/masselectric/home/rates/3_supply.asp).

<sup>103</sup> See generally U.S. Department of Energy, Office of Electricity Delivery & Energy Reliability, “Smart Grid,” available at <http://energy.gov/oe/services/technology-development/smart-grid>.

<sup>104</sup> See, e.g., IEEE SmartGrid, “Arrival of Smart Appliances Is a Milestone on the Path to the Smart Grid,” available at <http://smartgrid.ieee.org/newsletter/october-2011/415-arrival-of-smart-appliances-is-a-milestone-on-the-path-to-the-smart-grid>;

and Endnote 67 (citing sources discussing smart appliances in a smart grid).

<sup>105</sup> See generally U.S. Department of Energy, Office of Electricity Delivery & Energy Reliability, “Smart Grid,” available at <http://energy.gov/oe/services/technology-development/smart-grid>.

<sup>106</sup> See Energize Connecticut, “Wait till 8” (downloaded 2/15/15), available at <http://www.energizect.com/smart-energy-resources/waittill8>.

<sup>107</sup> See generally “Energy Storage Now Emerging in the United States,” Energy Monitor Worldwide (Oct. 9, 2014), Westlaw doc # 2014 WLNR 28169815 (“California, New York, and New Jersey [are] launching programs to provide financial incentives for commercial customers to get off the grid during periods of emergency or high demand. These are known in the industry as demand response incentives.”).

<sup>108</sup> See The Berkshire Gas Company – D.P.U. 14-XX, 2013/2014 to 2018/2019 Forecast and Supply Plan (Long Range Forecast

and Supply Plan), (Aug. 4, 2014), p.15.

<sup>109</sup> See July 2015 Resource Report 10, p. 10-4.

<sup>110</sup> See Caroline Winter, “Germany Reaches New Levels of Greendom, Gets 31 Percent of Its Electricity From Renewables,” Bloomberg Business, (Aug. 14, 2014), available at <http://www.bloomberg.com/bw/articles/2014-08-14/germany-reaches-new-levels-of-greendom-gets-31-percent-of-its-electricity-from-renewables> .

<sup>111</sup> See Scottish Government, “Energy in Scotland: Get the facts,” (downloaded 2/9/15), available at <http://www.scotland.gov.uk/Topics/Business-Industry/Energy/Facts> (“The Scottish Government has an ambitious but achievable target for renewable energy in Scotland to generate the equivalent of 100 per cent of gross annual electricity consumption and 11 per cent of heat consumption by 2020.”).

See also Jessica Shankleman, “Renewable energy overtakes nuclear as Scotland’s top power source,” Guardian (London) (Nov. 27, 2014), available at <http://www.theguardian.com/environment/2014/nov/27/renewable-energy-overtakes-nuclear-as-scotlands-top-power-source> (“Renewable energy in Scotland from wind farms, hydro power plants and other clean technologies provided the single largest source of electricity to the country for the first time, in the first half of 2014, new industry figures will show on Thursday.”);

and Tierney Smith, “5 Countries Leading the Way Toward 100% Renewable Energy,” Ecowatch (Jan. 9, 2015), available at <http://ecowatch.com/2015/01/09/countries-leading-way-renewable-energy/> (“Last month, wind turbines alone provided around 1,279 megawatt-hours (MWh) of electricity to the national grid, enough to supply the electrical needs of 164 percent of Scottish households, or 3.96 million homes. The latest figures further highlight the record year seen for renewables in Scotland, with wind turbines providing an average 746,510 MWh each month—enough to supply 98 percent of Scottish households electricity needs.”).

<sup>112</sup> See Katherine Boehrer, “Denmark’s Smart Lighting Lab Offers A Glimpse At The Streetlights Of The Future,” Huffington Post (Nov. 6, 2014), available at [http://www.huffingtonpost.com/2014/11/06/denmark-smart-lighting-lab\\_n\\_6114744.html](http://www.huffingtonpost.com/2014/11/06/denmark-smart-lighting-lab_n_6114744.html) (“Denmark’s ambitious climate goals, include[e] eliminating the use of fossil fuels by 2050 . . .”).

See also Denmark’s Klima-, Energi- Og Bygningsministeriet, “From coal, oil and gas to green energy” (2/24/11), linked by Boehrer above and available at <http://www.kebmin.dk/node/845> (“The Danish Government today unveiled its ‘Energy Strategy 2050’, which describes how the country can achieve its independence from coal, oil and gas by 2050 and significantly reduce its greenhouse gas emissions.”; discussing new fossil fuel energy reduction initiatives that “will put Denmark well on its way to complete independence of fossil fuels by 2050.”)

<sup>113</sup> See ISO New England, “Key Facts / Resource Mix” (giving June 2015 data) (downloaded 8/7/15, available at <http://www.iso-ne.com/about/what-we-do/key-stats/resource-mix> (“New England’s wholesale electricity markets have so far attracted investment in close to 15,000 megawatts (MW) of new, efficient, low-carbon-emitting power generation facilities and demand-side assets. Over 12,000 MW more are proposed, as of June 2015: . . . 33% of this is wind projects . . .”).

<sup>114</sup> See ISO New England, 2014 Regional System Plan, p. 77, Figure 4-4.

<sup>115</sup> See Darren Fishell, “Anti-wind development group withdraws appeal of Bingham project,” Bangor Daily News (March 5, 2015), available at <http://bangordailynews.com/2015/03/05/business/anti-wind-development-group-withdraws-appeal-of-bingham-project/?ref=relatedBox> ;

and Doug Harlow, “Bingham Wind project gets go-ahead,” Centralmaine.com, available at <http://www.centralmaine.com/2015/03/04/bingham-wind-project-gets-go-ahead/> .

See also ISO New England , “Interconnection Requests for New England Control Area / Generation, Elective Transmission Upgrade and Transmission Service Requests / Active Projects as of 8/1/2015,” [“Interconnection Request Queue”], available through <http://www.iso-ne.com/system-planning/transmission-planning/interconnection-request-queue> (listing 184.8 MW Blue Sky West Wind project in Somerset county, Maine in Active Projects list) .

<sup>116</sup> See Darren Fishell, “Oakfield wind project wins court challenge on environmental concerns,” Bangor Daily News, (Feb. 24, 2015), available at <http://bangordailynews.com/2015/02/24/business/oakfield-wind-project-wins-court-challenge-on-environmental-concerns/>

See also U.S. Energy Information Administration, “Today in Energy / Northern Maine considers options to gain direct access to New England electric grid,” (Jan. 22, 2015), available at [www.eia.gov/todayinenergy/detail.cfm?id=19671](http://www.eia.gov/todayinenergy/detail.cfm?id=19671) . (“More generating capacity is coming to the area: a 148-MW wind project (Oakfield) is under construction, and a 250 MW project (Number Nine Wind Farm) has been proposed. Both wind farms have contracts with New England utilities for the power . . .”).

<sup>117</sup> Tux Turkel, “Big county, big ambitions for wind in Maine,” Portland Press Herald, (Oct. 27, 2013), available at <http://www>.

[pressherald.com/2013/10/27/big\\_county\\_big\\_ambitions\\_for\\_wind/](http://pressherald.com/2013/10/27/big_county_big_ambitions_for_wind/) .

<sup>118</sup> Tux Turkel, “Big county, big ambitions for wind in Maine,” *Portland Press Herald*, (Oct. 27, 2013), available at [http://www.pressherald.com/2013/10/27/big\\_county\\_big\\_ambitions\\_for\\_wind/](http://www.pressherald.com/2013/10/27/big_county_big_ambitions_for_wind/) .

<sup>119</sup> See WINDEXchange / U.S. Department of Energy / National Renewable Energy Laboratory, “2014 Year End Wind Power Capacity (MW),” (2/4/15), available at [http://apps2.eere.energy.gov/wind/windexchange/wind\\_installed\\_capacity.asp](http://apps2.eere.energy.gov/wind/windexchange/wind_installed_capacity.asp) . This was composed of 440 MW of installed wind generation capacity in Maine, 171 MW in New Hampshire, 119 MW in Vermont, 107 MW in Massachusetts, and 9 MW in Rhode Island. *Ibid.*

<sup>120</sup> July 2015 Resource Report 10, p. 10-6.

<sup>121</sup> See Marc Schwartz et al., National Renewable Energy Laboratory, U.S. Department of Energy, “Assessment of Offshore Wind Energy Resources for the United States,” [Technical Report NREL/TP-500-45889] (June, 2010), available at [http://apps2.eere.energy.gov/wind/windexchange/pdfs/offshore/offshore\\_wind\\_resource\\_assessment.pdf](http://apps2.eere.energy.gov/wind/windexchange/pdfs/offshore/offshore_wind_resource_assessment.pdf) , pp. 32-33, Table B.1.1.

According to this report the potential offshore wind resource within 50 nautical miles of shore for Connecticut is 6,360 MW, for Maine is 156,553 MW, for Massachusetts is 199,987 MW, for New Hampshire is 3,361 MW, and for Rhode Island is 25,631 MW. *Ibid.* Of this potential, 5,760 MW off Connecticut, 15,727 MW off Maine, 47,849 MW off Massachusetts, 579 MW off New Hampshire and 5,238 MW off Rhode Island would occur in shallow ocean waters of 30 meters depth or less. *Ibid.*

<sup>122</sup> See ISO New England, 2014 Regional System Plan, (Nov. 6, 2014), p. 11 (“The minimum amount of capacity the region needs to meet resource adequacy requirements is called the *Installed Capacity Requirement* (ICR). The region’s net ICR is expected to grow from 32,588 MW in 2014 to a representative value of 36,100 MW by 2023.”).

See also *ibid.*, p. 9 (“The RSP14 50/50 summer peak forecast is 28,165 MW for 2014 [for New England], which grows to 31,620 MW for 2023.”).

<sup>123</sup> See ISO New England , “Interconnection Requests for New England Control Area / Generation, Elective Transmission Upgrade and Transmission Service Requests / Active Projects as of 8/1/2015,” [“Interconnection Request Queue”], available through <http://www.iso-ne.com/system-planning/transmission-planning/interconnection-request-queue> .

<sup>124</sup> See Deepwater Wind, “Block Island Wind Farm Now Fully Financed,” (March 2, 2015), available at <http://dwwind.com/news/block-island-wind-farm-now-fully-financed> .

<sup>125</sup> See Alex Kuffner, “First foundation for Deepwater wind farm installed off Block Island,” *Providence Journal* (R.I.) (July 27, 2015);

and “Block Island Wind Farm Completes First ‘Steel in the Water’,” *Business Wire* (July 27, 2015) , ProQuest document ID: 1698985855 (“In an historic moment for the American offshore wind industry, the Block Island Wind Farm has reached its ‘steel in the water’ milestone with the installation of the first wind farm foundation component. Deepwater Wind’s offshore foundation installation contractor set the first, 400-ton steel jacket on the sea floor on Sunday, July 26 at the wind farm site, roughly three miles off the Block Island coast.”).

<sup>126</sup> See Deepwater Wind, “Block Island Wind Farm Now Fully Financed,” (March 2, 2015), available at <http://dwwind.com/news/block-island-wind-farm-now-fully-financed> .

<sup>127</sup> See Deepwater Wind, “Block Island Wind Farm Now Fully Financed,” (March 2, 2015), available at <http://dwwind.com/news/block-island-wind-farm-now-fully-financed> .

<sup>128</sup> See Deepwater Wind, “Deepwater Wind Submits Plan for Nation’s First Regional Offshore Wind Farm to Supply Multiple East Coast States,” (downloaded 3/18/15), available at <http://dwwind.com/news/deepwater-wind-submits-plan-for-nation-s-first-regional-offshore-wind-farm-to-supply-multiple-east-coast-states> .

<sup>129</sup> See U.S. Department of the Interior, “Interior Holds First-Ever Competitive Lease Sale for Renewable Energy in Federal Waters / Historic Auction Leases Nearly 165,000 Acres Offshore Rhode Island and Massachusetts for Wind Energy Development, Advances President’s Climate Action Plan,” (press release) (7/31/13), available at <http://www.doi.gov/news/pressreleases/interior-holds-first-ever-competitive-lease-sale-for-renewable-energy-in-federal-waters.cfm> .

<sup>130</sup> See U.S. Department of the Interior, “Interior Holds First-Ever Competitive Lease Sale for Renewable Energy in Federal Waters / Historic Auction Leases Nearly 165,000 Acres Offshore Rhode Island and Massachusetts for Wind Energy Development, Advances President’s Climate Action Plan,” (press release) (7/31/13), available at <http://www.doi.gov/news/pressreleases/interior-holds-first-ever-competitive-lease-sale-for-renewable-energy-in-federal-waters.cfm> .

<sup>131</sup> See University of Maine, “DeepCwind Consortium,” (downloaded 8/6/15), available at <http://composites.umaine.edu/our-research/offshore-wind/deepcwind-consortium/> .

See also “Lease Area Proximity And Cost Improvements Support New York Offshore Wind Energy,” *Breaking Energy* (April

2, 2015), Westlaw Doc # 2015 WLNR 9823219 (discussing the DeepCwind Consortium and other research efforts regarding offshore wind in the U.S.).

<sup>132</sup> See University of Maine, “DeepCwind Consortium,” (downloaded 8/6/15), available at <http://composites.umaine.edu/our-research/offshore-wind/deepcwind-consortium/>.

<sup>133</sup> See University of Delaware, Special Initiative on Offshore Wind, “New York Offshore Wind Cost Reduction Study / Final Report,” (Feb. 2015), available at <http://www.ceoe.udel.edu/File%20Library/About/SIOW/New-York-Offshore-Wind-Cost-Reduction-Study-ff8-2.pdf>.

See also “Lease Area Proximity And Cost Improvements Support New York Offshore Wind Energy,” *Breaking Energy* (April 2, 2015), Westlaw Doc # 2015 WLNR 9823219 (discussing this University of Delaware Special Initiative on Offshore Wind study and other research efforts regarding offshore wind in the U.S.).

<sup>134</sup> See July 2015 Resource Report 10, p. 10-4.

<sup>135</sup> See July 2015 Resource Report 10, p. 10-4.

<sup>136</sup> See Glen Boshart, “ISO-NE seeks FERC approval of new wind dispatch procedures,” *SNL Renewable Energy Week* (Oct. 5, 2012), Westlaw doc # 2012 WLNR 21594536.

<sup>137</sup> See Letter of ISO New England Inc. and New England Power Pool Participants Committee to Kimberly Bose, Secretary, Federal Energy Regulatory Commission, Re: ISO New England Inc. and New England Power Pool, Docket No. ER 15- -000, Do Not Exceed (“DNE”) Dispatch Changes (April 15, 2015), available at [http://www.isone.org/static-assets/documents/2015/04/er15-1509-000\\_-\\_do\\_not\\_exceed\\_dispatch\\_changes.pdf](http://www.isone.org/static-assets/documents/2015/04/er15-1509-000_-_do_not_exceed_dispatch_changes.pdf);

and Tongxin Zheng, Eugene Litvinov, and Jinye Zhao / ISO-New England, “Wind Dispatch Using Do-not-Exceed Limit,” FERC Technical Conference on Increasing Market and Planning Efficiency Through Improved Software (June 23, 2014), available at [http://www.ferc.gov/CalendarFiles/20140623080822-M2%20-%202%20-%20WindDispatchandDNELimit\\_FERC\\_Zheng.pdf](http://www.ferc.gov/CalendarFiles/20140623080822-M2%20-%202%20-%20WindDispatchandDNELimit_FERC_Zheng.pdf) (discussing a proposed Do-Not-Exceed (DNE) dispatch framework for the dispatch of wind-generated electricity).

See also Jerry Elmer, “Working with the ISO to Integrate Renewable Energy in New England,” *CLF Scoop* (Sept. 15, 2014), available at <http://www.clf.org/blog/clean-energy-climate-change/renewable-energy-in-new-england/> (explaining ISO-New England’s plan to institute Do Not Exceed dispatch of wind generation by early 2016 based on five minute look-ahead wind forecasts and telemetry connection between ISO and the wind farms involved);

and Glen Boshart, “ISO-NE seeks FERC approval of new wind dispatch procedures,” *SNL Renewable Energy Week* (Oct. 5, 2012), Westlaw doc # 2012 WLNR 21594536 :

“The ISO-NE . . . has been working with its stakeholders on certain rule and operational enhancements that will allow the process of computing and communicating real-time dispatch instructions to wind resources to be automated.

For instance, all wind resources will have to begin providing real-time information on their power production and meteorological data in early 2013. The RTO [ISO-New England] said the information will ‘support the ISO’s short term wind power forecast system and will greatly improve the system operators’ situational awareness during changing weather conditions.’ The equipment needed to provide this telemetry also will allow wind resources to receive dispatch instructions electronically, the filing said.”

<sup>138</sup> Letter of ISO New England Inc. and New England Power Pool Participants Committee to Kimberly Bose, Secretary, Federal Energy Regulatory Commission, Re: ISO New England Inc. and New England Power Pool, Docket No. ER 15- -000, Do Not Exceed (“DNE”) Dispatch Changes (April 15, 2015), available at [http://www.isone.org/static-assets/documents/2015/04/er15-1509-000\\_-\\_do\\_not\\_exceed\\_dispatch\\_changes.pdf](http://www.isone.org/static-assets/documents/2015/04/er15-1509-000_-_do_not_exceed_dispatch_changes.pdf), p. 5.

<sup>139</sup> See ISO New England, 2014 Regional System Plan, p. 20.

<sup>140</sup> ISO New England, “2015 Regional Electricity Outlook,” (Jan. 2015), p. 25.

<sup>141</sup> U.S. Energy Information Administration, “Today in Energy / Northern Maine considers options to gain direct access to New England electric grid,” (Jan. 22, 2015), available at [www.eia.gov/todayinenergy/detail.cfm?id=19671](http://www.eia.gov/todayinenergy/detail.cfm?id=19671).

<sup>142</sup> U.S. Energy Information Administration, “Today in Energy / Northern Maine considers options to gain direct access to New England electric grid,” (Jan. 22, 2015), available at [www.eia.gov/todayinenergy/detail.cfm?id=19671](http://www.eia.gov/todayinenergy/detail.cfm?id=19671).

<sup>143</sup> See Mark Hand, SNL, “Transmission developer rides Neptune’s success into New England’s energy battles,” *National Wind Watch* (May 30, 2014) available at <https://www.wind-watch.org/news/2014/05/30/transmission-developer-rides-neptunes-success-into-new-englands-energy-battles/> (discussing details of the Green Line);

and “National Grid and Anbaric Transmission Join Forces to Deliver Clean, Reliable Energy to New England,” *Electronics Business Journal* (Dec. 24, 2014), Westlaw doc # 2014 WLNR 35867486 (The “Green Line Infrastructure Alliance initially

will develop the Maine Green Line – a hybrid land-and-sea HVDC project that will initially transmit 1,000 MW (expandable to 2,000 MW) of wind from northern Maine, firmed up by imports of hydropower from eastern Canada, via a submarine cable to Massachusetts.”).

and Anbaric Transmission, “Maine Green Line” (downloaded 3/24/15), available at <http://anbarictransmission.com/projects/mainegreenline/> :

“Maine Green Line will move 1000 megawatts (MW) of power from Maine to eastern Massachusetts. Its goals are to encourage the development of renewable resources in northern New England by providing the necessary infrastructure to bring ‘green’ power to more densely populated areas to the south, including the Boston area . . . .

The New England states can only meet their expanding renewable portfolio standards (RPS) and Regional Greenhouse Gas Initiative (RGGI) goals by substantially expanding the New England transmission grid. Energy efficiency, demand side management, and renewable energy generation projects in southern New England will help to achieve those goals, but the bulk of the scale of new renewable supply resources needed to meet growing RPS goals will need to come from Maine and eastern Canada, where the greatest potential exists for renewable energy development in the form of wind, biomass, tidal and hydro-electric power.”

and Tux Terkel, “Companies want to build multimillion-dollar power lines through Maine,” Portland Press Herald, (March 25, 2014), available at [http://www.pressherald.com/2014/03/25/companies\\_wants\\_to\\_build\\_multimillion-dollar\\_power\\_lines\\_through\\_maine/](http://www.pressherald.com/2014/03/25/companies_wants_to_build_multimillion-dollar_power_lines_through_maine/) (“Anbaric Transmission LLC said Monday it will submit plans to build its so-called Green Line project from the Canadian border overland to an undisclosed point on the Maine coast, where it would connect with Greater Boston by undersea cable. The high-voltage, direct-current line also would link major wind farms in Aroostook County that are under construction or being proposed.”).

<sup>144</sup> See also Mark Hand, SNL, “Transmission developer rides Neptune’s success into New England’s energy battles,” National Wind Watch (May 30, 2014), available at <https://www.wind-watch.org/news/2014/05/30/transmission-developer-rides-neptunes-success-into-new-englands-energy-battles/>.

<sup>145</sup> See Tux Terkel, “Companies want to build multimillion-dollar power lines through Maine,” Portland Press Herald, (March 25, 2014), available at [http://www.pressherald.com/2014/03/25/companies\\_wants\\_to\\_build\\_multimillion-dollar\\_power\\_lines\\_through\\_maine/](http://www.pressherald.com/2014/03/25/companies_wants_to_build_multimillion-dollar_power_lines_through_maine/) :

“Anbaric Transmission LLC said Monday it will submit plans to build its so-called Green Line project from the Canadian border overland to an undisclosed point on the Maine coast, where it would connect with Greater Boston by undersea cable. The high-voltage, direct-current line also would link major wind farms in Aroostook County that are under construction or being proposed. . .

In Maine, building a line that transmits both hydroelectricity from Canada and wind power from northern Maine would be complementary, [Anbaric’s chief executive officer Ed] Krapels said. It would satisfy policy and legal demands in southern New England for renewable power, as well as using Canadian hydro when the wind’s not blowing.

‘That to us is a perfect package,’ Krapels said. ‘It fills the line all the time, and that’s a really efficient way to build a transmission line.’”).

and Kelly Andrejasich, “New England generators seek changes to clean energy RFP,” SNL Power Daily with Market Report (July 24, 2015), Westlaw doc # 2015 WLNR 22261603:

“National Grid has paired up with independent transmission developer Anbaric Transmission LLC to form the Green Line Infrastructure Alliance, through which the companies ultimately hope to deliver up to 2,800 MW to New England’s grid.

When the alliance was announced in December 2014, the companies said they will start with the Maine Green Line, a hybrid land-and-sea high-voltage, direct current project that will initially transmit 1,000 MW of onshore wind from northern Maine, firmed up by imports of hydropower from eastern Canada, through a submarine cable to Massachusetts.”

<sup>146</sup> See Anbaric Transmission and National Grid, “Green Line Infrastructure Alliance,” (downloaded 3/24/15), available at <http://greenlineinfrastructurealliance.com/why/solution/>

<sup>147</sup> See Anbaric Transmission and National Grid, “Green Line Infrastructure Alliance,” (downloaded 3/24/15), available at <http://greenlineinfrastructurealliance.com/why/solution/> .

<sup>148</sup> See “Anbaric CEO: Poseidon Project at end of interconnection process with PJM, NYISO,” Global Data Point (March 9, 2015) Westlaw doc # 2015 WLNR 7030478 (discussing multiple transmission projects, including the Maine Green Line and the Vermont Green Line).

<sup>149</sup> Quoted in “National Grid and Anbaric Transmission Join Forces to Deliver Clean, Reliable Energy to New England,”

Electronics Business Journal (Dec. 24, 2014), Westlaw doc # 2014 WLNR 35867486.

<sup>150</sup> See, e.g., Wilson Ring, Associated Press, “Power line developer focusing on Vermont project,” (Oct. 5, 2014), available at <http://www.washingtontimes.com/news/2014/oct/5/power-line-developer-focusing-on-vermont-project/?page=all> :

“So far there has been no significant opposition to TDI New England’s major energy infrastructure project [the proposed “New England Clean Power Link” HVDC transmission line to be routed in part underwater in Lake Champlain and buried where running on land]. Others, however, have seen opposition, including plans to build ridge-top industrial wind projects and to extend a natural gas power line from the Burlington area to Rutland or build a 180-mile above-ground power line between the Canadian border and northern New Hampshire. . . .

‘I think that one of the key differentiators of [from?] other proposed projects is that we are all buried,’ said TDI New England CEO Donald Jessome.

Burying the cable is a huge change from previous projects, said Vermont Public Service Department Commissioner Chris Recchia, which represents the Shumlin administration before the Public Service Board.”

See also Terry Boston, PJM Interconnection, “The Case for HVDC,” *Transmission & Distribution World* ( July 1, 2015) Westlaw doc # 2015 WLNR 20748136 (HVDC transmission “provides higher transmission capacity than AC over the same distance. It lowers losses over long distances compared with high-voltage AC (HVAC) transmission. As voltage increases, losses decrease, so more electricity can be transmitted. It [HVDC] can also be used underwater and underground, although at a much higher cost. It requires smaller rights of way and smaller towers when used in overhead applications.”).

HVDC lines do generate magnetic and thermal effects that are being reviewed, for example, by the Vermont Public Service Board. See, e.g., “Petition of Champlain VT, LLC d/b/a TDI New England , for a Certificate of Public Good, pursuant to 30 V.S.A. §248, authorizing the installation and operation of a high voltage direct current (HVDC) underwater and underground electric transmission line with a capacity of 1,000 MW, a converter station, and other associated facilities, to be located in Lake Champlain and in the Counties of Grand Isle, Chittenden, Addison, Rutland, and Windsor, Vermont, and to be known as the New England Clean Power Link Project (“NECPL”),” [to the State of Vermont Public Service Board], Docket No. \_\_\_\_ [apparently not then assigned], “PREFILED DIRECT TESTIMONY OF WILLIAM BAILEY, PH.D. ON BEHALF OF CHAMPLAIN VT, LLC,” (Dec. 8, 2014), available at <http://psb.vermont.gov/sites/psb/files/docket/8400/2014-12-08%20Bailey%20PFT%20Direct.pdf> .

<sup>151</sup> See “Petition of Champlain VT, LLC d/b/a TDI New England , for a Certificate of Public Good, pursuant to 30 V.S.A. §248, authorizing the installation and operation of a high voltage direct current (HVDC) underwater and underground electric transmission line with a capacity of 1,000 MW, a converter station, and other associated facilities, to be located in Lake Champlain and in the Counties of Grand Isle, Chittenden, Addison, Rutland, and Windsor, Vermont, and to be known as the New England Clean Power Link Project (“NECPL”),” [to the State of Vermont Public Service Board], Docket No. \_\_\_\_ [apparently not then assigned], “PREFILED DIRECT TESTIMONY OF DONALD JESSOME, EUGENE MARTIN AND JOSHUA BAGNATO ON BEHALF OF CHAMPLAIN VT, LLC”, (Dec. 8, 2014), available at <http://psb.vermont.gov/sites/psb/files/docket/8400/2014-12-08%20Jessome-Martin-Bagnato%20PFT%20Direct.pdf>, pp. 6-7, Q.6/A.6:

“NECPL [New England Clean Power Link] is a proposed electric transmission line that will run from the Canadian border to Ludlow, VT along underwater and underground routes. The electricity shipped through NECPL will be generated by renewable energy sources in Canada, and will be delivered to Vermont and the New England electric grid. The transmission line will utilize high voltage direct current (HVDC) technology, capable of transmitting 1,000 megawatts (MW) of electricity. The underwater portions of the transmission line, approximately 98 miles in length, will be buried in the bed of Lake Champlain, except at water depths of greater than 150 feet where the cables will be placed on the bottom and self-bury. The overland (terrestrial) portions of the transmission line, approximately 56 miles in length, will be buried underground within existing public road rights-of-way (‘ROWS’). . . . [and] one portion of the route will be on a railroad right-of-way.

The transmission line will begin at a converter station in the Province of Québec, Canada and transmit electricity as described above from Alburgh, Vermont to Ludlow Vermont, where it will tie into TDI-NE’s proposed converter station. The Ludlow Converter Station will convert the electrical power from direct current (‘DC’) to alternating current (‘AC’) and then connect to the 345 kV Coolidge Substation in Cavendish, Vermont that is owned by the Vermont Electric Power Company (‘VELCO’).” [Footnotes and line numberings omitted.]

and TDI New England, “New England Clean Power Link: Project Development Portal / New England Clean Power Link,” (downloaded 3/24/15), available at [www.necplink.com](http://www.necplink.com);

and Wilson Ring, Associated Press, “Power line developer focusing on Vermont project,” (Oct. 5, 2014), available at <http://>

[www.washingtontimes.com/news/2014/oct/5/power-line-developer-focusing-on-vermont-project/?page=all](http://www.washingtontimes.com/news/2014/oct/5/power-line-developer-focusing-on-vermont-project/?page=all) , article also available in a similar version as “Plan takes shape for power line under lake,” Burlington Free Press, available at <http://www.burlingtonfreepress.com/story/news/local/2014/10/05/plan-takes-shape-power-line-lake/16781709/>.

<sup>152</sup> See TDI New England, “New England Clean Power Link: Project Development Portal / New England Clean Power Link,” (downloaded 3/24/15), available at [www.necplink.com](http://www.necplink.com) .

<sup>153</sup> See Wilson Ring, Associated Press, “Power line developer focusing on Vermont project,” (Oct. 5, 2014), available at <http://www.washingtontimes.com/news/2014/oct/5/power-line-developer-focusing-on-vermont-project/?page=all> .

<sup>154</sup> See Annalee Grant, “DOE recommends permit for HVDC transmission project through Lake Champlain,” SNL Electric Transmission Week (June 8, 2015), Westlaw doc # 2015 WLNR 17378533 (“The U.S. Department of Energy has recommended that a presidential permit be granted for construction of the proposed New England Clean power Link transmission project that will deliver hydroelectric power from Canada into the New England grid.”; proposed underwater high-voltage, direct current transmission project “has been proposed by private developer Transmission Developer Inc.’s TDI New England and would deliver up to 1,000 MW from hydroelectric and wind energy sources in Canada into New England.”; project cost estimated at \$1.2 billion; “Construction could begin in 2018 with an in-service date in 2019.”);

and Michael Lustig, “HVDC developer secures additional settlements for planned Vt. Project,” SNL Renewable Energy Week (July 24, 2015), Westlaw doc # 2015 WLNR 22261639 :

“TDI New England, developer of a planned high-voltage, direct-current transmission line that will run underwater through Lake Champlain and into Vermont, where it will be able to distribute power into New England, has reached additional settlements with Vermont parties, including the state’s consumer advocate and largest utility.

The settlement, filed with the Vermont Public Service Board on July 17, is similar to but builds upon one TDI New England, an affiliate of Transmission Developers Inc., reached in June with the Conservation Law Foundation, a regional environmental advocacy group, the developer said in a statement July 21. . . .

TDI has estimated the cost of the project at \$1.2 billion and has projected an in-service date of 2019.”

<sup>155</sup> See, e.g., Wilson Ring, Associated Press, “Power line developer focusing on Vermont project,” (Oct. 5, 2014), available at <http://www.washingtontimes.com/news/2014/oct/5/power-line-developer-focusing-on-vermont-project/?page=all> .

<sup>156</sup> See Jack Newsham, “Canadian hydropower clears hurdle / \$284 million will help clean Vt. lake,” Boston Globe (June 16, 2015), Westlaw Doc # 2015 WLNR 17675941.

<sup>157</sup> See, e.g., Wilson Ring, Associated Press, “Power line developer focusing on Vermont project,” (Oct. 5, 2014), available at <http://www.washingtontimes.com/news/2014/oct/5/power-line-developer-focusing-on-vermont-project/?page=all> .

See also Zach Hirsch, “Quebec-NYC underwater power line nearing construction phase,” North Country Public Radio, (Nov. 17, 2014), available at <http://www.northcountrypublicradio.org/news/story/26647/20141117/quebec-nyc-underwater-power-line-nearing-construction-phase> (“The project’s [Champlain Hudson Power Express’s] developers have been working their way through the regulatory process for the past four years. Now, they are only one step away from beginning construction as they await a final set of permits from the Army Corps of Engineers.”).

<sup>158</sup> See Northeast Energy Link / A Bangor Hydro/Emera, National Grid partnership, “The Northeast Energy Link / Letter of interest / Prepared for Maine Energy Infrastructure Interagency Review Panel,” (Oct. 1, 2012), available at [www.northeastenergylink.com/files/documents/nel\\_presentation.pdf](http://www.northeastenergylink.com/files/documents/nel_presentation.pdf) , p. 4 (“Anticipated Project Schedule . . . In-Service November 2018”).

Parties connected to the Northeast Energy Link previously suggested an earlier completion date of 2016/2017. See United States Federal Energy Regulatory Commission, 139 FERC ¶ 61,129, “National Grid Transmission Services Corporation and Bangor Hydro Electric Company / Docket No. EL11-49-000,” (May 17, 2012) (“The NEL Parties state that they are currently developing the Northeast Energy Link (NEL), a predominantly underground, approximately 1,100 MW HVDC transmission line, that will extend approximately 230 miles from Orrington, Maine, to Tewksbury, Massachusetts with completion anticipated by the 2016-17 Power Year.”). However, knowing how development schedules go, it seemed prudent to use the later date (2018).

See also Kelly Andrejasich, “New England generators seek changes to clean energy RFP,” SNL Power Daily with Market Report (July 24, 2015), Westlaw doc # 2015 WLNR 22261603 (“National Grid has also partnered with Emera Inc. subsidiary Emera Maine to plan the Northeast Energy Link, a 230 mile, underground HVDC line from Orrington, Maine, to Tewksbury, Mass., that could carry up to 1,100 MW.”).

<sup>159</sup> United States Federal Energy Regulatory Commission, 139 FERC ¶ 61,129, “National Grid Transmission Services Corporation and Bangor Hydro Electric Company / Docket No. EL11-49-000,” (May 17, 2012), p. 1.

See also Northeast Energy Link / A Bangor Hydro/Emera, National Grid partnership, “The Northeast Energy Link / Letter

of interest / Prepared for Maine Energy Infrastructure Interagency Review Panel,” (Oct. 1, 2012), available at [www.northeastenergylink.com/files/documents/nel\\_presentation.pdf](http://www.northeastenergylink.com/files/documents/nel_presentation.pdf), p. 4 (“Anticipated Project Schedule . . . In-Service November 2018”).

<sup>160</sup> U.S. Energy Information Administration, “Today in Energy / Northern Maine considers options to gain direct access to New England electric grid,” (Jan. 22, 2015), available at [www.eia.gov/todayinenergy/detail.cfm?id=19671](http://www.eia.gov/todayinenergy/detail.cfm?id=19671).

See also Tux Terkel, “Companies want to build multimillion-dollar power lines through Maine,” *Portland Press Herald*, (March 25, 2014), available at [http://www.pressherald.com/2014/03/25/companies\\_wants\\_to\\_build\\_multimillion-dollar\\_power\\_lines\\_through\\_maine/](http://www.pressherald.com/2014/03/25/companies_wants_to_build_multimillion-dollar_power_lines_through_maine/) :

“Also jockeying for position is the Northeast Energy Link, a \$2 billion project that aims to carry vast amounts of renewable power from northern and eastern Maine and Atlantic Canada to Massachusetts through underground cables along interstate highways.

The partners in Northeast Energy Link are Emera Inc., the Nova Scotia-based parent of the two largest utilities in eastern and northern Maine, and the American arm of British energy giant National Grid, which owns power companies in New York and New England. . . .

Gerry Chasse, president and chief operating officer of Emera Maine, said that the governors’ plan and new federal energy regulations for renewable power will create opportunities for several projects. The[y] include some that connect with Hydro Quebec and others focused on northern New England wind and imports from the Canadian Maritimes.

Northeast Energy Link would be built for the latter and is working with Maine officials on routing through Maine.”

<sup>161</sup> For an interesting, if now a little dated, quick review of a variety of grid scale energy storage approaches being worked on in the U.S., Europe and Japan, see Chris de Morsella, “Fifteen Grid Scale Energy Storage Solutions to Watch,” *The Green Economy Post* (2011), available at <http://greeneconomypost.com/fifteen-grid-scale-energy-storage-solutions-watch-15924.htm> .

<sup>162</sup> See, e.g., “Grid-scale storage: Smooth operators,” *Economist* (Dec. 6, 2014), Westlaw doc # 2014 WLNR 34291766 (discussing installed compressed air grid-scale storage facilities in Germany and Alabama, and new heat-storing compressed air storage being developed by LightSail Energy based in Berkeley, CA);

and Charlotte Cox, “Saving some for later: US utility-scale battery storage sited at power plants,” *SNL Renewable Energy Week*, (Oct. 10, 2014), Westlaw doc # 2014 WLNR 28834584 (discussing 110 MW McIntosh compressed air energy storage facility in Alabama owned by PowerSouth Energy Cooperative, and three additional compressed air facilities totaling 904 MW that are in active development, two of them in Texas);

and Eversource Energy, “Eversource’s Point of View on Energy Storage / Prepared for [Massachusetts] DPU’s Stakeholder Conference on Energy Storage,” (July 9, 2015), , available through <http://web1.env.state.ma.us/DPU/FileRoom/dockets/bynumber> at DPU Docket no. 15-ESC-1, p. 4 (noting various storage technologies already deployed in the U.S. and globally, including compressed air storage which represents approximately 0.5% of current U.S. total [energy storage] capacity).

In such facilities, air compressed during off-peak electric generation hours is later used to drive electricity-generating compressed air turbines during periods of peak electric demand.

<sup>163</sup> See, e.g., Siemens, “Smart distribution and storage,” (downloaded 8/8/15), available at <http://www.energy.siemens.com/hq/en/sustainable-energy/smart-distribution-and-storage.htm> (“surplus power can be used to produce environmentally friendly hydrogen in electrolysis plants, which can drive fuel cell vehicles”).

<sup>164</sup> See July 2015 Resource Report 10, p. 10-9.

<sup>165</sup> See July 2015 Resource Report 10, p. 10-9.

<sup>166</sup> Concerns about over-reliance on pipeline gas are not limited to pipeline opponents. ISO New England stated in its 2015 *Regional Electricity Outlook*, for example: “Because natural gas plants make up such a large part of the generating fleet, the availability of this fuel has an immediate effect on power grid reliability. For example, the planned or unplanned outage of a major gas pipeline at any time of year would impact many thousands of megawatts of generation.” ISO New England, 2015 *Regional Electricity Outlook*, (Jan. 2015), p. 16.

Two months earlier it expressed a similar thought: “Adding to the concern about the increased use of natural gas are concerns about the capacity of the region’s gas pipelines and the adequacy of the gas supply for serving electric power generation reliably; at any time of the year a natural or geopolitical event could interrupt supplies of gas . . . .” ISO New England, 2014 *Regional System Plan*, p. 17.

Although endorsing some increased gas infrastructure, Massachusetts Undersecretary for Energy / former DPU head Ann Berwick

expressed a similar worry in an op ed in the *Boston Globe*:

“Another problem with expanding the use of natural gas is that it exacerbates our dependence on a single fuel. Natural gas now accounts for about half of the electricity produced in the region, compared with 15 percent in 2000. And on the residential front, it’s becoming the new heating oil, as more homeowners have dumped their old burners and rusting tanks.

But just as we diversify financial investments, we need to avoid becoming overdependent on one source of energy. Otherwise we’ll be susceptible to price spikes, and possibly even terrorist activity if a major gas pipeline were to become an attractive target.”

Ann Berwick, “Don’t fall in love with natural gas,” *Boston Globe* (March 26, 2015).

<sup>167</sup> Northeast Gas Association, “The Role of LNG in the Northeast Natural Gas (and Energy) Market,” (Feb. 2015), available at [http://www.northeastgas.org/about\\_lng.php](http://www.northeastgas.org/about_lng.php) .

<sup>168</sup> See Jay Fitzgerald, “Pipeline opponents say LNG is underutilized / As battle intensifies over pipelines, some assert imports can sate growing natural gas appetite,” *Boston Globe*, (March 23, 2015) available at <http://www.bostonglobe.com/business/2015/03/22/with-increase-lng-supplies-does-region-really-need-new-pipelines/mrRbwgaiKwYuAJoGXDiPMN/story.html> .

See also GDF Suez Energy North America, Inc., “Report on New England Energy Winter Reliability Solutions Finds Proposed Subsidized Natural Gas Pipeline to be Unnecessary and Costly,” (Aug. 17, 2015) (Press Release), available at [http://www.gdfsuezna.com/media/files/files/f669b5be/Energyzt\\_Report\\_Winter\\_Reliability\\_Findings\\_8.17.2015.pdf](http://www.gdfsuezna.com/media/files/files/f669b5be/Energyzt_Report_Winter_Reliability_Findings_8.17.2015.pdf) (recently released Energyzt Energy Advisors, LLC report, “Analysis of Winter Reliability Solutions for New England Energy Markets,” commissioned by GDF Suez Energy North America, “presents analyses showing that proven and far less costly alternatives to a subsidized pipeline include liquefied natural gas (LNG) and dual fuel capability.”).

<sup>169</sup> Energyzt Advisors, LLC, “Analysis of Alternative Winter Reliability Solutions for New England Energy Markets,” prepared for GDF SUEZ Energy North America, (Aug. 2015), available at <http://nebula.wsimg.com/bb7e738fbf3b67cfc923f218fbedb118?AccessKeyId=0CF32B0C493F619624BA&disposition=0&alloworigin=1>, pp. 29-30, 32.

<sup>170</sup> ISO New England, 2014 Regional System Plan (Nov. 6, 2014), p. 17.

<sup>171</sup> U.S. Energy Information Administration, “High prices show stresses in New England natural gas delivery system,” (released Feb. 7, 2014), available at <http://www.eia.gov/naturalgas/review/deliverysystem/2013/>.

<sup>172</sup> See Bruce Gellerman, “Old System, New Solution?: Liquefied Natural Gas Could Be Pipeline Alternative,” WBUR, (updated March 11, 2015), available at <https://www.wbur.org/2015/03/11/natural-gas-lng-everett-terminal> (noting GDF Suez owns the Everett, MA Distrigas LNG terminal);

and “GDF Suez’s Distrigas Subsidiary Receives U.S. Coast Guard Award,” *Energy Weekly News* (Nov. 21, 2014) [West Law Doc. # 2014 WLNR 31934639] (“Distrigas of Massachusetts owns and operates an LNG receiving terminal in Everett, Mass. . . . and currently serves most of the natural gas utilities in New England and key power producers through both pipeline deliveries and an average of 10,000 tanker truck deliveries of LNG each year. Distrigas and GDF Suez Energy North America are part of the international energy group, GDF Suez.”).

<sup>173</sup> See Jay Fitzgerald, “2 costly LNG terminals sit idle,” *Boston Globe* (Jan. 23, 2013), available at <http://www.bostonglobe.com/business/2013/01/23/offshore-gas-terminals-mass-bust-far/Qu8dyZzF6yBNAsDNaTT1ZJ/story.html#> .

See also Sean Horgan, “Gas Port off Gloucester being used for first time since 2010,” *Gloucester Daily Times* (Feb. 5, 2015) [Westlaw Doc # 2015 WLNR 3556644] (“For the first time since March 2010, Exceleerate Energy is unloading imported natural gas into its Northeast Deepwater Port situated in the Atlantic Ocean about 13 miles southeast of Gloucester.”).

<sup>174</sup> See Jay Fitzgerald, “2 costly LNG terminals sit idle,” *Boston Globe* (Jan. 23, 2013), available at <http://www.bostonglobe.com/business/2013/01/23/offshore-gas-terminals-mass-bust-far/Qu8dyZzF6yBNAsDNaTT1ZJ/story.html#> .

See also Sean Horgan, “Gas Port off Gloucester being used for first time since 2010,” *Gloucester Daily Times* (Feb. 5, 2015) [Westlaw Doc # 2015 WLNR 3556644] (GD Suez SA owns Neptune Deepwater Port 10 miles off Gloucester used to unload natural gas).

<sup>175</sup> See Northeast Gas Association, “About LNG / The Role of LNG in the Northeast Natural Gas (and Energy) Market,” (Feb. 2015), available at [www.northeastgas.org/about\\_lng.php](http://www.northeastgas.org/about_lng.php) .

<sup>176</sup> See Sean Horgan, “Gas Port off Gloucester being used for first time since 2010,” *Gloucester Daily Times* (Feb. 5, 2015) [Westlaw Doc # 2015 WLNR 3556644] (“For the first time since March 2010, Exceleerate Energy is unloading imported natural gas into its Northeast Deepwater Port situated in the Atlantic Ocean about 13 miles southeast of Gloucester.”);

and Jay Fitzgerald, “Unbalance of power / Even as cheaper supplies are cutting bills for homes heated with natural gas, electricity

customers are stuck with spiking rates based on last fall's . . . [Westlaw truncated the article title]," [Boston Globe](#) (2/25/15) [Westlaw Doc # 2015 WLNR 5666557] ("Excelerate's Northeast Gateway Deepwater Port, as the buoy system is known, hadn't been used since 2010; this year it has received one shipment of LNG.").

<sup>177</sup> See Annalee Grant, SNL Financial, "LNG, oil pushing New England through yet another cold winter," [SNL Power Week](#) (Canada), (Feb. 23, 2015) [Westlaw Doc # 2015 WLNR 5979115]:

"If last year's winter was an anomaly, residents of New England are wondering what to call the 2014-2015 edition, but even with foot after foot of snow falling, the [electric] grid in the region has stayed strong.

Grid customers can give thanks in part to . . . injections of LNG in the East that have improved the pipeline constraints that plagued the region in 2014, in an area that relies heavily on natural gas-fired generation. . . .

LNG injections in East help entire footprint

Wholesale power prices in New England have dropped significantly this year over last, and Bloomberg said this is due to lower natural gas and LNG prices, as well as the plummeting price of oil.

'Competition in the natural gas market has helped put a lid on the cost of both pipeline natural gas and LNG so far this winter; on average, natural gas prices so far this winter have been lower than fuel price levels last winter,' [ISO-New England spokeswoman Marcia] Blomberg said.

ISO-NE has also had greater access to LNG in its system . . . which has caused a ripple of relief."

See generally Thad Walker, "Northeast gas demand hits record high on Monday," [Platts Energy Trader](#) (Feb. 18, 2015) [West Law Doc # 2015 WLNR 6456702] ("Sendout to pipelines from LNG terminals will likely remain elevated in New England as demand remains strong amid continuation of below-normal [temperature] weather.").

See also Mark Hand, "In New England power market, small changes lead to big price differences," [SNL Gas Utility Week](#) (March 9, 2015) [Westlaw Doc # 2015 WLNR 7544101] ("Based on an uptick in customer demand, particularly from local gas utilities and gas marketers, GDF Suez SA subsidiary Distrigas of Massachusetts LLC requested an increase in LNG cargoes into its Everett import terminal this winter. In total, about 8 Bcf of LNG supply was delivered into Everett in January to help meet heating and power demand in the region, compared to 5.5 Bcf in January 2014, GDF Suez spokeswoman Julie Vitek said.").

<sup>178</sup> Jay Fitzgerald, "Unbalance of power / Even as cheaper supplies are cutting bills for homes heated with natural gas, electricity customers are stuck with spiking rates based on last fall's . . . [Westlaw truncated the article title]," [Boston Globe](#) (2/25/15) [Westlaw Doc # 2015 WLNR 5666557].

<sup>179</sup> See Thad Walker, "Northeast gas demand hits record high on Monday," [Platts Energy Trader](#) (Feb. 18, 2015) [West Law Doc # 2015 WLNR 6456702] ("The 2.6 Bcf Suez Matthew delivered its cargo to the Distrigas LNG terminal at Everett, Massachusetts, over the weekend . . .").

See also Jay Fitzgerald, "Unbalance of power / Even as cheaper supplies are cutting bills for homes heated with natural gas, electricity customers are stuck with spiking rates based on last fall's . . . [Westlaw truncated the article title]," [Boston Globe](#) (2/25/15) [Westlaw Doc # 2015 WLNR 5666557] ("In January, Distrigas of Massachusetts LLC brought an extra shipment of LNG into its Everett terminal, boosting its total monthly imports to 8 billion cubic feet, up from 5.5 billion cubic feet in January 2014.").

<sup>180</sup> See Thad Walker, "Northeast gas demand hits record high on Monday," [Platts Energy Trader](#) (Feb. 18, 2015) [West Law Doc # 2015 WLNR 6456702] ("The Northeast Gateway terminal has delivered 2.62 Bcf onto the Algonquin Gas Transmission system since early January, suggesting just 0.23 Bcf of cargo remains on the Excelerate, a 2.85 Bcf floating storage and regasification unit.").

See also Sean Horgan, "Gas Port off Gloucester being used for first time since 2010," [Gloucester Daily Times](#) (Feb. 5, 2015) [Westlaw Doc # 2015 WLNR 3556644]:

"For the first time since March 2010, Excelerate Energy is unloading imported natural gas into its Northeast Deepwater Port situated in the Atlantic Ocean about 13 miles southeast of Gloucester. . . . Denise Madera, Excelerate's director of communications, said Wednesday that the company's tanker Excelerate is unloading gas into the Algonquin Gas Transmission pipeline system that extends about 1,100 miles south and west of the Massachusetts coast . . . Madera said the tanker . . . has been at the site since the first week of January. . . . The ship, which the company refers to as a Floating Storage Regasification Unit . . . is one of the Excelsior class of LNG tankers."

and Jay Fitzgerald, "Unbalance of power / Even as cheaper supplies are cutting bills for homes heated with natural gas, electricity customers are stuck with spiking rates based on last fall's . . . [Westlaw truncated the article title]," [Boston Globe](#) (2/25/15) [Westlaw Doc # 2015 WLNR 5666557] ("Meanwhile, Excelerate Energy of Texas is finally using its \$350 million offshore floating buoy system, which receives natural gas from LNG ships anchored about 13 miles off the coast of Gloucester and

transports it via underwater pipelines into the land-based pipeline system. Excelerate’s Northeast Gateway Deepwater Port, as the buoy system is known, hadn’t been used since 2010; this year it has received one shipment of LNG.”).

<sup>181</sup> See generally Sean Horgan, “Gas Port off Gloucester being used for first time since 2010,” *Gloucester Daily Times* (Feb. 5, 2015) [Westlaw Doc # 2015 WLNR 3556644]:

“[LNG company Excelerate’s director of communications Denise] Madera said market conditions probably led to the company utilizing its Northeast Deepwater Port again after a nearly five-year lapse, just as they will determine whether the company uses the deepwater port more frequently in the future.

‘Excelerate energy would make more deliveries [of LNG] if market conditions are favorable,’ Madera said in an email response. ‘We maintain [it] in a state of readiness so that deliveries can be made if market condition warrant.’ . . . The Northeast Deepwater Port . . . is used to unload imported natural gas.”

<sup>182</sup> See U.S. Department of Energy, Office of Fossil Energy, “Petroleum Reserves,” (downloaded 4/1/15), available at <http://energy.gov/fe/services/petroleum-reserves> (giving details about the U.S. Strategic Petroleum Reserve).

<sup>183</sup> See (U.S. Department of Energy), Office of Fossil Energy, “Strategic Petroleum Reserve,” (downloaded 4/1/15), available at <http://energy.gov/fe/services/petroleum-reserves/strategic-petroleum-reserve> .

<sup>184</sup> See U.S. Department of Energy, Office of Fossil Energy, “Petroleum Reserves,” (downloaded 4/1/15), available at <http://energy.gov/fe/services/petroleum-reserves> (giving details about the U.S. Strategic Petroleum Reserve).

<sup>185</sup> See (U.S. Department of Energy), Office of Fossil Energy, “Heating Oil Reserve,” (downloaded 4/1/15), available at <http://energy.gov/fe/services/petroleum-reserves/heating-oil-reserve> .

<sup>186</sup> See (U.S. Department of Energy), Office of Fossil Energy, “Heating Oil Reserve,” (downloaded 4/1/15), available at <http://energy.gov/fe/services/petroleum-reserves/heating-oil-reserve> (including photo caption).

<sup>187</sup> See Berkshire Gas / A UIL Holding Company, “Berkshire Gas Declares Natural Gas Moratorium,” (press release), (March 27, 2015), available at <http://www.berkshiregas.com/wps/wcm/connect/9f77ae8047ccacd88c61cdc28da3d886/Full+Moratorium+Press+Release+-+Final.pdf?MOD=AJPERES&CACHEID=9f77ae8047ccacd88c61cdc28da3d886> (“While the Company is hopeful that a new pipeline project being proposed by Tennessee Gas [i.e., the NED project] can provide additional pipeline capacity that is needed in the region, until such time as it is permitted and built, the moratorium will remain in place.”).

<sup>188</sup> See The Berkshire Gas Company, D.P.U. 15-48 -- Petition of The Berkshire Gas Company for Approval of a Precedent Agreement with Tennessee [Gas] Pipeline Company, LLC, pursuant to G.L. c. 164, § 94A, Direct Testimony of Jennifer M. Boucher, (“Boucher Testimony” hereinafter), Exhibit BGC-JMB-1 attached to the Berkshire Petition, Boucher Testimony, p. 16.

<sup>189</sup> See Boucher Testimony, p. 7 (mentioning “on-system peaking resources (i.e., LP and LNG)” [parenthetical in original]).

<sup>190</sup> See Commonwealth of Massachusetts / Energy Facilities Siting Board, “In the Matter of the Petition of the Berkshire Gas Company for Approval to Construct a Liquefied Natural Gas Storage and Vaporization Facility in Whately, Massachusetts / Final Decision,” Docket No. EFSB 99-2, (Sept. 13, 1999), available at <http://www.mass.gov/eea/energy-utilities-clean-tech/energy-facilities-siting-board/efsb-decisions/natural-gas-facilities.html> at [http://www.env.state.ma.us/dpu/docs/siting/Siting\\_files/fin\\_dec.pdf](http://www.env.state.ma.us/dpu/docs/siting/Siting_files/fin_dec.pdf), Section I.A.

<sup>191</sup> See Commonwealth of Massachusetts / Energy Facilities Siting Board, “In the Matter of the Petition of the Berkshire Gas Company for Approval to Construct a Liquefied Natural Gas Storage and Vaporization Facility in Whately, Massachusetts / Final Decision,” Docket No. EFSB 99-2, (Sept. 13, 1999), Section II, subsections on “The Proposed Project” and “Pipeline Alternative”.

<sup>192</sup> See Commonwealth of Massachusetts / Energy Facilities Siting Board, “In the Matter of the Petition of the Berkshire Gas Company for Approval to Construct a Liquefied Natural Gas Storage and Vaporization Facility in Whately, Massachusetts / Final Decision,” Docket No. EFSB 99-2, (Sept. 13, 1999), Section I.A.

<sup>193</sup> See Commonwealth of Massachusetts / Energy Facilities Siting Board, “In the Matter of the Petition of the Berkshire Gas Company for Approval to Construct a Liquefied Natural Gas Storage and Vaporization Facility in Whately, Massachusetts / Final Decision,” Docket No. EFSB 99-2, (Sept. 13, 1999), Section II, subsection on “Cost”, and Section I.A.

<sup>194</sup> See Commonwealth of Massachusetts / Energy Facilities Siting Board, “In the Matter of the Petition of The Berkshire Gas Company for Approval to Construct Natural Gas Distribution Lines in Northampton and Hatfield, Massachusetts / Final Decision,” [Docket No. EFSB 05-1] (Jan. 13, 2006), available at <http://web1.env.state.ma.us/DPU/FileRoomAPI/api/Attachments/Get/?path=EFSB05-1%2f113finaldec.pdf>, p. 6.

See also Commonwealth of Massachusetts / Energy Facilities Siting Board, “In the Matter of the Petition of the Berkshire Gas Company for Approval to Construct a Liquefied Natural Gas Storage and Vaporization Facility in Whately, Massachusetts / Final Decision,” Docket No. EFSB 99-2, (Sept. 13, 1999), Section II, subsection on “Cost” (Berkshire Gas “explained that . . . the

facility initially would consist of two 70,000 gallon LNG tanks, costing \$600,000 per tank . . .”).

<sup>195</sup> See Conservation Law Foundation, First Set of Information Requests, Witness: [Berkshire’s] Jennifer M. Boucher, June 5, 2015, in DPU Docket 15-48, Question CLF-1-2 ([Boucher] Response: “The Company LNG facility is located in Whately MA. . . . The facility’s storage capacity is 128,000 gallons (approximately 10,000 MMBtu).”).

<sup>196</sup> See Boucher Testimony, p. 16.

<sup>197</sup> Jay Fitzgerald, “Unbalance of power / Even as cheaper supplies are cutting bills for homes heated with natural gas, electricity customers are stuck with spiking rates based on last fall’s . . . [Westlaw truncated the article title],” Boston Globe (2/25/15) [Westlaw Doc # 2015 WLNR 5666557].

See also Jay Fitzgerald, “Pipeline opponents say LNG is underutilized / As battle intensifies over pipelines, some assert imports can sate growing natural gas appetite,” Boston Globe, (March 23, 2015) available at <http://www.bostonglobe.com/business/2015/03/22/with-increase-lng-supplies-does-region-really-need-new-pipelines/mrRbwgaiKwYuAJoxDiPMN/story.html> (“Greg Cunningham, director of the clean energy program at the Conservation Law Foundation, . . . questioned the need for most new pipelines, noting that the price of LNG has plunged by about 50 percent in recent months and should stay low for years because of the vast increase in global supplies of oil and natural gas.”);

and Annalee Grant, SNL Financial, “LNG, oil pushing New England through yet another cold winter,” SNL Power Week (Canada), (Feb. 23, 2015) [Westlaw Doc # 2015 WLNR 5979115]:

“If last year’s winter was an anomaly, residents of New England are wondering what to call the 2014-2015 edition, but even with foot after foot of snow falling, the [electric] grid in the region has stayed strong.

Grid customers can give thanks in part to . . . injections of LNG in the East that have improved the pipeline constraints that plagued the region in 2014, in an area that relies heavily on natural gas-fired generation. . . .

Wholesale power prices in New England have dropped significantly this year over last, and Bloomberg said this is due to lower natural gas and LNG prices, as well as the plummeting price of oil.

‘Competition in the natural gas market has helped put a lid on the cost of both pipeline natural gas and LNG so far this winter; on average, natural gas prices so far this winter have been lower than fuel price levels last winter,’ [ISO-New England spokeswoman Marcia] Blomberg said.

ISO-NE has also had greater access to LNG in its system . . . which has caused a ripple of relief.” (Emphasis added.)

<sup>198</sup> See Thad Walker, “Northeast gas demand hits record high on Monday,” Platts Energy Trader (Feb. 18, 2015) [West Law Doc # 2015 WLNR 6456702] (“The Northeast Gateway terminal has delivered 2.62 Bcf onto the Algonquin Gas Transmission system since early January, suggesting just 0.23 Bcf of cargo remains on the Excelerate, a 2.85 Bcf floating storage and regasification unit.”).

See also Sean Horgan, “Gas Port off Gloucester being used for first time since 2010,” Gloucester Daily Times (Feb. 5, 2015) [Westlaw Doc # 2015 WLNR 3556644]:

“For the first time since March 2010, Excelerate Energy is unloading imported natural gas into its Northeast Deepwater Port situated in the Atlantic Ocean about 13 miles southeast of Gloucester. . . . Denise Madera, Excelerate’s director of communications, said Wednesday that the company’s tanker Excelerate is unloading gas into the Algonquin Gas Transmission pipeline system that extends about 1,100 miles south and west of the Massachusetts coast . . . Madera said the tanker . . . has been at the site since the first week of January. . . . The ship, which the company refers to as a Floating Storage Regasification Unit . . . is one of the Excelsior class of LNG tankers.”

and Jay Fitzgerald, “Unbalance of power / Even as cheaper supplies are cutting bills for homes heated with natural gas, electricity customers are stuck with spiking rates based on last fall’s . . . [Westlaw truncated the article title],” Boston Globe (2/25/15) [Westlaw Doc # 2015 WLNR 5666557] (“Meanwhile, Excelerate Energy of Texas is finally using its \$350 million offshore floating buoy system, which receives natural gas from LNG ships anchored about 13 miles off the coast of Gloucester and transports it via underwater pipelines into the land-based pipeline system. Excelerate’s Northeast Gateway Deepwater Port, as the buoy system is known, hadn’t been used since 2010; this year it has received one shipment of LNG.”).

<sup>199</sup> See Margaret Kriz Hobson, “Shipping LNG by rail? Alaska railroad wants to make it happen,” ClimateWire (March 13, 2015), available at <http://www.eenews.net/stories/1060014956> (“The Alaska railroad and three other companies -- Union Pacific, BNSF Railway and Florida East Coast Railway Co. -- have applied for Federal Railroad Administration permits to ship LNG on their rail lines.”).

<sup>200</sup> See Commonwealth of Massachusetts / Energy Facilities Siting Board, “Petition of University of Massachusetts for a Jurisdictional Determination Pursuant to 980 C.M.R. § 2.09, EFSB 15-2, available at <http://web1.env.state.ma.us/DPU/>

[FileRoomAPI/api/Attachments/Get/?path=EFSB15-2%2fUMass\\_EFSBFINALNotice.pdf](http://web1.env.state.ma.us/DPU/FileRoomAPI/api/Attachments/Get/?path=EFSB15-2%2fUMass_EFSBFINALNotice.pdf) .

<sup>201</sup> See Commonwealth of Massachusetts / Energy Facilities Siting Board, “Petition of University of Massachusetts for a Jurisdictional Determination Pursuant to 980 C.M.R. § 2.09, EFSB 15-2, available at [http://web1.env.state.ma.us/DPU/FileRoomAPI/api/Attachments/Get/?path=EFSB15-2%2fUMass\\_EFSBFINALNotice.pdf](http://web1.env.state.ma.us/DPU/FileRoomAPI/api/Attachments/Get/?path=EFSB15-2%2fUMass_EFSBFINALNotice.pdf) .

<sup>202</sup> See (Redacted) Testimony of Bay State Gas Company d/b/a Columbia of Massachusetts Testimony of Michael D. Anderson Exhibit CMA/MDA-1 April 3, 2015, p. 8, attached to the application of Bay State Gas Company, d/b/a Columbia of Massachusetts (“CMA”), Petition for Approval of Firm Transportation Agreement with Tennessee Gas Pipeline Company, LLC, to the Massachusetts Department of Public Utilities, Docket D.P.U. 15-\_\_\_\_, (April 3, 2015), available at [http://web1.env.state.ma.us/DPU/FileRoomAPI/api/Attachments/Get/?path=15-39%2Finitial\\_filing.pdf](http://web1.env.state.ma.us/DPU/FileRoomAPI/api/Attachments/Get/?path=15-39%2Finitial_filing.pdf) .

<sup>203</sup> In some cases the pumps are designed to serve as pumps when moving the water up, and as electrical generating turbines when the water is flowing back down. See Douglas G. Hall and Randy D. Lee, Idaho National Laboratory, “Assessment of Opportunities for New United States Pumped Storage Hydroelectric Plants Using Existing Water Features as Auxiliary Reservoirs,” (March 2014).

See also Federal Energy Regulatory Commission [FERC], “Pumped Storage Projects,” (updated Nov. 21, 2014), available at [www.ferc.gov/industries/hydropower/gen-info/licensing/pump-storage.asp](http://www.ferc.gov/industries/hydropower/gen-info/licensing/pump-storage.asp) (giving fundamentals of pumped storage and updating recent developments in this arena).

<sup>204</sup> See generally Dames and Moore, under contract to The U.S. Army Engineer Institute for Water Resources, “National Hydroelectric Power Resources Study/ Vol. X / An Assessment of Hydroelectric Pumped Storage,” (Nov. 1981) available at <http://www.iwr.usace.army.mil/Portals/70/docs/iwrreports/IWR019-000001-000517.pdf> , p. 3 (“hydroelectric pumped storage capacity . . . has provided electric utility companies with flexible, reliable plants that are capable of quick startup to meet daily peak energy demands and emergency situations”).

<sup>205</sup> See Douglas G. Hall and Randy D. Lee, Idaho National Laboratory, “Assessment of Opportunities for New United States Pumped Storage Hydroelectric Plants Using Existing Water Features as Auxiliary Reservoirs,” (March 2014), p. 1, Introduction (“A major driver for interest in new pumped storage projects is the need to firm generation from variable sources such as wind and solar.”);

and Chi-Jen Yang and Robert B. Jackson, “Opportunities and barriers to pumped-hydro energy storage in the United States,” 15 *Renewable and Sustainable Energy Reviews* (2011) 839-844, 843 (“As intermittent renewable power gains market share, the need for bulk electricity storage will increase, potentially increasing the development of [pumped storage]”).

<sup>206</sup> See Federal Energy Regulatory Commission, FERC Staff, “Licensed Pumped Storage Projects,” (Oct. 1, 2014), available at [www.ferc.gov/industries/hydropower/gen-info/licensing/pump-storage/licensed-projects.pdf](http://www.ferc.gov/industries/hydropower/gen-info/licensing/pump-storage/licensed-projects.pdf) (listing 1,746 MW of pumped storage in Massachusetts and 31 MW in Connecticut).

<sup>207</sup> See ISO New England, “2015 Regional Electricity Outlook,” (Jan. 2015), p. 25.

<sup>208</sup> See GDF Suez Energy North America, “Northfield Mountain,” (downloaded 3/16/15), available at <http://www.gdfsuezna.com/northfield-mountain/> (“[w]hen the Northfield Mountain pumped-storage hydroelectric plant went into commercial service in 1972, it was the largest facility of its kind in the world.”).

<sup>209</sup> See Chi-Jen Yang and Robert B. Jackson, “Opportunities and barriers to pumped-hydro energy storage in the United States,” 15 *Renewable and Sustainable Energy Reviews* (2011) 839-844, 840.

<sup>210</sup> See e.g., Jim Therrien, “Bear Swamp hydroelectric generation project up for license renewal,” *Berkshire Eagle*, (March 23, 2015) available at [http://www.berkshireeagle.com/local/ci\\_27767841/bear-swamp-hydroelectric-generation-project-up-license-renewal](http://www.berkshireeagle.com/local/ci_27767841/bear-swamp-hydroelectric-generation-project-up-license-renewal) (“facility consists of the Bear Swamp Pumped Storage facility and the adjacent Fife Brook Hydroelectric facility and dam, which work in tandem to produce electricity — primarily for peak usage periods”; “Bear Swamp facility can generate 600 megawatts of electricity at peak production”);

and Emera Energy, “Assets / Pumped-Storage / Bear Swamp,” (downloaded 8/4/15), available at <http://www.emeraenergy.com/en/home/assets/pumped-storage.aspx> (similar).

<sup>211</sup> See New York Power Authority, “Blenheim-Gilboa Pumped Storage Power Project,” (downloaded 7/25/15), available at <http://www.nypa.gov/facilities/blengil.htm> .

<sup>212</sup> See Federal Information & News Dispatch, Inc., “FirstLight Hydro Generating Company; Notice of Application Accepted for Filing, Soliciting Comments, Motions to Intervene, and Protests,” Federal Energy Regulatory Commission [FERC] Documents, (Sept. 12, 2014) [Westlaw Doc # 2014 WLNR 25321180] (“FirstLight is seeking temporary authorization to modify the upper reservoir’s upper and lower water surface elevation limits from 1000.5 and 938 feet, to 1004.5 and 920 feet, respectively [at its Northfield Mountain Pumped Storage Project in Northfield and Erving, Massachusetts]. According to FirstLight approval of

changes in the water surface elevations would result in an increase in the maximum daily generation from 8,475 megawatt-hours (MWh) to 10,645 MWh.”).

That increase amounts to a maximum daily generation change of 2,170 megawatt-hours per day (=10,645 – 8,475), for an approximate change in megawatt capacity of Northfield Mountain’s Pumped Storage facility of 90 MW (=2,170 megawatt-hours per day ÷ 24 hours per day).

<sup>213</sup> See “Hydro increase prompts protest,” Energy Monitor Worldwide (Oct. 8, 2014) [Westlaw Doc # 2014 WLNR 27966410].

<sup>214</sup> See, e.g., Voith, Bath County, USA / The rejuvenation of the quiet giant (downloaded 8/26/15), available at [http://voith.com/en/markets-industries/industries/hydro-power/pumped-storage-plants/bathcounty\\_main-11333-11333.html#](http://voith.com/en/markets-industries/industries/hydro-power/pumped-storage-plants/bathcounty_main-11333-11333.html#) (describing modernization and restoration of pumped storage turbines and other equipment at the Bath County pumped storage facility that led to a “considerable increase in maximum [power generation] capacity”; engineers discovered that a “significantly higher level of efficiency could be achieved by replacing the ventilation and cooling system as well as by redesigning the stator windings”; redesign of stator windings “increase[d] the maximum capacity of the turbines to a total of 530 megawatts [each] - an increase of almost 25 percent”).

<sup>215</sup> See Douglas G. Hall and Randy D. Lee, Idaho National Laboratory, “Assessment of Opportunities for New United States Pumped Storage Hydroelectric Plants Using Existing Water Features as Auxiliary Reservoirs,” (March 2014).

<sup>216</sup> See Douglas G. Hall and Randy D. Lee, Idaho National Laboratory, “Assessment of Opportunities for New United States Pumped Storage Hydroelectric Plants Using Existing Water Features as Auxiliary Reservoirs,” (March 2014), pp. 12, 17.

<sup>217</sup> See GDF Suez Energy North America, “Northfield Mountain,” (downloaded 3/16/15), available at <http://www.gdfsuezna.com/northfield-mountain/> (giving the megawatt capacity of this Northfield, MA pumped storage facility).

<sup>218</sup> See Douglas G. Hall and Randy D. Lee, Idaho National Laboratory, “Assessment of Opportunities for New United States Pumped Storage Hydroelectric Plants Using Existing Water Features as Auxiliary Reservoirs,” (March 2014), p. 11.

<sup>219</sup> See Douglas G. Hall and Randy D. Lee, Idaho National Laboratory, “Assessment of Opportunities for New United States Pumped Storage Hydroelectric Plants Using Existing Water Features as Auxiliary Reservoirs,” (March 2014), p. 34-35.

<sup>220</sup> See Dames and Moore, under contract to The U.S. Army Engineer Institute for Water Resources, “National Hydroelectric Power Resources Study/ Vol. X / An Assessment of Hydroelectric Pumped Storage,” (Nov. 1981) available at <http://www.iwr.usace.army.mil/Portals/70/docs/iwrreports/IWR019-000001-000517.pdf> , pp. 2-1 to 2-3.

<sup>221</sup> See generally Dames and Moore, under contract to The U.S. Army Engineer Institute for Water Resources, “National Hydroelectric Power Resources Study/ Vol. X / An Assessment of Hydroelectric Pumped Storage,” (Nov. 1981) available at <http://www.iwr.usace.army.mil/Portals/70/docs/iwrreports/IWR019-000001-000517.pdf> , p. 1-2 (“In total, underground pumped storage systems have significantly fewer environmental impacts than conventional systems.”).

<sup>222</sup> See Dames and Moore, under contract to The U.S. Army Engineer Institute for Water Resources, “National Hydroelectric Power Resources Study/ Vol. X / An Assessment of Hydroelectric Pumped Storage,” (Nov. 1981) available at <http://www.iwr.usace.army.mil/Portals/70/docs/iwrreports/IWR019-000001-000517.pdf> , p. 1-1 (“geologic conditions are particularly important for underground pumped storage systems”).

<sup>223</sup> See Dames and Moore, under contract to The U.S. Army Engineer Institute for Water Resources, “National Hydroelectric Power Resources Study/ Vol. X / An Assessment of Hydroelectric Pumped Storage,” (Nov. 1981) available at <http://www.iwr.usace.army.mil/Portals/70/docs/iwrreports/IWR019-000001-000517.pdf> , p. 2-4.

<sup>224</sup> See FERC, “Preliminary Permit Application Trends for Open- and Closed-Loop Pumped Storage Projects,” (downloaded 3/26/15), available at <http://www.ferc.gov/industries/hydropower/gen-info/licensing/pump-storage/trends-pump-storage.pdf> .

<sup>225</sup> See Chi-Jen Yang and Robert B. Jackson, “Opportunities and barriers to pumped-hydro energy storage in the United States,” 15 Renewable and Sustainable Energy Reviews (2011) 839-844, 842.

<sup>226</sup> “Grid-scale storage: Smooth operators,” Economist (Dec. 6, 2014), Westlaw doc # 2014 WLNR 34291766.

See also Eric Wolff, “Better grids through batteries, or how performance-based regulation saves PJM money,” SNL Electric Utility Report (May 12, 2014), Westlaw doc # 2014 WLNR 13202745 (“nongenerating resources, such as those using fly-wheel technology and battery storage devices, have been making inroads into the nation’s [electricity] frequency regulation markets because they have the capability of providing the service at a moment’s notice”);

and Charlotte Cox, “Saving some for later: US utility-scale battery storage sited at power plants,” SNL Renewable Energy Week, (Oct. 10, 2014), Westlaw doc # 2014 WLNR 28834584 (“Batteries, along with flywheels and compressed air energy storage, can respond very quickly to signals from the electric system operator, and can therefore provide power quality management services

such as regulation service.”);

and Christine Cordner, “SoCalEd’s energy storage winners say RFO results legitimize the resource,” SNL Power Week (Nov. 24, 2014), Westlaw doc # 2014 WLNR 33608787 (“[AES Energy Storage President John] Zahurancik described the [new AES battery storage] California project as similar to the Tait and Laurel Mountain [grid-scale AES battery storage] projects in that its benefits are tied to fast and flexible frequency regulation, something a gas-fired peaker unit on the same site could not provide. ‘We are able to flip in less than a second,’ he said about the [battery] project’s super-fast ability to store or dispatch energy.”).

<sup>227</sup> See, e.g., Eversource Energy, “Eversource’s Point of View on Energy Storage / Prepared for [Massachusetts] DPU’s Stakeholder Conference on Energy Storage,” (July 9, 2015), , available through <http://web1.env.state.ma.us/DPU/FileRoom/dockets/bynumber> at DPU Docket no. 15-ESC-1, p. 3.

<sup>228</sup> See “Grid-scale storage: Smooth operators,” Economist (Dec. 6, 2014), Westlaw doc # 2014 WLNR 34291766.

See also “Eos Energy Storage Hires VP of Manufacturing and VP of Sales in Support of Gigawatt-Level Demand for its Advanced Grid-Scale Batteries,” Energy Weekly News (July 31, 2015), Westlaw Doc # 2015 WLNR 21826469 (“With deployments already underway at Con Edison of New York and GDF SUEZ, Eos is ramping up to deliver MW-scale battery systems in projects with other major utilities, including Pacific Gas & Electric.”).

<sup>229</sup> See Alevo, “Alevo Opens Victory Industrial Park In Concord, North Carolina,” (press release) (Oct. 27, 2014), available at <http://alevo.com/alevo-opens-victory-industrial-park-concord-north-carolina/> .

<sup>230</sup> See Alevo, “Alevo Opens Victory Industrial Park In Concord, North Carolina,” (press release) (Oct. 27, 2014), available at <http://alevo.com/alevo-opens-victory-industrial-park-concord-north-carolina/> .

<sup>231</sup> See “Grid-scale storage: Smooth operators,” Economist (Dec. 6, 2014), Westlaw doc # 2014 WLNR 34291766.

<sup>232</sup> See Christopher Mims, “The Musk Family’s Energy Plan,” Wall Street Journal (Sept. 19, 2014), p. B.1, ProQuest document ID: 1562988413.

See also Mike Ramsey, “Tesla Grabs Large Plot of Land in Nevada,” Wall Street Journal (July 15, 2015), ProQuest document ID: 1696141403 (“About 25% of the capacity of the plant may be used for Tesla’s stationary storage business, which is now selling backup batteries for homes, businesses and utilities. . . . The single plant in Nevada will be able to produce more batteries than all the existing plants in the world today combined.”);

and Mike Ramsey & Cassandra Sweet, “Tesla’s Next Big Idea: Electricity Storage,” Wall Street Journal (April 29, 2015), p. B.8, ProQuest document ID: 1676291337 (similar).

<sup>233</sup> See Mike Ramsey, “Tesla Grabs Large Plot of Land in Nevada,” Wall Street Journal (July 15, 2015), ProQuest document ID: 1696141403.

<sup>234</sup> See Charlotte Cox, “Saving some for later: US utility-scale battery storage sited at power plants,” SNL Renewable Energy Week, (Oct. 10, 2014), Westlaw doc # 2014 WLNR 28834584 (discussing 36 MW battery installation at Notrees Windpower farm in Texas);

and “Grid-scale storage: Smooth operators,” Economist (Dec. 6, 2014), Westlaw doc # 2014 WLNR 34291766.

<sup>235</sup> See “Energy Storage Now Emerging in the United States,” Energy Monitor Worldwide (Oct. 9, 2014), Westlaw doc # 2014 WLNR 28169815 (“AES Corporation has installed 32 megawatts (MW) of battery storage to support its 98 MW wind farm located in Laurel Mountain, WV”);

and Charlotte Cox, “Saving some for later: US utility-scale battery storage sited at power plants,” SNL Renewable Energy Week, (Oct. 10, 2014), Westlaw doc # 2014 WLNR 28834584 (discussing 32 MW battery storage facility at Laurel Mountain);

and Chris Shelton, “Finding the Hidden Megawatts,” Electric Perspectives (Nov./Dec. 2013) (opinion), p. 39, sidebar “A Unique Combination”:

“Located in West Virginia, the AES Laurel Mountain facility is comprised of 98 megawatts (mw) of wind generation and 64 mw of integrated battery-based energy storage resource. The facility supplies emissions-free renewable energy and clean, flexible, regulation service to the PJM Interconnection. AES Laurel Mountain began commercial operation in 2011 as a fully integrated portion of the Laurel Mountain Wind Farm and is among the first wind generation facilities to supply critical grid stability services to help maintain the reliability of the power grid.”

See also Mike Ramsey & Cassandra Sweet, “Tesla’s Next Big Idea: Electricity Storage,” Wall Street Journal (April 29, 2015), p. B.8, ProQuest document ID: 1676291337 (“AES Corp., Advanced Microgrid Solutions, and Stem, have built several energy storage projects and signed contracts to build more, buying batteries from outside suppliers.”).

<sup>236</sup> See Charlotte Cox, “Saving some for later: US utility-scale battery storage sited at power plants,” SNL Renewable Energy

Week, (Oct. 10, 2014), Westlaw doc # 2014 WLNR 28834584 (noting details of DPL Energy 20 MW battery facility); and Christine Cordner, “SoCalEd’s energy storage winners say RFO results legitimize the resource,” SNL Power Week (Nov. 24, 2014), Westlaw doc # 2014 WLNR 33608787 (similar, but giving capacity of Tait battery storage array in Ohio as 40 MW and as owned by AES).

<sup>237</sup> See “Energy Storage Now Emerging in the United States,” Energy Monitor Worldwide (Oct. 9, 2014), Westlaw doc # 2014 WLNR 28169815.

<sup>238</sup> See Charlotte Cox, “Saving some for later: US utility-scale battery storage sited at power plants,” SNL Renewable Energy Week, (Oct. 10, 2014), Westlaw doc # 2014 WLNR 28834584 (“These [energy storage] projects are likely just the tip of what is to come. In order to capture the benefits of energy storage technologies, the California Public Utilities Commission last year ordered the state’s three largest investor-owned utilities to prepare to procure a total of 1,325 MW of electricity storage capacity by 2020.”).

See also Jeff St. John, “California Passes Huge Grid Energy Storage Mandate,” Greentechmedia.com (Oct. 17, 2013), available at <http://www.greentechmedia.com/articles/read/california-passes-huge-grid-energy-storage-mandate> (reporting on 2013 California Public Utilities Commission decision requiring state’s three investor-owned utilities to add 1.3 gigawatts of energy storage to their grids by decade’s end):

“California is a hotbed for grid batteries, ranging from massive utility-operated sodium-sulfur and lithium-ion batteries to cabinet-sized battery arrays sitting inside solar-equipped buildings and homes.

And that’s not mentioning the thermal energy storage systems that turn rooftop air conditioners and campus-wide cogeneration plants into virtual grid energy-shifting arrays, or the compressed-air energy storage (CAES) system being developed by PG&E, or the plug-in electrical vehicle storage projects underway at SCE, or the microgrid projects in SDG&E territory.”

and Mike Ramsey & Cassandra Sweet, “Tesla’s Next Big Idea: Electricity Storage,” Wall Street Journal (April 29, 2015), p. B.8, ProQuest document ID: 1676291337 (“The Golden State is requiring its big utilities to install enough batteries or other equipment so that they can store 1,325 megawatts of electricity by 2024 [sic].”).

<sup>239</sup> See Christine Cordner, “SoCalEd’s energy storage winners say RFO results legitimize the resource,” SNL Power Week (Nov. 24, 2014), Westlaw doc # 2014 WLNR 33608787.

<sup>240</sup> See Sparkplug Power, “Bridging the Gap,” (PowerPoint presentation to the Massachusetts Department of Public Utilities, July 9, 2015 conference on energy storage), available through <http://web1.env.state.ma.us/DPU/FileRoom/dockets/bynumber> at DPU Docket no. 15-ESC-1.

<sup>241</sup> See, e.g., Green Mountain Power, “Green Mountain Power to Offer Tesla Home Battery,” (May 1, 2015) (press release), available at <http://news.greenmountainpower.com/press-releases/green-mountain-power-to-offer-tesla-home-battery--11g040221-001?feed=d51ec270-a483-4f6c-a55e-8e5fbc2238c2> :

“Green Mountain Power is pleased to announce that it will be one of the first energy companies in the country to offer Tesla’s new home battery, the Powerwall, to customers. . . .

This exciting innovation in battery technology is part of delivering on Green Mountain Power’s mission to deliver cost effective, low carbon and reliable energy solutions for its customers. The technology will empower customers to become more energy independent while also allowing the company to reduce peak demand on the system, providing cost savings to all of its customers.”

and “What do you really get for a \$7,000 Tesla Powerwall home battery?” autoblog (May 21, 2015), available at <http://www.autoblog.com/2015/05/21/what-do-you-really-get-for-7000-tesla-powerwall-home-battery/> :

“[I]t’s expected that more utilities and regulators will allow power prices to change throughout the day based on market conditions. Such a change would mean the software that controls the solar and battery system could help customers save money by using home-generated power when grid prices are high.

Batteries could really start to make financial sense if home and commercial batteries could be turned into so-called virtual power plants. Companies are working on systems that control a large group of batteries together as if it were one large power source. Battery owners might be able to sell their stored electricity to utilities during periods of high demand on the grid – which would help them pay off their otherwise ignored and expensive appliances faster.”

See also Seth Blumsack, “How effective is Tesla’s Powerwall?” Christian Science Monitor (May 28, 2015), available at <http://www.csmonitor.com/Technology/Breakthroughs-Voices/2015/0528/How-effective-is-Tesla-s-Powerwall> (“one utility, Green Mountain Power in Vermont, announced it would be happy to sell the Powerwall directly to its customers. This is a sign not only that utilities are taking the potential of the Powerwall seriously, but that they may be trying to figure out a way to profit from

potentially disruptive technologies.”).

<sup>242</sup> See, e.g., Siemens, “Smart distribution and storage,” (downloaded 8/8/15), available at <http://www.energy.siemens.com/hq/en/sustainable-energy/smart-distribution-and-storage.htm> ([S]o-called smart grids help make cities more energy efficient by feeding energy back into the grid. They involve the ‘prosumer,’ such as buildings or electric vehicles – which are consumers on the one hand, but can also feed energy back into the grid. . . . Electric vehicles can be used as mobile energy storage units. They can feed energy back into the grid.”);

and National Renewable Energy Laboratory (NREL), “Transportation Research / Electric Vehicle Grid Integration,” available at [http://www.nrel.gov/transportation/project\\_ev\\_grid\\_integration.html](http://www.nrel.gov/transportation/project_ev_grid_integration.html) :

“[NREL’s] Integrated systems functionality efforts focus on:

- Emergency backup power — Exploring strategies to enable the export of vehicle power to assist in grid outages and disaster-recovery efforts . . .
- Bi-directional power flow — Developing and evaluating integrated vehicle-to-grid systems for reducing peak-power demands.”

<sup>243</sup> See, e.g., “Grid-scale storage: Smooth operators,” *Economist* (Dec. 6, 2014), Westlaw doc # 2014 WLNR 34291766 (discussing installed compressed air grid-scale storage facilities in Germany and Alabama, and new heat-storing compressed air storage being developed by LightSail Energy based in Berkeley, CA);

and Charlotte Cox, “Saving some for later: US utility-scale battery storage sited at power plants,” *SNL Renewable Energy Week*, (Oct. 10, 2014), Westlaw doc # 2014 WLNR 28834584 (discussing 110 MW McIntosh compressed air energy storage facility in Alabama owned by PowerSouth Energy Cooperative, and three additional compressed air facilities totaling 904 MW that are in active development, two of them in Texas).

In such facilities, air compressed during off-peak electric generation hours is later used to drive electricity-generating turbines during periods of peak electric demand.

<sup>244</sup> See, e.g., Eversource Energy, “Eversource’s Point of View on Energy Storage / Prepared for [Massachusetts] DPU’s Stakeholder Conference on Energy Storage,” (July 9, 2015), , available through <http://web1.env.state.ma.us/DPU/FileRoom/dockets/bynumber> at DPU Docket no. 15-ESC-1, p. 4 (noting various storage technologies deployed and in demonstration phase, including thermal storage using molten salt, etc.).

See also Bill Paul, “Current Trend: Big Electric Utilities and Consumers Push Conservation Strategy – Producers Gladly Avoid Costs of Constructing Plants, and Users Get Innovative – Saving by Making Ice at Night,” *Wall Street Journal* (Dec. 8, 1987):

“In the basement of Alabama Power Co.’s new headquarters . . . stands a glass-enclosed water tank as big as a basketball court. Four giant compressors hum nearby. Inside the tank, murky blue-green water bubbles up around ice-covered rods. This \$4 million ‘ice storage’ machine saves the utility \$90,000 a year by making ice at night – when bulk power already contracted for would otherwise go unused. Air is then blown over the ice during the day to cool the building.”

<sup>245</sup> See, e.g., “Grid-scale storage: Smooth operators,” *Economist* (Dec. 6, 2014), Westlaw doc # 2014 WLNR 34291766 (noting flywheel energy storage under development by ABB of Zurich and Berkeley Energy Sciences of California);

and Charlotte Cox, “Saving some for later: US utility-scale battery storage sited at power plants,” *SNL Renewable Energy Week*, (Oct. 10, 2014), Westlaw doc # 2014 WLNR 28834584 (“other energy storage technology types, such as battery, flywheel and compressed air, are on the rise”; “Northeast is home to four operating utility-scale flywheel plants that total 43 MW” in New York and Pennsylvania, all owned by Beacon Power LLC).

<sup>246</sup> See VCharge, “Practical Thermal Storage for Grid Balancing,” (PowerPoint presentation to the Massachusetts Department of Public Utilities Conference on Energy Storage, held July 9, 2015), available through <http://web1.env.state.ma.us/DPU/FileRoom/dockets/bynumber> at DPU Docket no. 15-ESC-1.

<sup>247</sup> See July 2015 Resource Report 10, p. 10-6.

<sup>248</sup> See Massachusetts Department of Energy Resources, Mass DOER Renewables Division, “Installed Renewables 2008-2015,” (March 2015), available at <http://www.mass.gov/eea/images/doer/energy-dashboard/progress-implementing-clean-energy/renewable-energy-installation-chart-2.png> .

<sup>249</sup> See U.S. Energy Information Administration (EIA), “Massachusetts Electricity Profile 2012,” (most recent Massachusetts state data posted by EIA), available at <http://www.eia.gov/electricity/state/massachusetts/index.cfm> . This figure is the net summer generation capacity for Massachusetts in 2012; winter was not posted.

<sup>250</sup> See Massachusetts Department of Energy Resources, Mass DOER Renewables Division, “Installed Renewables 2008-2015,” (March 2015), available at <http://www.mass.gov/eea/images/doer/energy-dashboard/progress-implementing-clean-energy/>

[renewable-energy-installation-chart-2.png](#) .

See also ISO New England, 2014 Regional System Plan, p. 10 (“By the end of 2013, the installed nameplate [capacity] of PV was almost 500 MW<sub>AC</sub> which was approximately double the amount installed in 2012.”).

This fast growth for solar is consistent with a nationwide trend. According to the Department of Energy, in 2013 “solar electricity was the fastest growing electricity generation technology, with cumulative installed capacity increasing by nearly 66% from the previous year.” U.S. Department of Energy, 2013 Renewable Energy Data Book, available at [www.nrel.gov/docs/fy15osti/62580](http://www.nrel.gov/docs/fy15osti/62580) , p. 3. This DOE report noted, more generally, that in the United States in 2013, “renewable electricity accounted for more than 61% of all new electricity capacity installations in the United States. By comparison, renewable electricity captured 4% of new capacity additions in 2004 and 57% in 2008.” *Ibid.*, p. 4.

See generally Glen Boshart, “FERC staff: Uplift declined sharply this winter due to lessons learned, reforms,” SNL Energy Finance Daily (March 23, 2015) (“Electricity demand in 2014 remained flat nationally compared to 2013, [FERC] staff said. . . . ‘Energy efficiency measures and growth in behind-the-meter generation, such as rooftop solar, also helped moderate the electricity demand at utilities,’ staff said.”).

<sup>251</sup> See Massachusetts Executive Office of Energy and Environmental Affairs, “Solar,” (downloaded 3/17/15), available at <http://www.mass.gov/eea/energy-utilities-clean-tech/renewable-energy/solar/> (“The goal to achieve 250 megawatts of solar power installations was met four years early; an aggressive new goal was set of 1,600 MW by 2020.”).

<sup>252</sup> See ISO New England, 2014 Regional System Plan, (Nov. 6, 2014), p.10.

<sup>253</sup> See ISO New England, 2015 Regional Electricity Outlook, (facts and figures said to be current as of Jan. 2015 [see p.3]), p. 22 “Imminent retirements” list (giving list of closed or retiring electrical generating plants, their fuel source and capacity; note that the chart includes multiple plants that had already retired prior to the publication date, and were no longer actually “imminent”).

<sup>254</sup> See ISO New England, 2015 Regional Electricity Outlook, (facts and figures said to be current as of Jan. 2015 [see p.3]), p. 22 “Imminent retirements”. I have used the higher MW capacity figure ISO New England used for Salem Harbor Station in this Jan. 2015 Regional Electricity Outlook report.

ISO New England gives a lower MW figure for Salem Harbor Station in other documents. See, e.g., ISO New England, “2014/2015 Winter Outlook: Sufficient Power Supplies Expected, but Natural Gas Pipeline Constraints an Ongoing Concern / Winter Reliability Program in place to help maintain grid reliability” (press release) (Nov. 20, 2014), available at <http://www.iso-ne.com/static-assets/documents/2014/11/2014-winter-outlook-press-release-final.pdf> (“Salem Harbor Station . . . on May 31, 2014, retired its two remaining coal and oil units totaling about 585 MW”).

<sup>255</sup> See ISO New England, 2015 Regional Electricity Outlook, (facts and figures said to be current as of Jan. 2015 [see p.3]), p. 22 “Imminent retirements” list .

<sup>256</sup> See ISO New England, 2015 Regional Electricity Outlook, (facts and figures said to be current as of Jan. 2015 [see p.3]), p. 22 “Imminent retirements” list.

<sup>257</sup> For the retirement date of Vermont Yankee, see:

Jess Bidgood, “Vermont Yankee Nuclear Plant Begins Slow Process of Closing,” NY Times (Jan. 4, 2015), available at [www.nytimes.com/2015/01/05/us/vermont-yankee-nuclear-plant-begins-slow-process-of-closing.html?\\_r=0](http://www.nytimes.com/2015/01/05/us/vermont-yankee-nuclear-plant-begins-slow-process-of-closing.html?_r=0) (“[L]ast week, the [Vermont Yankee nuclear] plant was taken off the grid and its nuclear reactor was shut down. It was not unexpected; the plant’s parent company, Entergy, announced in 2013 that it would close the plant, saying it was no longer economically viable.”); and AP, “Entergy: Nuke plant closing costs not covered past 60 years,” AP Alerts (Feb. 11, 2015 / loaded into Westlaw 2/11/2015 with no document number given) (“[Entergy Corp.’s] Vermont Yankee [nuclear power plant] shut down permanently in December, with Entergy officials saying it no longer was economical to operate.”);

and Annalee Grant, “Industry leaders say nukes paramount to reaching proposed EPA targets,” SNL Electric Utility Report (Feb. 2, 2015) [Westlaw Doc # 2015 WLNR 3728933] (reporting Edison Electric Institute President Tom Kuhn reference to the recent retirement of Entergy-owned Vermont Yankee nuclear plant which shut down in December 2014).

For the retirement date of Salem Harbor, see:

Erin Ailworth, “New Salem plant a test case for Mass. climate law,” Boston Globe, (Jan. 19, 2014) (noting that Salem Harbor Power Station coal-fired electricity generating plant would shut down in June (2014));

and Annalee Grant, SNL Financial, “LNG, oil pushing New England through yet another cold winter,” SNL Power Week (Canada), (Feb. 23, 2015) [Westlaw Doc # 2015 WLNR 5979115]:

“New England Power Generators Association President Dan Dolan told SNL Energy that the region is seeing the coldest temperatures of winter so far and reaching below zero for the first time in half a decade. What is notable about the [electric]

grid staying firm is that generators have been performing well, and doing so without Entergy Corp.'s Vermont Yankee nuclear plant or Footprint Power's Salem Harbor coal facility, and wholesale power prices are remaining low."

and Luke Jackson, "Northeast's January power burn robust, a sign of things to come," Platts Gas Market Report (Feb. 13, 2015) [Westlaw Doc # 2015 WLNR 5957922] (noting "recent retirement of the 560-MW Vermont Yankee nuclear plant, which went offline in late December, as well as the retirement of more than 300 MW of coal capacity at Salem Harbor during the summer"). See also Mark Hand, "In New England power market, small changes lead to big price differences," SNL Gas Utility Week (March 9, 2015) [Westlaw Doc # 2015 WLNR 7544101]:

"There is no question [Conservation Law Foundation senior attorney Christophe] Courchesne emphasized, that a bitter cold February in New England led to higher wholesale electricity prices than the region faced earlier in the winter. . . .

But Courchesne noted that, even with the monthlong cold snap, electricity prices climbed only to levels seen during the same period last year, which was relatively much warmer. 'Notably, there have not been any reliability issues, despite generator issues like Pilgrim's repeated shutdowns and the lack of the retired non-gas units at Salem, Mount Tom, Norwalk and Vermont Yankee,' he said."

For the retirement date of Mount Tom, see:

ISO New England, "2014/2015 Winter Outlook: Sufficient Power Supplies Expected, but Natural Gas Pipeline Constraints an Ongoing Concern / Winter Reliability Program in place to help maintain grid reliability" (press release) (Nov. 20, 2014), available at <http://www.iso-ne.com/static-assets/documents/2014/11/2014-winter-outlook-press-release-final.pdf> ("Other generators, including the 350 MW oil-fired Norwalk Harbor Station, the 125 MW coal-fired Mt. Tom Station, and a unit totaling 150 MW at the Bridgeport Harbor Station are no longer providing power to the grid.");

and Mike Plaisance, "Reuse of coal plant on agenda Wednesday," The Republican (Springfield) (Feb. 10, 2015) (reporting on meeting to be held concerning "what to do with the closed Mount Tom Power Station"; noting "GDF SUEZ Energy North America closed the plant in December. It had operated only on and off for several years as the economics of burning coal to create energy clashed with the cheaper alternative of natural gas").

See also Erin Ailworth, "Mt. Tom coal plant to close in fall," Boston Globe (June 3, 2014) ("Mt. Tom, one of the state's remaining coal-fired power plants, will close for good by October. . . . The 146-megawatt plant in Holyoke has stopped making electricity, but workers probably will remain employed until Oct. 1.").

For the retirement date of Norwalk Harbor, see:

Stephen Singer, "New England Power Plant Closings Pinching Supply," WBUR, (Feb. 5, 2014), available at <http://www.wbur.org/2014/02/05/new-england-power-plant-closings-pinching-supply> ("NRG Energy Inc. shut oil-fired Norwalk Harbor in Connecticut last year.");

and Greg Canuel, "Norwalk Leaders Consider Future of Manresa Island Power Plant," Norwalk Daily Voice, (12/11/13), available at <http://norwalk.dailyvoice.com/news/norwalk-leaders-consider-future-manresa-island-power-plant>, including photo caption ("The Norwalk Harbor Power Station was shut down earlier this year . . . Norwalk officials will gather to discuss the fate of the former site of the Norwalk Harbor Power Station on Manresa Island later this month . . . . The oil-powered 340 megawatt plant was the only large-scale plant between Bridgeport and New York, according to NRG. But the company decided to shut down the site last summer, citing the high cost of oil compared with natural gas.");

and ISO New England, "2014/2015 Winter Outlook: Sufficient Power Supplies Expected, but Natural Gas Pipeline Constraints an Ongoing Concern / Winter Reliability Program in place to help maintain grid reliability" (press release) (Nov. 20, 2014), available at <http://www.iso-ne.com/static-assets/documents/2014/11/2014-winter-outlook-press-release-final.pdf> ("Other generators, including the 350 MW oil-fired Norwalk Harbor Station, the 125 MW coal-fired Mt. Tom Station, and a unit totaling 150 MW at the Bridgeport Harbor Station are no longer providing power to the grid.").

See also Luther Turmelle, "NRG Energy to deactivate Norwalk plant," New Haven Register (5/21/13), available at [www.nhregister.com/general-news/20130521/nrg-energy-to-deactivate-norwalk-plant](http://www.nhregister.com/general-news/20130521/nrg-energy-to-deactivate-norwalk-plant) ("New Jersey-based NRG Energy is deactivating its Norwalk Harbor generation station, one of the six power plants it operates in Connecticut. The oil-fired plant, which produces 340-megawatts of power and operates on a peaking basis, is scheduled to be deactivated June 1, said Dave Gaier, a company spokesman.");

and Brad Kane, "NRG shutting Norwalk oil-fired plant," Hartford Business Journal / HartfordBusiness.com (May 21, 2013) ("NRG Energy will shut down its oil-fired plant in Norwalk on June 1 . . . the company told HartfordBusiness.com on Tuesday. Prices in the New England market have dropped too low to make the plant's operation economical, said Dave Gaier, NRG spokesman. The Norwalk Harbor Generator Station churns out 340 megawatt[s] only when demand for electricity is high.");

and Nicole Rivard, "NRG to deactivate its Norwalk Harbor power plant," ctpost.com (May 21, 2013), available at <http://www.>

[cpost.com/local/article/NRG-to-deactivate-its-Norwalk-Harbor-power-plant-4536674.php](http://cpost.com/local/article/NRG-to-deactivate-its-Norwalk-Harbor-power-plant-4536674.php) :

“Faced with difficult market conditions in southwestern Connecticut, including low energy prices fueled by the sustained low price of natural gas, NRG Energy, Inc. will remove its Norwalk Harbor Station the ISO New England wholesale market and deactivate the station, effective June 1.

‘Its just too risky to stay in the market as a capacity supplier,’ David Gaier, a spokesperson for NRG, told the Norwalk Citizen Tuesday.

‘We don’t take this action lightly, but market conditions in southwest Connecticut and in New England generally made this decision necessary. . . .’

Deactivation is a process that takes generating units out of service. The plant provides 352 megawatts of generation capacity,” (Emphasis added.)

<sup>258</sup> See ISO New England Inc., 2014 Regional System Plan, p. 10, 11.

<sup>259</sup> As noted above, yearly energy efficiency gains have been keeping the overall increase in electricity demand essentially flat.

<sup>260</sup> See Mass. General Laws, Chapter 164, Section 139(f).

See also 220 Code of Massachusetts Regulations (CMR) 18.07(1).

<sup>261</sup> See, e.g., Massachusetts Executive Office of Energy and Environmental Affairs, “Net Metering Frequently Asked Questions and Answers, available at <http://www.mass.gov/eea/grants-and-tech-assistance/guidance-technical-assistance/agencies-and-divisions/dpu/net-metering-faqs.html> , question 6 (“State law requires each [electric] distribution company to maintain separate net metering caps for public and private net metering facilities. Each cap is equal to a percentage of each company’s highest historical peak load, which is the most electricity consumed by the distribution company’s customers at any one time. . . . Once an electric distribution company fills its net metering caps, it can no longer allow customers to take service under its net metering tariff (note that exempt Class I net metering facilities will be able to net meter even if the caps are full . . . )”).

<sup>262</sup> National Renewable Energy Laboratory, “Status of Net Metering: Assessing the Potential to Reach Program Caps,” [Technical Report NREL/TP-6A2-61858] (Sept 2014), p.20.

<sup>263</sup> See MassACA.org, “Provisional Application Activity and Remaining Capacity / Massachusetts System of Assurance of Net Metering Eligibility,” (8/8/15) available at <https://app.massaca.org/allocationreport/report.aspx> (showing “NGrid” [National Grid] with a remaining “Capacity Remaining Under Cap” on the private side of only 68 kW, but a waiting list of applicants with projects totaling 25,244 kW).

<sup>264</sup> See Chris Mooney, “The best idea in a long time: Covering parking lots with solar panels,” Washington Post, (Jan. 28 [2015]), available at <http://www.washingtonpost.com/news/energy-environment/wp/2015/01/28/the-best-idea-in-a-long-time-covering-parking-lots-with-solar-panels/> (noting Massachusetts as being in the top six states for carport solar project installations).

<sup>265</sup> See/listen to Bob Oaks & Shannon Dolling, “Why There Are Rows Of Solar Panels Beside The Mass Pike,” WBUR, (June 4, 2015), available at <http://www.wbur.org/2015/06/04/solar-panels-mass-pike> (including interview with Donald Pettey, MassDOT highway project manager for strategic initiatives).

See also Brian Benson, “Planners reflect on Pike solar plan,” MetroWest Daily News, (Sept. 11, 2014), available at <http://www.metrowestdailynews.com/article/20140911/NEWS/140919187> (reporting on aspects of the Department of Transportation’s planned “250KW solar array along the Massachusetts Turnpike near Rte. 30 and Indian Rock Road” in Natick, MA).

<sup>266</sup> See David Wade, “Mass DOT: Solar Farms Would Save State Millions In Energy Costs,” WBZ , (April 5, 2015), available at <http://boston.cbslocal.com/2015/04/05/mass-dot-solar-farms-would-save-state-millions-in-energy-costs/> (interviewing Tom Tinlin, Mass DOT Chief of Operations and Maintenance about DOT’s initial planned solar installations along the Mass Pike and elsewhere).

<sup>267</sup> See, e.g., National Renewable Energy Laboratory of the U.S. Department of Energy, “Energy Analysis / Biogas Potential in the United States,” NREL/FS-6A20-60178 , (October 2013) available at <http://www.nrel.gov/docs/fy14osti/60178.pdf> , p. 1 (biogas “presents an opportunity for greenhouse gas mitigation . . . and production renewable energy fuel”);

and Shutsu Chai Wong, Massachusetts Department of Environmental Protection, “Tapping the Energy Potential of Municipal Wastewater Treatment: Anaerobic Digestion and Combined Heat and Power in Massachusetts,” (July 2011), available at <http://www.mass.gov/eea/docs/dep/water/priorities/chp-11.pdf> , p. 8 (anaerobic digestion of waste water treatment plant organic solids and conversion to energy through a combined heat and power (CHP) system “leads to environmental benefits from methane capture, renewable energy generation, and organic waste volume reduction”);

and Brian C. Murray, et al, “Biogas in the United States: An Assessment of Market Potential in a Carbon-Constrained Future,” Nicholas Institute for Environmental Policy Solutions Report NI R 14-02, Duke University (Feb. 2014), pp. 3, 4 (“The

substitution of biogas, an energy source derived from biological feedstock, for fossil natural gas can mitigate the build-up of greenhouse gases in the atmosphere. This makes biogas an attractive renewable energy source in a carbon-constrained future. . . . Methane, a major component of purified biogas and natural gas, is generated through natural processes, but the controlled environment of anaerobic digesters . . . and gasifiers increase the percentage of gas produced and captured.”).

<sup>268</sup> See, e.g., Shutsu Chai Wong, Massachusetts Department of Environmental Protection, “Tapping the Energy Potential of Municipal Wastewater Treatment: Anaerobic Digestion and Combined Heat and Power in Massachusetts,” (July 2011), available at <http://www.mass.gov/eea/docs/dep/water/priorities/chp-11.pdf> , p. 8 (“On-site energy generation also promotes energy independence and helps to insulate municipal [waste water treatment] plants from electricity and gas price fluctuations. At present, the cost of wastewater and water utilities are generally 30-60 percent of a city’s energy bill, making it economically advantageous for municipalities to adopt these technologies to minimize the impact of these utilities on their limited budgets.”).

<sup>269</sup> See, e.g., Shutsu Chai Wong, Massachusetts Department of Environmental Protection, “Tapping the Energy Potential of Municipal Wastewater Treatment: Anaerobic Digestion and Combined Heat and Power in Massachusetts,” (July 2011), available at <http://www.mass.gov/eea/docs/dep/water/priorities/chp-11.pdf> , p. 7 (“wastewater treatment plants . . . can be responsible for a large percentage of a municipal[ity]’s energy costs”; “results of this pilot included several recommendations, one of which was to explore biogas potential at publicly owned waste water treatment facilities”); *ibid.*, p. 8 (anaerobic digestion generating energy through a combined heat and power system can allow wastewater treatment facilities to “reduce their operational costs associated with energy consumption and waste disposal while generating revenue”).

<sup>270</sup> See, e.g., Mary Serreze, “Massachusetts food disposal ban celebrated at Barstow Farm in Hadley, where cows produce biogas,” *The Republican* (Springfield, MA) (Oct. 3, 2014), available at [http://www.masslive.com/news/index.ssf/2014/10/state\\_officials\\_on\\_food-recycl.html](http://www.masslive.com/news/index.ssf/2014/10/state_officials_on_food-recycl.html) (Massachusetts “Agriculture commissioner Greg Watson . . . said the anaerobic digester project is ‘full of synergies,’ coordinating energy, environment, food and economic development goals. . . . [Farm owner Steve] Barstow said the [biogas generator] project, which went on line earlier this year, is producing cash flow by selling electricity and charging tipping fees. He said the digester is at capacity for the volume of waste it processes, and that he’s thinking of doubling the size of the generator.”).

<sup>271</sup> See, e.g., Shutsu Chai Wong, Massachusetts Department of Environmental Protection, “Tapping the Energy Potential of Municipal Wastewater Treatment: Anaerobic Digestion and Combined Heat and Power in Massachusetts,” (July 2011), available at <http://www.mass.gov/eea/docs/dep/water/priorities/chp-11.pdf> , p. 9.

<sup>272</sup> See Jordan’s Dairy Farm website, available at <http://jordandairyfarms.com/> (downloaded 8/4/15).

See also AGreen Energy, LLC, “AGreen Energy Announces Grant from U.S. Treasury and Recognition from Mass Energy for Massachusetts Anaerobic Digester,” (press release), (2010), available at <http://www.agreenenergyllc.com/updates/press/627> (describing consortium of dairy farms that created “AGreen Energy” limited liability company to work on creating anaerobic digesters and power generating facilities at dairy farms and the group’s obtaining grants for the construction of the first such project at the Jordan Dairy Farm in Rutland, MA).

<sup>273</sup> See Mary Serreze, “Massachusetts food disposal ban celebrated at Barstow Farm in Hadley, where cows produce biogas,” *The Republican* (Springfield, MA) (Oct. 3, 2014), available at [http://www.masslive.com/news/index.ssf/2014/10/state\\_officials\\_on\\_food-recycl.html](http://www.masslive.com/news/index.ssf/2014/10/state_officials_on_food-recycl.html), including linked “Longview Farm” factsheet available at <http://www.agreenenergyllc.com/updates/wp-content/uploads/2014/06/Exhibit-large.pdf> .

<sup>274</sup> See Massachusetts Executive Office of Energy and Environmental Affairs, “Biogas Production,” (2015), available at [www.mass.gov/eea/agencies/massdep/water/reports/biogas-production.html](http://www.mass.gov/eea/agencies/massdep/water/reports/biogas-production.html) .

<sup>275</sup> See Massachusetts Executive Office of Energy and Environmental Affairs, “Biogas Production,” (2015), available at [www.mass.gov/eea/agencies/massdep/water/reports/biogas-production.html](http://www.mass.gov/eea/agencies/massdep/water/reports/biogas-production.html) .

<sup>276</sup> See Massachusetts Executive Office of Energy and Environmental Affairs, “Biogas Production,” (2015), available at [www.mass.gov/eea/agencies/massdep/water/reports/biogas-production.html](http://www.mass.gov/eea/agencies/massdep/water/reports/biogas-production.html) .

<sup>277</sup> See National Renewable Energy Laboratory of the U.S. Department of Energy, “Energy Analysis / Biogas Potential in the United States,” NREL/FS-6A20-60178 , (October 2013) available at <http://www.nrel.gov/docs/fy14osti/60178.pdf> , p. 1.

<sup>278</sup> See Brian C. Murray, et al, “Biogas in the United States: An Assessment of Market Potential in a Carbon-Constrained Future,” Nicholas Institute for Environmental Policy Solutions Report NI R 14-02, Duke University (Feb. 2014), pp. 3, 4 (“generation of biogas could be expanded to perhaps 3-5% of the total natural gas market”; “time horizon for assessment is 2040”).

<sup>279</sup> See Brian C. Murray, et al, “Biogas in the United States: An Assessment of Market Potential in a Carbon-Constrained Future,” Nicholas Institute for Environmental Policy Solutions Report NI R 14-02, Duke University (Feb. 2014), p. 47.

<sup>280</sup> See Brian C. Murray, et al, “Biogas in the United States: An Assessment of Market Potential in a Carbon-Constrained Future,”

Nicholas Institute for Environmental Policy Solutions Report NI R 14-02, Duke University (Feb. 2014), p. 51, citing van Forest 2012.

<sup>281</sup> See National Renewable Energy Laboratory of the U.S. Department of Energy, “Energy Analysis / Biogas Potential in the United States,” NREL/FS-6A20-60178 , (October 2013) available at <http://www.nrel.gov/docs/fy14osti/60178.pdf> , p. 2 (Map: “Estimated methane generation potential for select biogas sources by county”).

<sup>282</sup> See Brian C. Murray, et al, “Biogas in the United States: An Assessment of Market Potential in a Carbon-Constrained Future,” Nicholas Institute for Environmental Policy Solutions Report NI R 14-02, Duke University (Feb. 2014), pp. 3, 4, 14, 24 (“generation of biogas could be expanded to perhaps 3-5% of the total natural gas market”; “time horizon for assessment is 2040”; “564 of 2,434 (23% landfills in the United States were collecting gas for electricity generation or direct use, and more than 1,700 additional landfills (70%) could potentially collect gas”; “approximately 83,00 MMBtu/day (30.4 million MMBtu/year) of biogas would be available [from Waste Water Treatment Plants] at a cost comparable to the costs of delivered industrial natural gas . . . This biogas availability equals about 0.1 percent of the current annual consumption level of natural gas in the United States.”).

<sup>283</sup> Shutsu Chai Wong, Massachusetts Department of Environmental Protection, “Tapping the Energy Potential of Municipal Wastewater Treatment: Anaerobic Digestion and Combined Heat and Power in Massachusetts,” (July 2011), available at <http://www.mass.gov/eea/docs/dep/water/priorities/chp-11.pdf>, p. 8.

See also Massachusetts Executive Office of Energy and Environmental Affairs, “Biogas Production,” (2015), available at [www.mass.gov/eea/agencies/massdep/water/reports/biogas-production.html](http://www.mass.gov/eea/agencies/massdep/water/reports/biogas-production.html) (“Currently only five of the 133 WWTPs in Massachusetts use anaerobic digestion in treating wastewater sludge.”).

*{End of 20150827-5026}*

## **20150827-5035**

Julia Steed Mawson, Pelham, NH.

August 15, 2015

Norman C. Bay, Chairman  
Federal Energy Regulatory Commission  
888 First Street NE  
Washington, DC 20426

RE: Docket No. PF14-22-000

Dear Chairman Bay:

I respectfully request that the Federal Energy Regulatory Commission reject Tennessee Gas Pipeline (TGP) Company’s proposed Kinder Morgan Northeast Energy Direct (NED) Project. I base this request upon the following:

1. The compressor station in Dracut MA is too close to our Pelham NH borders and there is not enough research concerning the long term effects of emissions from compressor stations to deem them safe for us or our neighbors in Dracut who are next door to it. The same is true for the even larger compressor station proposed for New Ipswich, NH.
2. The pipeline and compressor station are located too close to farms in Dracut MA and the New Ipswich region, from which we in NH buy our fresh produce and dairy products.
3. The pipeline is located too close to Little Island Pond and its watershed. Emissions from the Dracut compressor station will threaten the populations of loons (a threatened species in NH) that have just re-established themselves after an absence of over 50 years and can damage the aquatic systems there. Similar issues face the New Ipswich compressor station and the wildlife and humans there.
4. The pipeline and compressor station are located too close to a neighborhood in Dracut MA and the surrounding neighborhoods in Pelham, NH. This high-pressure, high-capacity station will bring significant human safety risks to our families and the businesses nearby. In Pelham alone the pipeline affects over 500 families. (118 abutters and 380 in blast zone.)
5. The pipeline and compressor station are located too close to our water supplies, parks, and conserved

land and will bring significant environmental hazards. This pipeline cuts through Pelham's aquifer that supports the drinking water wells of Pelham landowners and affects 180 acres of hard-earned conservation land.

6. FERC has already approved another pipeline enlargement to satisfy New England's natural gas-fired electric generation needs on the coldest days. There is no need to add more supply. Further, there are at least 17 other energy projects currently being considered for New England (wind/solar, hydro, natural gas) and energy conservation measures are showing to be effective and decrease energy need.

7. The proposed pipeline route requires a new right-of-way that would cut through many miles of environmentally sensitive areas and take permanently protected land out of that protection. Tree loss is substantial and contrary to good climate protection practices.

8. The particular gas that would be carried in the proposed pipeline is likely to be particularly high in toxins and radiation, and the health impact upon our families, animals and plants must be avoided.

9. "Fracking" compounds and chemicals negatively impact the skin, eyes, sensory organs, the respiratory system, the gastrointestinal system, the liver; the nervous system; and are candidate endocrine disrupting chemicals. Endocrine disrupting chemicals (EDCs) present unique hazards, particularly during fetal and early childhood growth and development. We do not want to be exposed to any of these chemicals.

10. Leakage from existing pipes in the region is well documented and substantial and need to be repaired before any new pipelines are considered.

11. The importance of the rural character of southern NH is a vital and is a well documented part of this region's economy and social fabric. It must be preserved as a legacy for the future and this threat of industrialization is not acceptable.

Respectfully submitted,

Name: Julia Steed Mawson Address: 17 South Shore Dr. Pelham, NH 03076

#### **20150827-5040**

Lisa Derby Oden, New Ipswich, NH.

Since we live in a rural environment, there are many farms and individuals who grow their own food. Many of both of these operate using organic practices, whether they have applied formally for that designation or not. Kinder Morgan needs to conduct a town wide survey of every individual, and should do so across southern NH, to determine how many farms are using organic practices, as well as how many individuals are growing their own food using organic practices. The toxins released from the compressor station, metering stations, pigging and the methane released from the compressor station and pipeline will have negative impacts on these practices.

#### **20150827-5042**

Donald Simms, Northfield, MA.

My name is Don Simms and I am a certified climate reality leader trained by the Climate Reality Project, led by former Vice President Al Gore. There are over 8,000 trained climate leaders in 122 countries that have made a pledge to attempt to make a positive change with the issues of global climate change. The fracked gas pipeline not only is not needed but will be another nail in the coffin in fighting climate change, as well as being devastating to the environment all along its planned 412 miles. I have lived off and on in Northfield on the upper section of Old Wendell Road since 1982. I have built two homes on Old Wendell Road over the years and remember when the previous dirt road on Old Wendell Road was not wide enough to let two cars pass. The Town of Northfield does not even have a gas station, let alone the infrastructure to support or secure the 80,000 horsepower compressor station.

The reality is this pipeline is not in the best interest for the community, MA or our national security. Conservation, weatherization programs and renewable energy projects should be priority methods in order to achieve a sustainable national energy policy.

A new pipeline subsidized by electric ratepayers violates the beneficiary pays principle. Given existing energy infrastructure, expansions already underway, and other market responses to winter peak prices, a new pipeline subsidized by electricity ratepayers will overserve the New England market, resulting in a glut of natural gas throughout the year that is likely to flow to markets outside of New England into Canada and overseas. This would leave New England ratepayers paying for the cost of building a new pipeline for twelve months of the year, and reselling back unused capacity at a lower rate for at least nine months to natural gas shippers selling into other markets.

The lowest cost and lowest risk way to meet power generation demand and reduce natural gas prices in the New England market in the near to medium term is to contract with existing infrastructure, including LNG imports and dualfuel capability, that can provide peaking response at little to no capital cost and without ratepayer commitment. With existing infrastructure and projected needs over the next ten years, there is plenty of time to monitor how existing policy initiatives, infrastructure availability, market response and therefore new pipeline infrastructure needs evolve over the long-term.

Don Simms  
Climate Reality Leadership Corps  
simmsdon@comcast.net  
413-824-8582

## **20150827-5052**

Marcia Tessier, W Townsend, MA.

I am writing to express my concern about the proposed gas pipeline for Massachusetts and southern New Hampshire. I have lived in Massachusetts all my life and for the past 30 years lived on Pearl Brook Road in West Townsend. I am a house away from the proposed Fitchburg lateral pipeline. I will list my concerns to hopefully make it easier to read.

1. The pipeline will pass under the Pearl Brook River which flows directly through the wells in West Townsend which is the drinking water for a number of people in Townsend. The land surrounding the proposed pipeline abuts the right of way of the Townsend Water Department and the Pearl Brook State Park, part of the Massachusetts park system. I am concerned that this will pollute the river and wells as well as damage the ecosystem of these wetlands. A house could not be built on the site the pipeline will go through because it did not meet the wetlands protections standards of the town. How can a gas pipeline be placed there?
2. The proposed pipeline then parallels Pearl Brook Road behind the houses on the street under the existing electrical lines. All the homes on this street have wells for our drinking water. Some of the wells are artesian and some are just dug wells. I am very concerned that the construction of the pipeline including blasting and digging that will be done to place the pipeline will disrupt and possible contaminate our wells. Who will test the drinking water to determine if it is still safe? What recourse will we have as homeowners if our wells are contaminated?
3. When I was at the Sitting Board meeting in Lunenburg on August 6th it was mentioned that blasting will occur and could effect the foundation of homes and structures nearby. Will Kinder Morgan and Tennessee Gas be responsible for damages? Why should homeowners have to bear a cost when they did not request any work be done near the home. Damage to the structure of our homes and drinking water will affect the property values and possibly make our homes unsaleable in the future.
4. We do not have a gas pipeline on our street. The town of Townsend does not receive gas from this company. No one on this route can benefit from the disruption of our water supply, destruction of wetlands and the ecosystem surrounding the pipeline and possible home damage and air quality.
5. My neighbors and my family will be greatly affected by the construction of this pipeline by the reasons I have listed above.. All the towns, homes and people all along the pipeline will have similar situations. The destruction of rivers, wetlands, parks, forests, farms and neighborhoods by eminent domain and the collat-

eral damage does not seem to be in the best interest of the states of Massachusetts and New Hampshire. The pipeline does not benefit the communities that will be damaged. We will receive no gas from this pipeline. Unitil the utility company for the town of Townsend does not have and has not requested gas from Tennessee Gas and the proposed pipeline. As a taxpaying citizen of the state and country I can not believe that private lands and state protected lands can be used and taken by a private corporation for their own economic benefit. Honestly, it seems UnAmerican and unconstitutional. I really have believed that the laws and protection written into our laws are meant to protect citizens, not have an outside business taking our land and destroy our property.

I hope you will take into consideration all the information given to you at the meetings that have been held across the state and the written information you are receiving when you make your recommendations about this pipeline.

Is this pipeline really necessary? Can existing infrastructure and services like LNG storage tanks already in existence meet energy needs?

How will this pipeline impact the environment and lives of the people on the proposed route?

Are there safer energy alternatives we should be working on as a state such as solar and wind?

What is the environmental legacy we will leave for the future?

How and who will clean up the inevitable accidents and mishaps? Where does that money come from? The Boston Globe recently had an article on all the gas line leaks in the greater Boston area. A gas line leak in this area will pollute wells and wetlands. I will be one of many on this route that will have a polluted well.

What is Kinder Morgan and Tennessee Gas's track record as a corporation and good neighbor?

Thank you for taking the time to read my email. I hope you will not give support or approval for this pipeline in any form. It is not needed, hazardous to the environment on many levels and exploitation of private citizens and small towns for the sole purpose of a large corporation's profit.

Marcia Tessier  
12 Pearl Brook Road  
West Townsend, MA

**20150827-5058**

*{10 pages}* skip to end of 20150827-5058

**TOWN OF DEERFIELD, MA, REPORT TO FERC (194 pages)**

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- 1 REPORT TO THE FEDERAL ENERGY REGULATORY COMMISSION ENVIRONMENTAL AND COMMUNITY CONCERNS EXPECTED FROM THE NORTHEAST ENERGY DIRECT PROJECT FERC DOCKET NO. PF14-22 AUGUST 2015
- 15 A: DPU DOCKET #15-37 – VOTE AND ORDER OPENING INVESTIGATION April 27, 2015
- 25 B: ATTORNEY GENERAL'S REQUEST TO DPU FOR DELAY AND FULL ADJUDICATION June 6, 2015
- 41 C: NOTICE OF PUBLIC COMMENT HEARINGS BY THE MASSACHUSETTS ENERGY FACILITIES SITING BOARD July, 2015
- 44 D: DEERFIELD'S RESPONSE TO THE MASSACHUSETTS ENERGY FACILITIES SITING BOARD August 13, 2015
- 49 E: BIOMAP2 – CONSERVING THE BIODIVERSITY OF MASSACHUSETTS IN A CHANGING WORLD Produced in 2012 by the Massachusetts Division of Fisheries and Wildlife
- 66 F: GREENPRINT EVALUATIONS: 2010 FINAL REPORT AND DEERFIELD EXECUTIVE SUMMARY 2010 – The Trust for Public Land, San Francisco, California
- 84 G: DEERFIELD CONSERVATION VISION Completed in 2007

- 139 H: DEERFIELD BOARD OF SELECTMEN’S RESOLUTION A resolution by the Deerfield Board of Selectmen in opposition to the Pipeline.
- 142 I: DEERFIELD BOARD OF HEALTH DECISION AND ORDER A Decision and Cease-and-Desist Order issued by the Board of Health to Kinder Morgan
- 159 J: PUBLIC COMMENTARY Selected public commentary from local residents, businesses and organizations

*{note: only the first section (pages 1...14) is included here}*

*{ full 194 page report from Deerfield, MA., “20150827-5058(30841984).pdf” can be downloaded from: }*  
*{ <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=13969284> }*

**TOWN OF DEERFIELD, MASSACHUSETTS**  
**REPORT TO THE**  
**FEDERAL ENERGY**  
**REGULATORY COMMISSION**  
**ENVIRONMENTAL AND COMMUNITY CONCERNS EXPECTED**  
**FROM THE NORTHEAST ENERGY DIRECT PROJECT**  
**FERC DOCKET NO. PF14-22**

AUGUST 2015

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- A. DPU Docket #15-37 – Vote and Order Opening Investigation
- B. Attorney General’s Request to DPU for Delay and Full Adjudication
- C. Notice of Public Comment Hearings by the Massachusetts Energy Facilities Siting Board
- D. Deerfield’s Response to EFSB Request for Comments
- E. BioMap2 – Conserving the Biodiversity of Massachusetts in a Changing World
- F. Greenprint Evaluations: 2010 Final Report and Deerfield Executive Summary
- G. Deerfield Conservation Vision Report, DRAFT 3/14/07
- H. Resolution by the Deerfield Board of Selectmen – August 20, 2014
- I. Final Decision and Order of the Deerfield Board of Health – October 22, 2014
- J. Selected Public Comments

**NOTE: The Town of Deerfield and/or its Board of Health do not waive their rights as per the Order issued by the Board of Health of Deerfield banning construction and operation of the Kinder Morgan/ Tennessee pipeline within the confines of the Town of Deerfield.**

## **PUBLIC SAFETY**

### **Deerfield does not have resources to protect against terror or vandalism threats**

The Deerfield Police Department is very well trained, and very capable, and has a proud record of demonstrated protection of Deerfield residents and businesses. However, the police department does not have the resources to provide detailed oversight of the pipeline infrastructure as planned. This leaves a significant threat to life and property vulnerable to extraordinary or unanticipated threats.

### **Deerfield does not have manpower or equipment to address pipeline accidents**

The town has excellent police, fire and emergency medical services available to its residents. The town has committed itself to active participation in regional and state-wide emergency management training and drills, including Emergency Response drills that have prepared the town to respond to natural disasters, and active operation of a four-town Emergency Preparedness Group. However, given the fact that pipe ruptures, compressor station failures and explosions at or associated with natural gas pipelines, it is very likely that the town would be ill-equipped to deal with a major incident related to a damaged or ruptured pipe, or to damage or failure at the meter station.

### **Pipeline's presence could will cause changes to town and regional preparedness requiring additional resources**

Deerfield enjoys the experience and efforts of many dedicated individuals serving with local fire services, as well as on the Emergency Preparedness committees and boards. However, extensive training, planning and other resources would be required in order to adequately plan for and protect against the extraordinary threat of a major incident related to the pipeline. These measures would result in costs of both time and money – and still may not adequately prepare for a possible incident.

### **Pipeline's high-pressure capacity could be a potential cause of a catastrophic failure in secondary connected gas systems.**

Current gas infrastructure carries natural gas from a number of sources, and to a number of destinations. Some of that infrastructure is old, and may have been designed for gas delivery at a lower capacity or pressure. By introducing new gas sources, at a higher capacity and pressure, without considering the capability of existing infrastructure to carry that volume and pressure, could increase the risk of critical failures, fire or explosion.

### **Pipeline's proximity to Deerfield Rail Yard could affect or alter remediation efforts at that site.**

The Deerfield Rail Yard has seen its share of negative environmental incursions. Through the diligent efforts of MassDEP, Pan Am Railways, Environmental Resources Management Inc., and the Town of Deerfield, extraordinary progress has been made to isolate, encapsulate, and remediate past environmental impacts, and to prevent future incidents. However, the sensitive nature of the remediation on this site could be undermined by any underground drilling, excavation or other construction. In particular, the pipeline's planned route could allow the spread of hazardous materials, and could potentially introduce them to the Deerfield or Connecticut River resources areas.

### **Pipelines have inherent and significant safety risks.**

While statistically safer than transporting gas with trucks and trains, natural gas pipelines still pose a danger. Any break or explosion would be catastrophic in comparison since the cutoff values typically are miles apart, and the volume of gas being exposed is much greater than any other means of transportation. Further, the US DOT Pipeline Safety rules requires a gas company to report an accident only if there is a loss of life, severe injury to a person, or \$50,000 or more of property damage. Pipeline accidents are "self" reported by the operator. There is evidence of leaks going unreported and off the radar to the public exposure due to these reporting guidelines.

### **Pipeline safeguards are implemented by the operator, with no oversight**

Proper safeguards are basically within the control of the pipeline operators. While these companies have an interest in operating safe infrastructure, there is no independent source keeping watch, investigating, or inspecting natural gas transmission lines. Additionally, considering the potential for domestic terrorism, a natural gas pipeline is a huge unprotected target.

### **CONSTRUCTION**

#### **Heavy equipment during construction will damage town roads**

The proposed pipeline has the same scale, scope and impact as that of an interstate highway construction project. The amount of heavy excavation and other equipment that would need to be transported through Deerfield across low-volume roads, some of which have ancient culverts, bridges and sub-base and base construction that simply cannot withstand the extensive use that such a project would require. The Stillwater bridge, in particular, has been negatively affected by numerous natural disasters (including Tropical Storm Irene in 2011), and shows further and extensive wear from the recent I-91 bridge reconstruction project. A project of this scale would undoubtedly result in further deterioration of the town's infrastructure.

#### **Blasting adjacent to power and communication lines, threatening transmission integrity**

The pipeline's path, as proposed, places it adjacent and parallel to high-tension power lines operated by EverSource (formerly the Western Massachusetts Electric Company). These lines represent part of an infrastructure that carries electricity across all of Western Massachusetts. Construction of the pipeline in such close proximity to these electrical lines introduces the potential for inadvertent damage to the lines that could result in outages. Further, close proximity of these lines represent multiple risks in the case of a major incident. If the pipeline were breached by cause or malfunction, resulting in a fire, it would likely present a major threat to the surrounding area; it would also result in serious damage to the electricity transmission lines, which could in turn result in an extended power outage across Western Massachusetts.

#### **Construction could have a detrimental effect on farms and businesses along the construction route**

The path of the pipeline passes across several areas that have been actively farmed for hundreds of years. These farms are located in the Deerfield / Connecticut River watershed, an extraordinarily rich agricultural basin. The impact of such an extensive construction project, which will bisect this area along a path at least 1.6 miles in length, is measured in lost productivity, lost agricultural real-estate, and the long-term potential of environmental damage that could preclude use of this area for farming altogether.

#### **Critical nature of construction should mandate independent, third-party construction monitoring and certification**

Deerfield is mandated by state law to provide oversight on all private construction projects, small or large, through elected or appointed bodies, or inspection services that review plans, provide comparison to as-built construction, and advise and review the projects at all phases of construction. Further, state law mandates that an independent Owners Project Manager be appointed for any major public works project, providing independent oversight of contractors and subcontractors, and representing the interests of the Town. The scope of the proposed pipeline, the nature of the project, and the potential for a massive, negative detrimental impact caused by a construction error or defect in materials, is clear justification for required third-party monitoring of all construction activity, regular comparison of as-built construction to design specifications, and complete monitoring and overview of all contractors and subcontractors associated with the project. Additionally, the actual materials and methods of the construction of the pipeline should be reviewed by engineers and geologists familiar with the industry, in order to minimize the possibility of critical failure due to corrosion, and other issues that have caused recent pipeline failures elsewhere.

## **CONSERVED AND PRESERVED LANDS**

### **Pipeline will pass through private and public conserved and preserved land**

Residents of Deerfield have been proactive in seeking out protection for open space, farmland, and woodland, through Massachusetts General Laws (“MGL”) Chapter 61 protection, private trusts, and other means. The path of the pipeline as proposed passes through many privately-held protected properties, and the impact of the pipeline on the status of these properties is not yet known. Certain Chapter 61 protections are deeded, and granted in perpetuity. The impact of a Federally-mandated project on a state-mandated conservation restriction is also not yet known.

### **Pipeline will adversely affect vistas and scenic byways of conserved and preserved land**

Deerfield is a rural community, with larger areas of undisturbed wilderness, and large areas of open farmland. A small number of light industrial corporations are located in specifically zoned areas of town. The Town’s Zoning bylaws have been developed to preserve open space, agriculture, and forested lands, while still allowing reasonable or “smart” growth of commerce and industry. The pipeline as proposed would create an industrial infrastructure in areas that have no industry, and which are zoned for agricultural or private residential uses. This infrastructure could have a long-term impact on the planning and development of the town’s industrial base, and could negatively impact the areas around Old Deerfield and the Deerfield River, which are historically and culturally rich.

## **OPEN SPACE AND RECREATION**

### **Pipeline will cross bodies of water and recreational areas**

Deerfield has enjoyed the benefits of two major waterways as its principal northern and eastern boundaries. Initially used as an avenue of transportation for local commerce, these two rivers now serve primarily as sources of recreation for many local and regional residents. The impact of a pipeline rupture at or near the resources areas of these waterways would be absolutely devastating to the ecology and economy along the rivers’ resource area. The long-term impact of a pipeline crossing these rivers at arguably least three points into, out of, or immediately adjacent to Deerfield, is not yet known.

### **Pipeline will affect recreation (Pocumtuck Ridge) and retreat areas (Woolman Hill)**

Originally founded in 1979, the Traprock Peace Center is located on Woolman Hill, in East Deerfield, and is the country’s premiere training and advocacy center for non-violent protest and peaceful communication. The construction of the pipeline will have a significant effect on this nationally renowned retreat and education center. Further, the pipeline is proposed to bisect the Pocumtuck Ridge, which runs parallel to the Connecticut River. The pipeline’s installation could affect local recreation, particularly along the agrarian areas of North Deerfield (along Upper Road, Lower Road, and surrounds) as well as the rural areas along the Pocumtuck Ridge. The pipeline’s placement in could result in significant interruption to this undisturbed area. Further, use of any land along the route of the pipeline for walking, hiking, biking or other recreational use, will likely be significantly restricted due to the protective easements that will be in place.

## **AIR QUALITY**

### **Venting of gases will alter air quality**

Aside from automobile and train traffic, there are no major sources of pollution in Deerfield. Industry in Deerfield is light industry, and poses no major sources of light, sound, air or water pollution. The metering station, to be located near the north entrance of Old Deerfield, is a potential source of pollution, particularly during blowdown of the meter station piping, accomplished by a vent stack located on the station inlet piping and vents on the meter skid downstream of the meter and flow control valve. Additionally, vent stacks may be a source of noise pollution, depending on whether or not the stacks are designed with silencers.

## **WATER RESOURCES**

### **Pipeline's construction could cause damage to wetlands**

Near the confluence of the Deerfield and Connecticut rivers, there are numerous natural wetland areas, including natural flood plains that help to alleviate the impact of major storms and floods. Additionally, wetlands provide a natural biofilter, allowing for sequestration of carbon and carbon dioxide, storm water reclamation, aquifer restoration, and filtration of natural and some man-made pollutants. Construction in wetlands, and the presence of a pipeline in these ecologically-sensitive areas, could permanently and detrimentally alter this delicate ecological balance.

### **Placement could cause alteration of surface water drainage patterns**

Nearly all of the land bisected by the proposed route of the pipeline is undisturbed forest, hillside agriculture, agricultural fields, and flood-plains. These areas provide natural management of stormwater, abatement of flood waters, and protection against erosion during storm events. The construction of the pipeline would potentially disturb these areas, and could result in significant and permanent damage to native or agricultural areas.

### **Pipeline could be a source of contamination of water supplies**

The route of the pipeline passes within yards of a dozen or more private wells, as well as crossing natural resources areas for two major rivers, which are themselves part of an interconnected aquifer resource area that stretches from Bellows Falls, Vermont, to the Mount Holyoke range in Hadley and Easthampton. Contamination from a pipeline break could potentially pose a dramatic risk to water supplies and resources in Deerfield and other towns along these rivers.

### **Construction could cause a reduction of well capacities for bedrock wells**

Extensive studies by a number of agencies have concluded that horizontal drilling can result in migration of groundwater and other materials from one location to another along the borehole. Given that the expected depth of the pipeline will be similar to that of several private wells, and their supporting aquifers, it is reasonable to conclude that horizontal drilling will affect local aquifers and private wells.

## **GEOLOGY**

### **Drilling and blasting during construction could impact geology and groundwater**

The proximity of the pipeline route to and through natural ledges (igneous and sandstone) in the Pocumtuck Range will require either intensive horizontal bore drilling, or blasting. Either method of excavation could have significant effect on local geological stability, and water resource areas.

### **Installation of pipe in frost zone can pose threat to pipe integrity**

State Building Code mandates that direct-burial water, sewer, and electrical lines must be placed at specific depths, and must be bedded with appropriate materials, in order to reduce the risk of rupture due to frost heaving, surface incursion, or other possible hazards. The pipeline project, as proposed, does not sufficiently detail the measures to be taken to insure that the gas pipeline is sufficiently protected against similar threats.

### **Depth of pipeline could impact farming or recreational use**

Clarkdale Fruit Farms celebrated their 100th anniversary this year as a local grower of fruit along Upper Road. A number of farms lie in the lowlands adjacent to the Deerfield and Connecticut Rivers. Much of the rivers' floodplain areas are actively used for agriculture by several full-time professional farms. The pipeline as proposed will cross these areas of land. Based on the estimated depth of the line, and issued warnings and restrictions governing the easements that will likely be in place, use of the land for agriculture will be significantly affected, and will result in a detrimental economic impact. Irrigation systems could incur damage due to the construction of the easement, including the disruption of above ground "boom" units which

would not be permitted to operate as designed, thus reducing the proper irrigation of a field. Damage or loss of use of irrigation systems, or the potential for crop loss, are speculative at best before the actual time of construction.

## **ECONOMIC**

### **Pipeline’s presence could cause severe devaluation of residential property**

Deerfield is a bucolic town, with many homes in rural or semi-rural settings. Overall, natural gas pipelines have an observable effect on traffic, recreation opportunities, safety, and available resources, that we anticipate will directly impact property values. Three recent studies (completed by the gas line companies) found little to no effect on property values due to the presence of such pipelines. However, other independent firms have completed studies which found a measurable devaluation experienced by residential properties that have gas pipeline easements on their property.

Further, the fact that the pipeline’s path follows existing power-line easements creates a de facto ‘utility corridor’. The creation of this corridor (which could be expanded to include water and sewer pipelines, cable lines, etc., running within or alongside the existing easements) could prevent a buyer from purchasing a property encumbered with such a easement, or cause them to demand a discount on the purchase price. Utility corridors are a reality that, when recognized by the market, create market resistance.

Finally, perceived market prejudice (known as “stigma” or “severance” damages) could affect property values. These perceptions drive the view of the potential buyer as to the potential enjoyment or return on investment they may receive in the purchase of the property. Though it is true that the properties affected by a large diameter natural gas transmission line do sell in the market, it may not be true that these properties sell at the same price as a similar property not so affected.

### **Pipeline’s presence could affect financing, refinancing, or insuring property**

There is considerable evidence in hand proving that energy projects can have a dramatic effect on the sale, financing, or insuring of private homes. The impact is most clearly seen in mortgage contracts between major banks and lenders, and homeowners, in which lenders can choose not to finance – or refinance - if the potential buyer signs a lease associated with a gas well or a pipeline. While this impact is mostly felt in areas where active drilling is concerned, it is possible that lenders and insurers may increase rates or premiums for those owners of land, or purchasers considering land, in proximity to the proposed pipeline.

### **Pipeline’s course could effect changes to land-use and zoning**

The pipeline’s path follows existing power-line easements creates a de facto ‘utility corridor’. The creation of this corridor (which could be expanded to include water and sewer pipelines, cable lines, etc., running within or alongside the existing easements) could be construed as a non-conforming use, but could establish a precedential non-conforming use, opening the town up to the possibility of additional limitations or negotiations related to

### **Pipeline could adversely affect travel and tourism in Deerfield**

Deerfield relies on tourism and travel as a major source of new revenue for non-profit organizations, schools, and local businesses.

Historic Deerfield is a museum dedicated to the heritage and preservation of Deerfield, Massachusetts. Its historic houses, museums, and programs provide visitors with an understanding of New England’s historic villages and countryside. It is located in the village of Old Deerfield which has been designated a National Historic Landmark District (as the Old Deerfield Historic District), and is listed on the National Register of Historic Places.

The Pocumtuck Valley Memorial Association (PVMA) of Deerfield, Massachusetts is a nonprofit, membership-based cultural and historical organization incorporated by an official act of the Massachusetts Legislature in 1870. PVMA is focused on preserving and communicating the multi-cultural history of

the Connecticut and Deerfield River Valleys, with emphasis on “old Hampshire County,” and present day Franklin, Hampshire, and Hampden Counties. PVMA maintains Memorial Hall Museum, a research Library, Deerfield Teachers’ Center, Indian House Children’s Museum, and Community Outreach projects. Further, PVMA’s annual Old Deerfield Craft Fairs promote Old Deerfield’s Arts and Crafts tradition started in 1898. The impact of such a significant construction project could have a dramatic effect on tourism and revenue; delays in travel due to construction could seriously impact tourism, and the presence of a natural gas facility could result in a perceived “stigma” in an otherwise pristine and historically significant area.

## **EDUCATIONAL**

### **Pipeline will pass adjacent to three major private educational institutions**

Deerfield Academy was chartered in 1797 by Governor Samuel Adams, and quickly established itself as one of the finest schools in the new republic, drawing boys from prominent families across New England. The Academy is a highly selective, independent college-preparatory school with approximately 640 students and about 120 faculty, all of whom live on or near campus during the school year.

The Bement School began in 1925 when Grace “Menty” Bement agreed to a request of Headmaster Frank Boyden of Deerfield Academy that she tutor one of his students. The school grew as word spread. The school’s emphasis on the individual child was a revolutionary approach, balancing the rights of the individual and the responsibility for the rights of others. Bement currently maintains an enrollment of approximately 220 students, including 40 boarders, who come from many different states and countries.

The Eaglebrook School was founded in 1922 by Howard Gibbs, a friend of Headmaster Frank Boyden of Deerfield Academy. Gibbs, who graduated from Amherst, envisioned a younger boy’s boarding school that allowed boys to develop their innate abilities, discover new interests, and gain confidence. The school was expanded under the direction of Thurston Chase, to include a gymnasium, tennis courts, a learning center, a science building, and four new dormitories. Later, the school bought 500 adjacent acres, adding new playing fields, a track, a ski area with snow making and chair lift, a swimming pool, and two new dormitories. Currently, the school has a student body of approximately 260 boys in grades six, seven, eight, and nine.

These schools lie within one-quarter mile of the proposed pipeline route, and the proposed site for the metering station. There is no way to estimate the impact of such an extensive industrial infrastructure project on the day-to-day educational mission of these three revered institutions.

## **HISTORICAL**

### **Pipeline could expose, damage or destroy archeologically significant sites**

Over the past several decades, a number of sites have been identified and categorized as historically-significant sites in terms of their impact on Paleo Indian (12,000-8,000 BCE) and Late Paleo Indian (8,000-7,000 BCE) studies. In particular, two sites have been identified in Old Deerfield, along the Deerfield River, and have been subjects of complete archeological excavations and documentation. Ongoing study of these sites in Deerfield indicate that information is not isolated to any given site, but that there may be other, potentially significant sites yet to be explored. This ongoing exploration continues to reveal valuable information about the Pocumtuck people.

The route of the proposed pipeline passes immediately adjacent to the so-called “Pine Hill” site (North and West of Old Ferry Road, Old Deerfield (42.56022, -72.60412), which has been described as “a key locus in the cognitive map of the Pocumtuck”. Further, archeological site studies have been conducted in East Deerfield, along the path of the Franklin County Greenway (42.5737108, -72.5759376), as well as a number of other sites in close proximity to the Deerfield and Connecticut Rivers. No provision for archeological study or preservation has been indicated in any proposal or plan related to the pipeline.

Further, and as is noted in the Economic section of this report (above), there could be a significant effect on Old Deerfield. The area is a National Historic Landmark District (as the Old Deerfield Historic District), and

is listed on the National Register of Historic Places. The pipeline's effect on historically valuable vistas and byways that remain a vital part of Deerfield's past could be extremely detrimental to preservation of those areas.

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Submitted by the Board of Selectmen, Town of Deerfield, to the Federal Energy Regulatory Commission on behalf of the residents of the Town Of Deerfield, this 26th Day of August, 2015.

David W. Wolfram, Chair  
Carolyn Shores Ness  
Mark E. Gilmore

{end of 20150827-5058}

**20150827-5069**

Katherine Richter, Windsor, MA.  
To Whom It May Concern:

I am writing in protest of the this application. Windsor is a rural community, one I personally live there for the peace and quiet. As well as for the ability to enjoy nature which includes the beauty of wild animals and the changing seasons.

This project would not only disrupt our peace and quiet(as the plant itself will be within hearing distance of my house). The traveling industrial sized trucks will disrupt our roads,bridges and land. The actual building of the plant will dislodge wild animals from their homes and the noise itself will cause disruption to the local ecosystem. Not to mention the hearing and sanity of those closest to the plant. I have a young child under the age of 1 and the damage to her hearing from the plant could cause long term damage.

Windsor will not be reaping any benefit of getting the gas that will be produced and this whole project will ruin what is a town full of history, independent minded people and the beauty of nature that brings tourism.

In closing, please take the town's amount of citizens who are against this project and not just listen to people paid by Tennessee Gas to lobby on their behalf.

**20150827-5096**

**TOWN OF NORTHFIELD**

www.northfield.ma.us  
69 MAIN STREET

NORTHFIELD, MASSACHUSETTS 01360-1017

BRIAN S. NOBLE  
Town Administrator

admin@townnfld.com  
413.498.2901 x15

August 27, 2015

Ms. Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 1st St NE Rm 1A  
Washington, DC 20426-0002

RE: ADDENDUM TO THE FERC COMMENTS (PREVIOUSLY FILED) OF THE TOWN

Dear Ms. Bose:

Please accept the following comments as additions to our previously filed comments regarding the Northeast Energy Direct Project as proposed by Kinder Morgan (Docket No. PF14-22-000).

Thank you.

Sincerely,

BRIAN S. NOBLE  
Town Administrator

BSN:mt enclosures

**The Concern:** Berkshire gas is now a 2/12% owner of the NED pipeline project. It is highly likely that they knew this at the time they issued a moratorium on new customers. Their refusing to take on new custom-

ers must be viewed as a ploy to convince FERCC and other regulators of a need when in fact the need for a moratorium is questionable at best.

**The Requirement:** That any moratorium that was called by Berkshire gas be considered a marketing ploy and not a true assessment of need. That others who followed their lead must also be considered as an invalid response and should be ignored.

**The Concern:** The calculation of need needs to be limited to the Northeast and not Canada.

**The Requirement:** That need be based on US need only and if there was a shortfall of gas then we must first consider that all gas goes first to US based customers. That any shortfall estimates be reduced by the amount of gas shipped to Canada or off shore.

**The Concern:** That calculation of need consider small scale solar and other energy generation.

**The Requirement:** That we consider individual generators of solar or wind power in estimates of need and consider that these forms of energy will increase over time.

**The Concern:** That conservation measures can be used to provide an alternative to increased energy production.

**The Requirement:** That when calculating energy projections and need we give full consideration to an energy conservation initiative that could be sponsored by the state or the Northeastern states. With a strong campaign, focusing on simple solutions we can reduce use across Massachusetts and the northeast.

**The concern:** That the issue of public convenience and necessity must take into account the necessity of production of food, the need for clean water and the need for trees and forests to produce oxygen.

**The Requirement:** That we give value of the necessity of rural New England to maintain the ability to produce crops at the current rate, to prevent water pollution and to have enough green land to generate oxygen. While it is true that no one pipeline will destroy the global production, the water pollution can destroy a town. The overall trend, of which this pipeline would be a part is to destroy the environment on favor of energy. This trend must stop to guarantee adequate resources for future generations.

Rosenberg FERC Hearing:

There needs to be a clear need for FERC to approve the taking of land by eminent domain. The land in question is private land, town lands state lands and federally funded protected lands. I want to address the question of need.

Let me start with the definition of need. Need is something that is required, a necessity a condition marked by the lack of something requisite. Need is distinguished from desire by the necessity and requirement rather than something that one would like to have.

There is no need for more gas. There are no peer reviewed studies that support the need for gas as proposed by Kinder Morgan. There are many alternative solutions available.

- Stop the leaks.

- o From to WBUR radio "According to Senator Edward Markey's 2013 study, the state's gas customers paid between 640 million dollars and 1.5 billion dollars for gas that never even reach their home or business." If this gas was not leaking then it would help solve any problem that might exist.

- o From the Boston Globe "Detailed maps of the leaks became available this week as a result of a new state law requiring utility companies to report the location and age of all their known gas leaks, which according to one estimate have cost ratepayers more than \$1 billion." If the gas companies stop these leaks we will have more gas and cleaner air with less toxic pollutants.

There must be a requirement that gas leaks be fixed before we add more infrastructure. The solution is to clean up the problems before thinking about creating new ones.

- The cheapest way to deal with the issue of a perceived shortage of energy is conservation.

- o As we did during WWII, conserving gasoline we need to have a "war" on energy waste.

- There needs to be a statewide campaign to be “cool” in the winter having everyone lower their thermostats to under 70 degrees. Let all politicians and public figures lead this effort and be shown wearing sweaters in all public appearances during the cold months.
- There should be an “I Save Energy” sweatshirt campaign that has everyone in Massachusetts getting a free sweatshirt with that slogan when they commit to reducing household or office temperatures in the winter.
- Be “hot” in the summer. All people must be encouraged to raise the temperatures in air conditioned places to a minimum of 72 degrees.
- Promote the statewide energy audit program. Have grants for low income people and interest free or low interest loans to others for energy savings efforts on homes and offices. Expand that program so that everyone in the state is aware of it and uses it.
- Provide loans for solar, wind and small scale hydro energy generation.

FERC needs to demand an explanation from Kinder Morgan on their projected increase of need when federal studies show a decline in the use of gas and the use of energy.

Last year the fears of an energy shortage did not materialize. LNG ports were able to help meet any needs. According to a study commissioned by GDF Suez any gas shortages can be remedied by the use of a combination of dual-fuel power plants and more efficient LNG gas contracting.

- There are 2 LNG terminals in Everett that are currently operating at only 50% of capacity. This is an underutilized resource that should be used to help resolve any potential shortages.

- There are two pipelines under construction or in the planning phase. One is along an existing pipeline route and the other is a short pipeline that will help feed the Connecticut area, part of our region. There are also proposed High capacity electric lines from Canada that will be providing additional energy to the region lessening the need for gas generated electricity.

There is no way that need for more gas can be proven. As for a desire, I think the main desire we are trying to accommodate here is the desire for Kinder Morgan to increase revenue.

Do people need to have their houses heated above 70 degrees. NO. Do they need to cool them below 72 degrees, NO. They may want to, but that is desire, not need. Do we need more fossil fuel energy generation, NO. It is desired by some but not needed by anyone.

As a country we are facing a dilemma.

Do we continue to increase our demands (not needs) for more fossil fuel energy generation or do we look towards alternatives.

Do we aggressively move towards a green solution that is sustainable over time or do we continue to keep our heads in the sand and rely on fossil fuel as though it has no down sides and will last forever.

Do we accept the destruction of our environment for short term corporate profit or do we value the land, air, water, forests and farms that are needed for life itself.

While I will be the first to admit that one pipeline in itself will not be the destruction of rural America, the ongoing trend of Fracking and distribution of gas through a leaking and poorly maintained infrastructure added to the oil pipelines that have wreaked havoc across the nation must be stopped. Stop it here, stop it now. Say NO to NED

**20150827-5133**

Johanna Graves, Nashua, NH.

I nor many of the other residents of NH do not want or need the danger that an energy pipeline brings to my state. Keep Kinder Morgan out. We don't want spills and the scars on our landscape, nor do we want to give up our property for it.

Commonwealth of Massachusetts  
MASSACHUSETTS SENATE

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WWW.MASENATE.GOV

August 27, 2015

Sandra Waldstein, Director  
The State, International and Public Affairs Division Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

Re: Docket No. PF14-22-000

Dear Ms. Waldstein,

I am writing to offer my comment on the FERC application filed by the Tennessee Gas Pipeline, L.L.C. regarding the Northeast Energy Direct Project, docket number PF14-22-000. As the state Senator for the Second Essex District, I would like to raise some important points on behalf of Peabody constituents who strongly oppose this project.

First, the Lynnfield Lateral portion of the project could have a significant environmental impact. As currently proposed, the pipeline could follow the route of the Peabody Independence Greenway, an eight mile trail that runs through the city. The greenway provides valuable outdoor recreational opportunities for walkers, runners, and cyclists from Peabody and throughout the North Shore. In addition to the greenway, the proposed pipeline route could adversely impact the wetlands and plant life surrounding the Ipswich River. If this project advances, it could threaten the future of these open spaces and natural resources in the community.

Second, the Lynnfield Lateral portion of the project could have a detrimental impact on many Peabody neighborhoods, its homeowners, and their families. I have heard many Peabody residents express their concerns about how the project may impact public safety and private property in their community. I understand the project's 101 miles of new pipeline in Massachusetts may offer a public benefit, but I believe that special consideration should be given to the neighborhoods and residents that would have to live with the project's lasting adverse effects.

Far too often, a project's economic benefits take precedence over its social costs. The Northeast Energy Direct Project presents significant environmental costs to the City of Peabody as well as quality of life issues for homeowners along the currently proposed pipeline route. Without a clear understanding of the project's necessity and benefits to the city, I do not believe that Peabody residents should have to endure any negative consequences associated with the proposed pipeline. I truly hope that you will consider these concerns throughout the review process. Thank you.

Sincerely,

Joan B. Lovely

Federal Energy Regulatory Commission  
888 First Street, NE  
Room 1A  
Washington, DC 20426

Subject

Scoping comments from the **Winchester NH Board of Selectmen and the Winchester NH Conservation Commission** on the natural gas pipeline proposed by Tennessee Gas Pipeline LLC (TGP) and Kinder Morgan (KM). FERC PF14-22-000

Conveyance

Comments to be filed electronically with copies to Kinder Morgan and the US Army Corps of Engineers.

Communications

All communications related to this filing should be directed to:

Roberta Fraser, Chair  
Winchester Board of Selectmen  
1 Richmond Road  
Winchester, NH 03470  
Phone - 603 239 4951  
Email – swalker@winchester.nh.gov

**Background and Interest of the Winchester Board of Selectmen and the Conservation Commission**

The Board of Selectmen (BOS) is a board of five people elected to govern the day-to-day affairs of the town. It is the executive branch of town government. The Select Board establishes policy, sets the long-term goals and direction of municipal services, and reviews budgetary expenditures and other appropriations necessary to operate the town.

The Winchester Conservation Commission (WCC) was established by the voters for the proper utilization and protection of our natural resources and for the protection of watershed resources of Winchester. It manages and oversees conservation areas and town land, (including the first property that the proposed Tennessee Gas Pipeline would cross in Winchester,) and advises the Board of Selectmen. The WCC reports to the Winchester BOS.

The Town of Winchester appreciates this opportunity to make scoping comments related to the TGP plans to build a gas pipeline through the Town of Winchester.

Following news of a planned pipeline through Winchester, the voters by a significant margin passed ballot referendums in 2015 opposing the pipeline and denying survey access to town owned land. The BOS and WCC voted to deny survey access on town owned land, citing the conservation language in the deed. In addition both the BOS and WCC voted in opposition to the proposed pipeline. That said, the town continues to honor the FERC process. The town and Kinder Morgan have cooperated with each other.

The town has requested information from TGP and KM regarding the proposed pipeline, and has received responses. Many citizens and members of the WCC and BOS attended the open house held by TGP and KM at the Winchester Town Hall on February 4, 2015, and the public presentation on June 2, 2015 in Town Hall. The WCC reviewed the initial Resource reports and looks forward to seeing the revised environmental Resource Reports following the comments of the FERC filed on May 15, 2015. WCC provided information about the proposed route of the pipeline that was requested by AECOM.

The BOS and WCC met directly with Kinder Morgan in early July. At that meeting Kinder Morgan proposed a revised route that crossed the town stratified drift aquifer further east. [http://www.sentinelsource.com/news/local/kinder-morgan-reroutes-pipeline-path-in-winchester/article\\_1923c480-026b-52c2-904b-aec04673bb48.html](http://www.sentinelsource.com/news/local/kinder-morgan-reroutes-pipeline-path-in-winchester/article_1923c480-026b-52c2-904b-aec04673bb48.html) Subsequent to this meeting the BOS and WCC escorted representatives of Kinder Morgan through the Pulpit Falls area on July 30, 2015. The revised route proposed by Kinder Morgan at the July

1, 2015 meeting has not been filed yet with FERC.

The Winchester Conservation Commission has provided Kinder Morgan and AECOM with all the information they requested concerning scenic areas, conservation areas, town drinking water supplies, the town aquifer, steep slopes, existing and planned wells, schools, existing and planned subdivisions. We have provided GIS maps - one of which was made in response to AECOM's inquiries - and copies of the town ordinances relating to the aquifer, excavations, and steep slopes. See especially the "Pipeline Map Final" map that we provided KM and AECOM in May.

The WCC is charged with protecting sensitive or aesthetic areas, and drinking water resources. Winchester will need the assistance of FERC to enable us to protect these areas important to the town's future.

Using Conservation funds, the WCC long ago purchased two pieces of property that would be impacted by the proposed pipeline. One contains Pulpit Falls and Pulpit Rock and in the current plan is the first piece of property the pipeline would cross as it enters New Hampshire. The other property is in the town aquifer and was purchased as a future site for a town drinking water well. This property is in the area of Winchester considered for a future Silvio O. Conte Refuge by the U.S. National Fish and Wildlife Service.

These scoping comments are intended to state our interests and concerns about sensitive areas, wetlands, aquifers, agricultural and conservation areas, and land that was purchased or acquired by either the Town of Winchester or the WCC. We also make comments about the financial impact of the proposed pipeline on the town.

## **Town of Winchester Scoping Comments**

### **Pulpit Falls Property**

The current and the previous proposed routes of the pipeline cross the Massachusetts border and enter Winchester, NH on a piece of property owned by the town and managed by the Winchester Conservation Commission. The proposed pipeline route is co-located with an existing power transmission line, although it requires widening the right-of-way, and remains on the Pulpit Falls property for approximately two-tenths of a mile before crossing Pauchaug Brook. This property contains a site on the brook called Pulpit Falls that is of local significance for its scenic beauty and history. Town residents and tourists visit Pulpit Falls and Pulpit Rock during all seasons. The proposed location of the pipeline is near Pulpit Rock itself. Construction of the pipeline could damage or destroy this historic rock referenced in colonial maps and writings.

### **Pulpit Falls**

*{photo omitted}*

"The word pauchaug signifies, dancing place; and from the peculiar application of the term by the first English comers, and from the peculiar conformation of the bluffs on the easterly side, as well as from the fact that the place was about equidistant from Massemet's and Nawelet's villages, it is believed that the two native clans were accustomed to meet here for their annual games and merry-making." (History of Northfield, Massachusetts for 150 Years, Temple and Shelton, 1875, p15.) A recreational area from before written language described it; Pauchaug Brook and Pauchaug Meadow are special places then and now. Pauchaug Meadow and the mouth of the brook at the Connecticut River is conserved by the Massachusetts Department of Fisheries and Wildlife, the upper Pauchaug Brook area containing Pulpit Falls and Pulpit Rock is conserved by deed by the Town of Winchester, NH.

The site was listed in several publications as a tourism feature in the late and early 20th century, including Early Maps of Winchester, NH 1733 to 1892, The Guide to Northfield published about 1901, All about Northfield by Arthur Percy Fitt (1910), and The History of Northfield (1875). In 2008, the Winchester Conservation Commission purchased the 30-acre Pulpit Falls property. The seller of the property, Amy Sinclair now of Leyden, MA and formerly from Northfield, MA, sold the land to the town because she thought the town would be better able to protect what she considered to be a "spiritual place." A map dated 1945 puts into perspective the historical significance of Pulpit Falls and Pulpit Rock. Apparently these areas were of more importance than the Town of Winchester itself, because the cartographer incorrectly identifies the town

as Hinsdale, even as he correctly identifies footpaths to the area.

*{map omitted}*

The Pulpit Falls area remains a conservation priority for the town because of Master Plan goals of preserving rural character, preventing sprawl, and protecting the economic engine of tourism, and also because it connects with the over 1,000 acres of forest land Northfield Mount Hermon is preserving through an agreement with the Trust for Public Land. In addition, Pulpit Falls land abuts another larger area that hosts hardened logging roads, significant wetlands, a cemetery, cellar holes, and connects directly with protected areas in Warwick, MA. The jewel in the forest is the Pulpit Falls and Pulpit Rock area of Pauchaug Brook.

The deed signed with the Winchester Conservation Commission on July 9, 2008, contains this conservation restriction:

*“This conveyance is made subject to the express condition and limitation that the premises conveyed shall forever be held as a nature preserve or conservation area for scientific, education and/or aesthetic purposes, and shall be kept entirely in its natural state, excepting only fences, foot trails and property maintenance activities as may be appropriate to effectuate the foregoing purpose without impairing the essential natural character of the premises.”*

The Winchester Conservation Commission manages the Pulpit Falls land in an unusual way. There are no signs, no official trails, and no map. Wandering the woods and being overcome by the magic of streams, trees, rocks and solitude enhances the charm of this precious place. Even during the 7/29/15 tour the BOS and WCC gave to KM officials, all agreed the trip was special and fun in spite of the extreme heat and humidity, a tumultuous thunderstorm, slips and falls and occasional uncertainty about the route.

The Winchester Conservation Commission and the Board of Selectmen believe that routing this pipeline through the Pulpit Falls property violates the conservation restriction in the deed. The Commission objects to allowing another permanently cleared swath bifurcating the forest and violating the conservation terms of our deed.

If FERC allows the pipeline to go through the conserved Pulpit Falls property, the town would like to know the specific details of the construction process. As directed by the FERC on May 15, 2015, regarding Resource Report 1, we would like to know in Section 1.3.2.1 (page 1-73), what special measures Tennessee Gas would use in the rugged terrain of this property to address potential issues such as erosion control, rocks rolling off during construction (especially Pulpit Rock), and post restoration slips and landslides. We would like to know what heavy equipment would access this land, and whether or not blasting would be used. If horizontal directional drilling were used instead of trenching, what equipment would be involved? Despite these concerns, we believe there should be no passage of the pipeline through the Pulpit Falls property.

Public funds obtained through tax dollars purchased the Pulpit Falls land in the interest of the public good. All visitors are welcome without charge. The area is well used despite (or even because of) the difficulty of access. The use of federal powers of eminent domain to violate a written trust entered into by the Town of Winchester for the public benefit is wrong headed. Using eminent domain simply because this property is on a route chosen by a private corporation for its financial profit is not just. There are many alternatives to the transmission line route chosen! Entering New Hampshire on conserved land presumes the use of eminent domain, is indifferent to state law, and flaunts public opinion.

### **Proposed Route’s Impact on Winchester town drinking water**

The currently proposed route of the pipeline crosses the town aquifer and significant streams and threatens the town’s drinking water supply.

The route leaves a north-south power line right-of-way and takes a shortcut to the northeast to rejoin another power line running east to west. The proposed route cuts across forested lands and some prime farmland. It crosses a watershed that includes Snow Brook. Then the route crosses Mirey Brook, the outlet of the Sprague Brook and Roaring Brook watershed that enters the Ashuelot River within the borders of Winchester. Mirey Brook runs through the center of the town aquifer and drinking water supply.

Winchester has an Aquifer Protection District with specific requirements for any development. A copy is attached as Attachment A of this document.

Winchester is very concerned about the impact of a natural gas pipeline on the safety and health of the aquifer both during construction and the operational life of the pipeline as well as after the pipeline use is discontinued. Crossing the aquifer creates a major concern for the town.

This stratified drift aquifer is considered rare in the Northeast. Because it has an extremely high transmissivity rate, disturbances at its surface are reflected at its depth. The town aquifer is part of a drainage system including Mirey Brook, Roaring Brook, and Snow Brook in the Sprague Brook watershed.

According to the Natural Resources Inventory for Winchester, created from GIS analysis by the Southwest Region Planning Commission in 2007, “Stratified Drift Aquifers are geological formations of sand and gravel deposited by the melting glaciers 12,000 years ago. Some are vast and extend through several towns. Having been sorted by running water, the deposits can be made up of stones or particles of sand that have very uniform size and therefore a great deal of open space. Stratified drift aquifers can store and yield vast volumes of ground water. These aquifers are also highly susceptible to pollution due to the ease with which contaminants can spread through the porous formations.” (p. 10-11) The report lists 5,926 acres in the Winchester stratified drift aquifer (about 17% of land in the town), and 1,657 acres contained in wellhead protection areas. The water table is less than 18 inches beneath the surface in much of the land in the aquifer, according to Map8 of the NRI report.

A town well that supplies drinking water to Winchester is located downstream from the proposed pipeline route in this aquifer, and another well has been proposed here for the future. The WCC bought a parcel of land at the corner of Mirey Brook and Piney Woods Road, on the south side of Piney Woods Road. This property is intended to become another town drinking well. The town is concerned the pipeline could affect the drinking water supplies.

The currently proposed route crosses the wellhead protection zone for the proposed well. At the July 1 meeting with the town, Kinder Morgan proposed a changed route crossing the aquifer east of the filed route. However, this route while not in the wellhead protection zone is still in the aquifer. Furthermore, having different routes under consideration places more property owners and areas under the stress of threatened eminent domain.

The town of Winchester is unaware of the aquifer’s depth at any given location. The aquifer may be deeper than Horizontal Directional Drilling (HDD) could reach for crossing the town aquifer. We respectfully request the assistance of FERC in determining the depth of the aquifer and the potential threats to the areas of the aquifer not previously studied but under consideration for alternative routes by Kinder Morgan.

In 2006 the watersheds of Snow Brook, Mirey Brook and Sprague Brook were proposed for inclusion in the Silvio O. Conte National Fish and Wildlife Refuge to be managed by the US Fish & Wildlife Service. The Nature Conservancy previously supported this proposal. The Conte Refuge is comprised of over 36,000 acres within parts of the four Connecticut River watershed states of New Hampshire, Vermont, Massachusetts, and Connecticut. Andrew C. French, who received the Paul Kroegel Refuge Manager of the Year Award in 2013, is project manager at the Conte Refuge. French said the Snow Brook and Sprague Brook region is a “nationally significant fish and wildlife habitat.”

In July 2004, The Nature Conservancy prepared “A Land Conservation Plan for the Ashuelot River Watershed” with contributions from the Society for the Protection of New Hampshire Forests, the Southwest Region Planning Commission, and the Monadnock Conservancy, with additional funding from the New Hampshire Department of Environmental Services Watershed Assistance Program. The report (p. 109) said: “The Sprague Brook Watershed area contains a high quality headwater tributary system of the Ashuelot River...This collection of small watersheds is relatively unfragmented by roads and development, and contains a significant amount of core hemlock-beech-oak-pine forest habitat that can support wildlife benefiting from interior forest conditions (Zankel et al. 2004). In fact, the focus area lies within a +/- 7,300-acre unfragmented forest block that extends south into Massachusetts, and was identified through The Nature

Conservancy's ecoregional planning as an outstanding opportunity to conserve large unfragmented forest ecosystems. (Barbour et al. 2002).

Sprague Brook watershed is entirely free flowing, with no dams, allowing for outstanding natural aquatic ecosystem conditions and streamside wetlands...Sprague Brook supports an exemplary emergent marsh-shrub swamp ecosystem with a high diversity of embedded wetland natural communities (Nichols and Kimball 2002; Sperduto 2004). This wetland system is a complex of emergent marsh, beaver flowages, scrub-scrub floodplain, riverbanks, and seepage swamps."

The Town of Winchester has an Aquifer Protection District that includes the outermost edge of the surficial extent of all aquifer deposits presently designated as stratified drift as supported by information included in the United States Geological survey shown on the Winchester Aquifer Map titled "Saturated thickness and transmissivity of stratified drift aquifers in the lower Connecticut River Basin, Southwestern New Hampshire."

The purpose of this ordinance is to protect, preserve and maintain existing and potential groundwater supply and groundwater recharge areas within the known aquifer from adverse development, land use practices or depletion. This is to be accomplished by regulating the uses of land over certain known aquifers and their recharge areas to protect them from contamination caused by adverse or incompatible land use practices or developments. The Aquifer Protection District Ordinance is intended to limit the uses of land so designated to those which will not adversely affect water quality by contamination or water quantity by preventing recharge of the aquifer.

See especially the previously provided "Pipeline Map Final" that shows the aquifer and its transmissivity rates, as well as the associated steep slopes along with the brooks mentioned above.

The pipeline may need a permit or review by the Winchester Planning Board to determine if its construction and operation are within the permitted uses in the Aquifer Protection District and other ordinances. The New Hampshire Department of Environmental Services would also require review. The proposed route crosses a wetland in the aquifer that includes land under water, banks, bordering vegetative wetland, and considerable land subject to flooding. Pipeline construction that involves dredging and filling a trench would presumably also require a US Army Corps of Engineers individual permit.

### **Concerns with Stream Crossings**

If the pipeline were built in the Town of Winchester, the Conservation Commission recommends that all stream crossings as well as other sensitive crossings use Horizontal Directional Drilling (HDD) rather than wet trenching or other techniques that might result in runoff or pollution, especially in the area of our town aquifer and water supply wells. This would include at least Pauchaug Brook, Snow Brook, Mirey Brook, and Roaring Brook. Wet trenching or boring through the aquifer is a polluting activity.

In its May 15, 2015 requirements concerning revised Resource Reports, the FERC requested regarding Resource Report 1 that the Section 1.3.2.1 (p.1-73) should include a discussion of any special measures that Tennessee Gas would use in rugged terrain to address potential issues such as erosion control, rocks rolling off of the right-of-way during construction, and post restoration slips and landslides. We are especially concerned with blasting and construction in the area of Pulpit Rock and Pulpit Falls, and with any potential erosion or shaking that may alter the historic landscape.

### **Respecting the Natural Resources and Economic Development of Winchester**

The current route of the pipeline could damage Winchester's economic development efforts. Damage to any of the natural or conservation areas in town threatens future town revenues from tourism. The Winchester Master Plan (2008) says, "The town is protective of its abundant natural resources, particularly its steep slopes, high yield aquifers and the streams, which directly feed the Ashuelot and Connecticut Rivers." (p.2) Potential business interests often try to tap into the tourism potential of Winchester.

The main natural resources for tourists include Pisgah State Park, Pulpit Falls and Pulpit Rock, the Snow

Brook conservation area, two covered bridges, the 177 acre Pied property easement with the largest black gum tree in Cheshire County, the Ashuelot River, Mirey Brook and Roaring Brook. Construction of a pipeline could damage our economic potential. One of the Economic Development Goals listed in the Master Plan (p. 4) is “Encourage development that focuses on the recreational and natural beauty of the town of Winchester and reflects the communities desire to preserve our natural resources.”

The Master Plan pages 116-117 focuses on Winchester’s natural resources. “The most striking characteristics are the preponderance of steep slopes and the large, high-quality aquifers. Together these two natural features have physically saved the town and have been determining factors in the location of villages, farms and working forests...Random development, modern technology, new building techniques, financial pressures on farms of all types, severe logging practices, and the encroachment of growth from more urban areas are only some of the immediate pressures on Winchester’s natural resources and the quality of life in the Ashuelot and Connecticut River Valleys.”

Presently and for at least the last one hundred years, the proximity of steep slopes to each other has been one of the most defining characteristics of Winchester’s rural character. These slopes protected wildlife and varied land cover. They provided wildlife corridors, which today enable Winchester to be home to as many wildlife species as the northern woods. These corridors, made possible by our rugged terrain provide for natural movement of wildlife and the genetic strength of both plants and animals associated with such migration. These sometimes-difficult slopes protect many sensitive plants and microorganisms simply by reducing human traffic...

“In addition to offering views from within and without, the interconnection of these steep slopes makes Winchester a destination for hunting, fishing, hiking, bird watching and all the other woodland recreational activities. These slopes even contribute to the area being a hawk migration route with updrafts, abundant small game, and good nesting cover... Breaking the connection of Winchester’s steep slopes to each other diminishes these benefits and threatens the rural character of the town. Once broken or interrupted, it is unlikely to ever be reestablished...

“Winchester has abundant ground and surface water. The town also has beautiful and integral wetlands that protect the aquifers. Unfettered development, pollution of high ground areas, over aggressive logging, run off from impervious surfaces, excessive road salting, more roads, more septic systems, and failed municipal treatment systems are some of the immediate threats to Winchester’s abundant water resources. Once lost or polluted, restoration is a long, difficult and expensive task. The town’s Aquifer Protection Overlay must be upheld and used to strengthen water quality control...”

### **Co-location Concerns**

The proposed pipeline in NH is described as a co-located route. In fact the pipeline itself will be parallel to existing electric transmission lines, not co-located with the power lines. The WCC requests the assistance of the FERC in understanding the science of parallel location and also the political aspects of parallel location. How close should a natural gas pipeline be to high voltage transmission lines? Is there a danger of electrical conductivity? What happens when the power line is struck by lightning? What happens if the pipeline explodes near a high voltage power line? What are the construction distances and repair distances needed by both the pipeline and the transmission lines? Other than possible reduced construction costs, what are the compelling reasons for locating parallel to transmission lines?

Why is parallel location considered better than an independent route? In the name of “co-location” the pipeline is marching through conserved areas and ecologically sensitive areas, relying on eminent domain to override conservation easements and state regulations.

In the name of “co-location” the pipeline route continues north and west from Massachusetts before heading east and south to the final destination of Dracut, MA. Shorter, more direct route exists to reach either Dracut or the NH transmission line crossing NH from west to east. Apparently the only reason to route the pipeline through the Town of Winchester is an arbitrary commitment to follow transmission lines.

Kinder Morgan asserted they are being asked to follow the transmission lines. Who is asking and why?

The existing electric transmission lines in Winchester impact more property owners than the proposed route. The existing power lines cross the Ashuelot River twice and Route 10 twice, cross a drinking water watershed for Hinsdale located in Winchester, cross Pisgah State Park, travel through a northern aquifer in Winchester before arriving at the location of the proposed route on the transmission line.

Wider swaths through forest are not necessarily better than separate swaths. In fact if easement corridors attract other easement corridors, the result is serious bifurcation of woodlands and animal habitat.

### **Conclusion**

A pipeline should not be routed through conserved land or near residential areas, including the watershed serving these residential areas.

A pipeline should be located in communities whose energy needs it serves. The proposed pipeline does not provide energy resources to Winchester. Given the net energy needs of NH, the state itself is being exploited to prevent the exploitation of Massachusetts and for the benefit of private corporations. There is no need for the pipeline route to come this far west and north given its functional destination of Dracut, MA.

There is no suitable route in the Town of Winchester given the widespread distribution of natural resource areas intermingled with town residents' homes.

Respectfully submitted,

Roberta Fraser, Chair  
Winchester Board of Selectmen

Gustave Ruth, Chair  
Winchester Conservation Commission

Attachments:

Wetlands Protection Ordinance  
Steep Slopes Ordinance  
Sediment and Erosion Control Ordinance

*{attachments not included in FERC file and are omitted}*

**20150827-5223**

*{duplicate of 20150827-5201 above}*

**20150827-5237**

**Town of Andover**  
Town Offices  
36 Bartlet Street  
Andover, MA 01810  
(978) 623-8200  
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August 27, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room I A  
Washington, DC 20426

Tennessee Gas Pipeline Company, LLC, Docket No. PF14-22-000 NED Project

Dear Ms. Bose,

The Town of Andover is hereby submitting written comments under the Scoping Process for Tennessee Gas

Pipeline Company, LLC's (TGP) Northeast Energy Direct Project.

The Town of Andover, Massachusetts falls within the path of the proposed Lynnfield Lateral for the NED natural gas pipeline project. In addition to the construction and operation of the proposed pipeline, TGP has proposed the siting of one Mainline Valve Station (MLV) within Andover, and another on the Tewksbury/Andover town-line; as well as several temporary and permanent access roadways that will be used for the construction and maintenance of the pipeline. The Town of Andover has many concerns regarding the pipeline and the additional supporting facilities; including: environmental, public safety, the proposed co-location within existing utility Right of Ways (ROWs), and impacts to both private and public properties. We respectfully request that our concerns be addressed in the draft and final Environmental Impact Statements (DEIS/EIS).

### **Air Quality Impacts and Greenhouse Gas Emissions**

Please require a comprehensive assessment of the air quality impacts from the operation of MLV s. Include data demonstrating the chemical composition of the natural gas that will flow through the lateral pipelines. Include data on the frequency and duration of blow-down events during accidental releases, emergencies and scheduled maintenance activities. Also include in the comprehensive study dispersion modeling results to demonstrate air quality impacts downwind of the facilities, considering multiple wind directions, different times of day, and varying meteorological conditions.

Please address the applicability of Greenhouse Gas Emissions (GHG) regulations for the construction of the pipeline and the operation of MLVs, and provide pertinent discussion and quantitative data.

Also, please address noise impacts by demonstrating the baseline noise levels in the surrounding neighborhoods and the anticipated noise levels including frequency and duration of ML V blow-down events during accidental releases, emergencies and scheduled maintenance activities.

Please provide information regarding anticipated odors (nuisance or otherwise) that may be detected during ML V blow-down activities. Study the baseline odor thresholds for neighborhoods surrounding the ML V locations, and anticipated odor compositions and odor thresholds related to the operation of ML V s. Please provide answers to questions, including whether or not the natural gas contained within the lateral pipelines will have an added odorant to alert residents and businesses of close proximity to potential leaks?

### **Impacts/rom Temporary and Permanent Access Roads**

Please require detailed data and assessment of the environmental impacts (including but not limited to heavy equipment emissions, noise, and odor and dust mitigation) related to the construction and use of both temporary and permanent access roads. This information, in addition to easements required, impacts to wetlands and vegetation, stormwater management considerations, and data on the volume and frequency of machinery/vehicles must be included in the assessment.

### **Water Resources**

TOP is proposing to conduct a total 0[2700 feet of Horizontal Direction Drilling (HDD) under the Merrimack River for the Lynnfield Lateral originating in Dracut, MA. The Merrimack River is a public water supply for Andover and surrounding communities. We have concerns related to but not limited to the following: siting of the pipe staging and storage areas for drilling mud and borehole cuttings, potential for stirring up sediments during drilling activities, disposal of fluids and cuttings from drilling activities. We respectfully request that complete and comprehensive assessment be completed.

Fire hydrants and other sources of water are proposed to be used for hydrostatic pressure testing of the pipeline, once it has been installed. The EIS must include details regarding the volumes of water required for hydrostatic testing, the specific locations for water withdrawal and disposal. Additionally, the quality of the water after water has sat

in the pipes should be tested to confirm non-contamination before it is discharged. The discharge locations also need to be presented to assess potential impacts to receiving land/wetlands or other water bodies.

## **Public Safety**

Our public safety officials are concerned about road closures, detours, and details that will be required during pipeline construction.

Once the pipeline facilities are operational, public safety officials have concerns related to the volume of natural gas that will be transported and the gas pressure. Additionally, please provide a plan with specific detail on who will provide and finance first responder training.

### **Co-location with Existing Rights-of-Ways (ROWs)**

TGP states that 84 percent of the NED project will be co-located with existing utility corridors including interstate gas pipelines and powerline rights-of-way (ROWs). However, in Section 3 of the recent Resource Reports, TOP states that they have engaged in discussions with the power companies regarding co-location and the proposed overlapping of NED project temporary and permanent easements with that of existing powerline easements and the discussions are ongoing. What will happen if one or several utilities do not grant permission for co-location? TOP must be required to evaluate the impacts for potential alternate routes, in preparation of co-location not being a viable option.

## **Property Impacts**

An undetermined number of residential and commercial properties will be negatively impacted by the pipeline construction and operation. For example, Table 5.5-1 of the Resource Reports issued on July 24, 2015 lists locations by milepost designations where there may be residential and commercial buildings within 50 feet of the pipeline, yet details such as building type, line/tract # are all "TBD." Why are buildings only within 50 feet listed? If TOP presents a 400 foot alignment of the pipeline route, why is that distance not used as a minimum for potential impacts? Additionally, the potential exists for damage to private septic systems and drinking water wells due to the proximity of construction easements and pipeline location. Table 5.5-2 of the Resource Reports issued on July 24, 2015 notes two possible locations in Andover where private wells and their protected area are within 200 feet of the pipeline and construction easements, but the details are lacking. Please require a full assessment of potential impacts to drinking water wells from all aspects of construction as well as the operation of the pipeline, including natural gas leaks below ground; and, include a complete presentation of how such occurrences (damage and/or contamination from construction and leaks) will be mitigated.

Review of the "Residential Site Specific" Plans presented in the Resource Reports issued on July 24, 2015 show construction easements within distances of 6 feet to 32 feet of residential homes and other outdoor structures. Temporary workspace easements are

located in the front yards of residential homes. Consider the hugely negative impacts to these homeowners with construction equipment in their yards. Please require a thorough presentation of how air emissions, dust, noise, odors, and stress will be addressed and mitigated. Consider the impacts to property values, where a 24-inch diameter natural gas pipeline, transporting gas at 1460 psi exists; as well as the inconvenience and restrictions on property use. Please provide substantiated data to support the TGP's claims that the proposed project will have negligible impacts on residential property values and their marketability. Request that TOP disclose a list of right-of-way use restrictions that may apply to the pipeline easement which may impact property values.

Please include in the DEIS/EIS the documents to support the potential insurance impacts of the project on private property owners including an assessment on whether property owners will have difficulty purchasing insurance due to the presence of the pipeline.

Furthermore, evaluate the liability exposure for every municipality along the pipeline and determine municipalities affected by the proposed project including abutting communities. Require TOP to list affected communities as additional insured's on their liability insurance policy and provide to each affected municipality a copy of the insurance policy with the affected municipality listed as an additional insured.

## Protected Open Space, Wetlands and Endangered Species

The preferred pipeline route will impact significant environmental resources.

Please consider the cumulative effects of damage to permanently protected open space, rare and endangered species habitat, and natural and cultural resource areas.

Thank you for the Federal Energy Regulatory Commission's thoughtful consideration of our concerns and issues with the Tennessee Gas Pipeline Company's Northeast Direct Energy Project.

Sincerely,

Lawrence J. Murphy  
Interim Town Manager

### 20150827-5239

Richard P Murray, Nassau, NY.  
Socio - Economic Issue --

Please investigate who will actually own the pipeline and/or the compressor stations. If you find that an LLC company owns any of this infrastructure, then you MUST reject this proposal, as the public and adjacent neighbors will not be protected if an accident occurs. Having an LLC company as the owner significantly decreases their liability, both corporately as well as officer personally. Do not allow this to happen.

Thank you.

Richard P. Murray

### 20150827-5287

*{11 pages}* skip to end of 20150827-5287

*{editor's note: for some reason it was not possible to extract text directly from the PDF file. }*

*{ Instead I had to OCR convert the file which may have introduced some errors... }*

*{ The original file with excellent graphs and charts can be downloaded from: }*

*{ <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=13970226> }*

## HEALTH CARE WITHOUT HARM

the campaign for environmentally responsible health care

LONGMEADOW MA OFFICE  
19 PLEASANTVIEW AVE  
LONGMEADOW, MA 01106  
WWW.NOHARM.ORG

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, 1A  
Washington, DC 20426-0001

August 27, 2015

Re: Tennessee Gas Pipeline, LLC., Northeast Energy Direct Project (NED); Docket No. PFI4-22-000 Scoping Comments

Dear Ms Bose:

Thank you for the opportunity to submit comments on the Notice of Intent to Prepare an Environmental Impact Statement (EIS) for the Planned Northeast Energy Direct Project (NED).

Health Care Without Harm (HCWH) is a Massachusetts-based, global non-profit <https://llnoharmuscanada.org> working with thousands of hospitals and their supply chains to transform the health sector nationwide and worldwide, without compromising patient safety or care, so that it becomes ecologically sustainable and a leading advocate for environmental health and justice. Some of HCWH's most ambitious efforts focus

on energy efficiency, renewable energy and climate change at a local, regional, national and international level. We work with the biggest health care systems and hospitals around the region and nationally to reduce energy use and GHG emissions for hundreds of millions sq. ft. of complex hospitals, laboratories and related medical facilities. HCWH's Senior Advisor for Energy & Buildings, Paul Lipke, is also a landowner within the proposed NED pipeline route's impacts in Montague, Massachusetts.

**Put most simply, Health Care Without Harm urges FERC to do its job properly and ensure the EIS accurately assesses NED's full projected environmental impacts with on-the-ground natural resource mapping of the entire route and assessments conducted by disinterested 3rd party experts. We urge FERC to insist the EIS consider lower impact no pipeline alternatives. We further urge FERC to require the EIS also assesses NED's environmental health impacts and costs.**

**Our estimates of NED's health impacts, the unsubstantiated need, and other factors outlined below indicate NED cannot legitimately be granted a certificate of public good.**

FERC needs to ensure NED has the minimum impact on the environment at the lowest possible cost. Environmental impacts include but are not limited to air quality, water resources, water quality, visual, noise, safety, electromagnetic fields, and land use issues, as well as alternative means of meeting a proven need for additional energy resources.

This sounds straight-forward enough, except that the entire energy infrastructure project development and approval process is both cut into silos so that no-one takes responsibility for the whole, and biased in favor of large 'simple' projects over initiatives that can deliver more benefits using multiple wedge strategies, such as on non-transmission, non-pipeline alternatives. Furthermore, while "public health" is notably absent from the above list of environmental factors, it is obvious FERC would not care about air, water, noise, and other issues if these had no impact on health, on community quality, and costs.

As this document will demonstrate, burning natural gas is injurious to human health, causing premature death, chronic bronchitis, asthma and more, so **we ask FERC to require the NED EIS to specifically address the health impacts of pipeline construction, operation and maintenance, and the emissions from burning NED gas by end users.**

In considering this request, first please consider the situation we face as a health care organization and as a key sector: **Health care is on the front lines of environmental, energy and climate issues** due to:

- Our mission; we are the only sector sworn to "First do no harm." Energy and climate have deep impacts on public and individual health, and ...
- Because extreme weather events, air quality and other factors impact facility operations and clinical services at the same time we are reinventing ourselves to deliver care more effectively and efficiently, and with much greater emphasis on prevention, and ...
- Our own facilities' and supply chain's energy intensity, and ...
- Energy is our biggest cost after labor and pharmaceuticals.

Health care costs are 18% of GDP. Health care has been estimated to generate 8% of the nation's commercial and industrial sector's greenhouse gas emissions. As of 2013, health care in MA spent about \$580 million on energy costs. In Massachusetts and Boston, health care is largest employer (454,000 / 100,000 respectively), and Boston's largest real estate holder with over 23 million owned square feet (much more is leased). While statewide health care energy consumption figures are not available, Boston health care consumes about 700 million kWh, 8.6 million therms of natural gas, 82 million ton/hours of chilled water, and 2.7 MBtu of steam annually, and that doesn't include significant leased space.

**With this energy profile, you might expect the health care sector to be strongly supportive of NED, and bringing more gas to the region, but health care has many reasons to assert the primacy of public health concerns, energy/GHG reductions, and to oppose Northeast Energy Direct Project (NED) and other pipelines sized to over-supply our region.** These interconnected, overlapping reasons include:

1. Public health impacts from individuals, to communities, the state, region, nation and world,

2. Its contribution to dangerous, rapid climate destabilization and significant GWSA compliance costs compared to energy efficiency and other wedge strategies,
3. Its poor value in light of integrated, longer term regional strategies, especially more cost-effective nonpipe alternatives,
4. Unnecessarily high costs for health care, businesses, communities and citizens, particularly as the result of exposure to global market prices, lack of price hedging, and the already-increasing reverse flows of Marcellus gas from east to west,
5. The direct environmental impacts of construction and operations,
6. Highly questionable industry and federal assessments of Marcellus shale (and other) natural gas production.

1) Based on the material below, we urge **FERC to insist the NED EIS include a rigorous analysis of environmental health, climate, and public health impacts in its scope, based on current, peer-reviewed science by disinterested third parties. The EIS should include, at a minimum, the number of health incidents per ton of emissions for particulate matter (PM 2.5), sulfur dioxide (SO2), nitrous oxides (NOX), mercury (Hg) and global warming health impacts, as well as these incidents' medical costs to treat and societal costs. Whether KMINED provides this analysis or not, we urge the FERC to consider such incidents and costs in its deliberations and decisions.**

**Natural Gas' Public Health Impacts** can be estimated using the Healthcare Energy Impact Calculator (EIC) [www.eichealth.org](http://www.eichealth.org), which is widely used and respected in health care, and based on data from US Environmental Protection Agency, the US Department of Energy and peer-reviewed environmental health science. HCWH's EIC version 2.0 (screenshot below, in FIGURE 1) shows some annual health impacts of emissions from burning NEDs gas in the cleanest burning turbines. Less efficient equipment will generate more harm.

What then, are the health and cost factors that need consideration? **NED gas consumption will annually cause many thousands of premature deaths, chronic bronchitis, hospital emergency room visits, asthma attacks, respiratory symptoms, lost work days, and mercury-related incidents, as well as many other harms.**

**Every year, these will cost the Commonwealth and other places the gas is burned at least 71 cents per MMBTU in societal costs, and 8 cents per MMbtu in direct medical treatment costs, or around \$600 million and 65 million dollars respectively.**

#### FIGURE 1

From EIC v2.0: Some (but not all) annual health impacts of burning NED pipeline's proposed 2.2 Bcf/day.

*{chart omitted}*

These sobering numbers omit the health, environment, water quality and climate destabilization impacts and costs of fracking itself, compressor stations, and related pipeline infrastructure during both construction and operation.

2) **We urge FERC to insist the EIS evaluate NEDs impact on climate destabilization, including the huge impact of methane leaks in fracking, gas transport, compression, and delivery. We support full and rapid compliance with federal executive branch green house gas reduction goals, and so assert the FERC must not support NED unless FERC can demonstrate how it can reconcile using and transporting that much natural gas and federal executive compliance, with respect to both emissions and costs.**

Clinically speaking, it is impossible to have healthy populations on a sick planet. The World Health Organization estimates climate change is already causing 150,000 deaths/year worldwide. That says nothing of the non-mortal health impacts, such as many injuries, and those listed above. NED gas' estimated Global Warming Potential of over 99 billion pounds cannot be ignored. And, from a health care mission/

public health point of view, the location of the harmed people is irrelevant.

The Hippocratic Oath says, “First do no harm.” There is no geographical limit in that oath, no exemption because those harmed might be beyond immediate sight. We find it morally unacceptable to disregard health impacts and costs that might be incurred elsewhere, i.e. from gas fracked or burned out of state. There are also moral, spiritual, mission and legal dimensions to our stewardship, just as there are to the responsibilities of all public servants.

Massachusetts Institute of Technology modeling shows that **natural gas is grossly over-valued as a low greenhouse gas “bridge fuel”** when methane and other decay rates are properly accounted for. The MIT study, referenced below, further says, **“While the climate impact of natural gas is initially about 50% that of using coal, within three decades it grows to 75% ... the new analyses demonstrate the importance of getting to the other end of the bridge relatively soon.”**

<https://mitei.mit.edu/news/assessing-climate-impacts-energy-technologies>. In addition, on August 4, 2015 the New York times reported on a new peer-reviewed study, “Methane Leaks May Greatly Exceed Estimates, Report Says: A device commonly used to measure the methane that leaks from industrial sources may greatly underestimate those emissions, said an inventor of the technology that the device relies on.” The actual study is at <http://onlinelibrary.wiley.com/doi/10.1002/ese3.81/abstract>

And while there are those who will argue that NED and other pipelines merely transport what drillers produce, and that such considerations are outside a given entities’ jurisdiction, we can only ignore the many interconnections at our serious peril. The Lancet Commission, perhaps the world’s most authoritative medical organization and publication, wrote in June, 2015:

*“A siloed approach to protecting human health from climate change will not work ... the time when fuel switching could decarbonise the global economy sufficiently quickly to avoid dangerous climate change has almost certainly passed. It is increasingly difficult to justify large-scale investment in unabated gas-fired infrastructure.”* -- “Health and climate change: policy responses to protect public health” -- <http://www.thelancet.com/commissions/climate-change-2015>

*Such impacts (and their interactions) are unlikely to be trivial and could be sufficient to trigger a discontinuity in the long-term progression of humanity. Whilst the poorest and most vulnerable communities might suffer first, the interconnected nature of climate systems, ecosystems, and global society means that none will be immune. **Indeed, on the basis of current emission trajectories, temperature rises in the next 85 years may be incompatible with an organised global community.*** -Ibid

And Vivek Murthy, US Surgeon General, said in June, 2015 at the Whitehouse Summit on Climate and Health, in which HCWH was a key participant, “Climate change is a current and pressing threat to human health. “

**We urge the FERC not to put NED and other oversized gas pipeline projects’ stakeholders’ profits ahead of a stable climate that can support the well being of our citizens, especially our most vulnerable children, elders and the poor.** We urge you not to impose, however unintentionally, substantial health costs at a time when we are all trying to bend that cost curve downward. The FERC, operating under an administration that has successfully begun to drive the health care sector **to focus much more on community health improvement, prevention, and more cost-effective, systemic analysis, cannot and should not ignore such costs and impacts.**

Market forces dictate that if NED and other climate-risky efforts are scaled back, slowed, or rejected in light of such huge risks, production rates will respond.

**We support full and rapid compliance with Massachusetts’ Global Warming Solutions Act, and so assert FERC cannot support NED unless it is able to demonstrate how it can reconcile using more natural gas with GWSA compliance, with respect to both emissions and costs.**

FIGURE 2 below shows the share of New England’s combined annual greenhouse gas ‘budgets’ that emissions from various proposed additional natural gas pipelines would consume. Acadia Center wrote

of their graph

*“These ‘budgets’ represent the greenhouse gas emissions that states can produce and still achieve statutory targets. Current (2013) levels of natural gas combustion for heating, power generation, and industry would produce emissions in excess of the region’s entire greenhouse gas budget in the year 2050. This means that without any increase in pipeline capacity, natural gas alone would eat up the region’s entire greenhouse gas budget, leaving no allowable emissions for transportation, industry, heating oil, or propane. Assuming similar utilization rates for new pipeline capacity, the already approved Algonquin Incremental Market and Tennessee Gas Pipeline expansions due to come online in 2016 would consume a greater portion of this budget. Access Northeast would cause the region to exceed the emissions budget in 2045, and be 42 percent over budget in 2050. If Northeast Energy Direct is also constructed, the total regional greenhouse gas budget would be exhausted in 2039, and emissions from natural gas alone would be 103 percent over the binding targets that states have established.”*

*{graph omitted}*

And, even if compliance can somehow, miraculously, still be achieved without leaving this gas in the ground, Dr. Stanton’s testimony on MA DPU docket #14-86 shows in FIGURE 3 below, it cannot be cost effective compared to many alternatives. Massachusetts marginal abatement cost curve for GWSA compliance in 2030 is:

FIGURE 3

*{graph omitted}*

Stanton’s graph demonstrates not only energy efficiencies’ and renewable energy cost-effectiveness, but as demonstrated above, they are essential to the health and economic well-being of the citizens FERC is sworn to protect, and to health care cost containment.

3) There is much evidence that the ‘need’ for more gas is being overstated by those with undue financial and/or political interests in natural gas infrastructure and sales. FERC needs to consider integrated, longer term regional strategies, especially more cost-effective non-pipe alternatives. **We urge FERC to insist the EIS compare the natural resource and environmental health impacts of NED compared to far more modest pipeline expansion (if any) in light of:**

- a. If it is proven to be truly needed after examining optimization and recognizing the synergies of market reforms’; demand response; energy efficiency’; grid modernization; the winter reliability program; storage; and aggressive, substantial reductions in leaks from existing natural gas extraction and delivery systems, and
- b. If any new infrastructure has been re-sized to meet the region’s long term energy forecast, based on the efforts listed in 3a above, and a thorough, balanced, integrated assessment such as the one scheduled for completion in October by the Analysis Group, under the direction of Massachusetts Attorney General Healey, and
- c. After factoring in the substantial risks inherent in the huge over-estimation of Marcellus shale resources which are projected to peak as soon as 2018, as outlined below, and
- d. Factoring in growth in island-mode-black- start CHP to support greater resilience for critical facilities and district energy systems, and,
- e. If there is no rate-payer tariff covering the risk and enhancing the profit margins of developers, and selfdealing utilities, especially if any portion of the gas is exported, and
- f. The LDC’s are required to re-calculate their petitions based on honest assessments, not inflated and conflated projected demand of unnamed customers, doubling of forecast time period, etc. and
- g. It uses, to the greatest extent possible, existing infrastructure and rights of ways (which NED doesn’t, since transmission line ‘co-location’ has been shown to actually mean significant damage to large, parallel strips of land), rather than building an entirely new pipeline that will devastate more than 100 miles

of MA green space and communities, with much of that land being of irreplaceable value to our communities' economic, social and environmental health, and

h. If Massachusetts and the other New England states can still meet our statutory greenhouse gas emission goals, and if not, demonstrate how quickly and at what cost we would later have to reduce gas usage to meet our increasingly challenging emissions goals, and

1. FERC has rescheduled the EIS comment period to permit adequate time for review and comment on the EIS 6700+ pages, after KM has filled in the 10,000 "TBD's" and other missing information.

**4) We urge the FERC to reject NED and other export-dominated projects due to the lack of price hedge/mitigation, and high costs compared to other strategies.** There are three parts to this argument:

- Exposure to export market's prices will drive up our energy costs and send more money out of state, and ...
- The impacts of reverse flows, from East to West, of Marcellus production in both existing and proposed new pipelines, and ...
- FERC would effectively be denying the region the opportunity to pay for more inexpensive, or even negative energy costs for better alternatives, and thereby would impose on every household, business, municipality and agency in the region far more expensive energy and patient care costs.

It has been estimated as much as 85% of NED gas would likely go to export markets. Any significant exports would expose this region's natural gas prices to global markets, which must result in much higher prices. Pro-gas stakeholders endlessly repeat the mantras of need and lower prices, but there is US government evidence, as well as the success of the Winter Reliability Program experience to demonstrate the contrary.

To quote CommonWealth Magazine” “ ... data from the EIA [FIGURE 4 below] shows that in the winter of 2014, natural gas prices in Pennsylvania - the heart of Marcellus Shale supply- spiked to heights similar to those we saw in New England markets.” No amount of additional pipeline capacity will protect us, not when the government's own evidence shows buyers a stone's throw from the wellhead are not shielded, and not when many market actors have stated they are positioning themselves to export the gas to far more lucrative markets if NED is built. On the contrary, as stated, exposure to global markets will drive up regional natural gas prices.

FIGURE 4

*{graph omitted}*

Finally on this matter, **we point out that energy is much cheaper than medical care per unit of service. The average MA household spends about \$2700/year on building-related energy”, that's less than 1/6th of their employer-based health care premium, if they are lucky enough to have it”.**

The Commonwealth will be far smarter to pay the negative costs of more aggressive, deeper energy efficiency with its 3: 1 cost benefit ratio, or even modest first-cost premium for renewable energy (if any) with their huge lifetime economic, climate, social and health benefits before imposing \$4-6 billion more in tariffs for NED and similar fossil fuel infrastructure that will send even more money out of state, and even out of the US. Energy spending going out of state was over \$22 billion/year in 2008<sup>vi</sup>. A region-wide, World War II level, sustained public awareness campaign to save energy could be funded with pennies on those dollars, and to far greater effect and benefits.

**5) We urge the FERC to ensure the EIS studies the entire route in detail, with on-the-ground surveys because aerial photographs and GIS blocked by tree canopy and other growth have been demonstrated to miss important wetlands and other fragile resources. Ground surveys must assess impacts such as:**

- Wetlands, waterways, aquifers, public and private wells and septic systems,
- Any pollution to air, soil and water from natural gas and/or fracking chemicals, and their proximity and

effects to human, animal and plant populations,

- Any rare or Federally endangered species such as the Northeastern Bulrush, *Scirpus ancistrochaetus*, which is listed as being present in Montague, as well as other “listed,” or exemplary flora, fauna or natural communities,
- Streams and other waterways that support human uses, whether recreational or as drinking water
- Certified and certifiable vernal pools and analysis of the means by which damage would be avoided or mitigated,
- All temporary work zones and staging areas used during construction, the pre-construction condition of these areas and plans for restoration and mitigation of damages incurred during construction,
- Sources of water to be used for hydrostatic testing during the construction process and how such water sources would be replenished or restored, and
- Clean-up of water used in testing, and potential impacts of run-off from the testing process.

**The EIS also needs take into account**, in assessing project construction and operations, the new University of Massachusetts study which determined NED would disproportionately negatively impact Franklin County’s ecosystems. This is not ‘just’ about endangered species and vital habitat; the impacted areas are vital walls of the foundation of our public health. They deserve continued protection, doubly so since the state and others have spent a lot of money and resources to do so! <https://ag.umass.edu/current-issue-reports>

#### **6) We urge FERC not to base decisions on highly inflated, industry and federal assessments of Marcellus shale (and other) production.**

Even US Energy Information Agency staff acknowledged its own over-rosy forecasts in response to the multi-year, multi-million dollar study led by University of Texas <http://www.nature.com/news/natural-gas-the-fracking-fallacy-I.16430>.

Respected energy geologist David Hughes extraordinary publication “Drilling Deeper,” (October, 2014) takes a hard look at shale development prospects nationally and by region, over decades. This careful science that throws serious doubt on the wisdom of building a lot more gas infrastructure: <http://www.postcarbon.org/publications/drillingdeeper/> In addition, Hughes’ latest publication, released in early August, 2015 is “Revisiting the U.S. Department of Energy Play-by-Play Forecasts through 2040 from Annual Energy Outlook 2015” <http://www.postcarbon.org/shale-gas-reality-check1> **Hughes projects Marcellus shale to peak in 2018.** He writes,

*“The EIA’s Annual Energy Outlook 2015 is even more optimistic than the AE02014, which we showed in Drilling Deeper suffered from a great deal of questionable optimism. The AE02015 reference case projection of total shale gas production from 2014 through 2040 is 9%, or 36 tcf, greater than AE02014.*

Cumulative production from the major plays in AE02015, which account for 80% of this production, is 50% higher than Hughes’s “Most Likely” case in Drilling Deeper, and the projected production rate in 2040 is 170% greater. In AE02015, the EIA is counting much more on unnamed plays or ones -like the Utica Shale- that aren’t as yet producing very much shale gas.

- *The only way to meet projections for most of these plays would be for production to ramp up massively years from now. But because the best wells are drilled first, and decline rates are so steep, this means that the EIA is likely counting on new technologies that aren’t yet proven or even developed.*
- *It’s very difficult to see how unknown new technologies would be brought online, and be sufficient to overcome poorer and poorer quality drilling locations, without the price of natural gas going up well beyond what the EIA forecasts.*
- *As it has acknowledged, the EIA’s track record in estimating resources and projecting future production and prices has historically been poor. Admittedly, forecasting such things is very challenging, especially as it relates to shifting economic and technological realities. But the below-ground-*

*fundamentals- the geology of these plays and how well they are understood don't change wildly from year to year. And yet the AE02015 and AE02014 reference cases have major differences between them; production rates have been revised both down and up by amounts exceeding 40% in some plays. "*

An introduction to Hughes' work is highly relevant:

*"After closely reviewing the Annual Energy Outlook 2015, David Hughes raises some important, substantive questions: Why is there so much difference at the play level between AE02014 and AE02015? Why does Marcellus production surge post-2025, rising to a new all-time high by 2040? Why does Haynesville production surge beginning in 2016, rising to a new high that is triple current production rates in 2038? How can Eagle Ford production reach a plateau in 2021 and remain on it for the next two decades?"*

*America's energy future is largely determined by the assumptions and expectations we have today. And because energy plays such a critical role in the health of our economy, environment, and people, the importance of getting it right on energy can't be overstated."* FIGURE 5 below is from page 5 of "Revisiting ... "

While beyond the scope of this document, we assert it is unwise and immoral to saddle Massachusetts and the region with huge risks and costs on the tenuous assertion that there is so much gas available that exports from NED (and similar) to Europe can weaken Russia and Putin's leverage. Such a strategy ignores key facts: a) the questionable size and availability of the resource, b) as stated above, human society as we know it may be seriously damaged if we don't leave this, and a lot of other carbon, in the ground. --In this case, Putin and Russian hegemony will be the least of our problems, c) the strategy is fraught with serious risks, even likely failure since politics and circumstances can and will change FAR more deeply and rapidly than this export market will develop. We'd be building this capacity 'on a wing and a prayer.'

## 2.1 MARCELLUS PLAY

Figure 4 illustrates the AE020 15 reference case forecast for the Marcellus compared to AE02014 and the "Most Likely" drilling rate from Drilling Deeper. In AE02015, the Marcellus is forecast to produce 32% of all shale gas production from 2014 to 2040,

*{graph omitted}*

Figure 4. Marcellus production for the "Most Likely" drilling rate forecast from Drilling Deeper compared to the EIA's AE02014 and AE02015 forecasts.

Also shown are the cumulative wells that would have to be drilled for the "Most likely" drilling rate.

The AE02015 projection almost perfectly parallels my "Most Likely" forecast until 2023, when it ramps up to a new all-time high. In 2040, Total projected production is up 20% over AE02014 and 22% above my "Most Likely" forecast. Some observations:

- Given that the average well quality in the Marcellus has been shown to be in decline all the sweet spots, as well as in the Marcellus plays as a whole, the AE02015 forecast lacks credibility, especially at the EIA's forecast gas prices.
- The only way production could begin to grow post-2023 is with a massive ramp up in drilling which, given declining well quality, would require much higher prices.
- Drilling rates in my "Most Likely" forecast, which projects a 4-fold increase in producing wells, would see some 25,000 remaining drilling locations by 2040, although these would be the lowest-productivity locations in the play. Ramping up production as projected by AE02015 would see locations exhausted by this time, given the drilling rates required, setting the stage for a production collapse.
- The drop in drill rig counts in the Marcellus (63 in June 2015 vs. 143 in January 2012) has impact-

ed drilling rates, despite greater efficiencies, and hence may cause the Marcellus to peak sooner at a lower rate than my “Most Likely” forecast. A wild card, however, is the large number of drilled but not connected locations. which will provide a buffer from falling rig counts for a few months.

In closing, we add:

**Support for a business-as-usual NED EIS by FERC will amount, at least in part, to condoning a plan to delay and/or discourage many more cost effective solutions for at least 31f2 years, and some indefinitely. This is simply ridiculous.** A realistic EIS cannot support the construction of major new pipeline infrastructure along entirely new routes.

**We have gotten ourselves into the current energy and climate mess by making many, too narrow, siloed decisions that fail to address systemic problems. FERC can do better; we are counting on you to be and act smarter.**

Please avoid repeating prior errors in judgment. **Never forget that it is scientifically and medically impossible to have healthy people and communities if we continue to destroy the foundations of human health --our land, air, water and other natural resources-- however unintentionally or regrettably for short term gains. Please consider the health impacts and costs.**

Please don't hide behind some conveniently narrow interpretation of your jurisdiction and what is considered relevant. FERC must consider other pending related decisions, and NED as a whole. We FERC to oppose NED.

FERC's decisions, in cases like this one and many others, can help all of us make choices that advance the public health, create more local, good paying jobs, help our economy, diversify our energy supply and decrease our energy costs and dependence on fossil fuels. Please make decisions that set the region and the country on a better path. Please insist on a rigorous, comprehensive EIS that includes health and climate impacts.

**Please oppose NED and other new oversized gas pipelines as a first step to a better future. In dozens of coming determinations as well as this one, FERC can help the nation speedily get to a better, more energy efficient, renewable energy future with robust demand response, a modernized grid, and true market reform.**

We assert, regretfully, that anything less constitutes dereliction of duty and a violation of the public trust. Please make this letter part of the official record. Thank you for your time and consideration.

Respectfully,

Gary Cohen, Co-Founder & President

Bill Ravanese, Senior Director, Health Care Green Building & Energy

Paul Lipke, Senior Advisor for Energy & Buildings

cc via web portal and email to:

Governor Charlie Baker

Attorney General Maura Healey/Energy and Environment Bureau Chief AGO Melissa Hoffer MA

DOER Commissioner Judith Judson

MA Representative Stephen Kulik

MA Senate President Stan Rosenberg

MA Montague Energy Committee Montague Town Administrator

i Including elimination of market and regulatory bias against energy efficiency and non-transmission alternatives in the returns guaranteed to regulated utilities, See [http://\(acadiacenter.org\)\(document\(new-england-reliability-and-transmission-planning\(“New England Reliability and Transmission Planning - Need for Reform” Acadia Center \(formerly “Environment Northeast”\)\)](http://(acadiacenter.org)(document(new-england-reliability-and-transmission-planning(“New England Reliability and Transmission Planning - Need for Reform” Acadia Center (formerly “Environment Northeast”))), It is much smarter and easier to change the words on a piece of paper and existing market rules than to spend billions we can't spare unnecessarily digging up our communities!

- ii More rigorous air sealing and insulation of our buildings, and the adoption of electric high efficiency air-to-air heat pumps for space and domestic hot water heating,
- iii <http://commonwealthmagazine.org/environment/were-not-facing-an-energy-crisis-in-new-england/> iv MA household energy costs: EIA 2009 Residential Energy Consumption Survey [www.eia.gov/consumption/residential/](http://www.eia.gov/consumption/residential/)
- v <http://kff.org/other/state-indicator/family-coverage/> (“Average Family Premium per Enrolled Employee For Employer-Based Health Insurance” Kaiser Family Foundation)
- vi Energy Price and Expenditure Estimates by Source, Selected Years, 1970-2008, Massachusetts, EIA, [www.eia.doe.gov/states/sep\\_prices/total/pr\\_ma.pdf](http://www.eia.doe.gov/states/sep_prices/total/pr_ma.pdf) *{end of 20150827-5287}*

**20150827-5301**

Peter Jeffrey, Groton, MA.

For the record here are my comments from the scoping hearing held in Lunenburg MA on August 12 2015.

While reading you may want to play a stirring rendition of the Battle Hymn of the Republic to fully capture the passion these words convey.

My name is Peter JEFFREY SPELL Groton, MA

Thank you for your service to your country in your role as a FERC employee and for coming here this week to better understand the great number of issues you have heard in these hearings that you need to use to make your decision. To that decision I have a few observations I feel warrant repetition.

First: What is an alternate route?

There are great similarities between the primary and the alternate routes in this application. Every one of the arguments against this application apply to both the primary and alternate routes. Both routes endanger citizens, destroy precious environment, impose a tax to pay for a utility that the payee may never have access to, and take private property for the financial gain of a private, for-profit industrial giant. The only way that the alternative route and primary route are different can be seen in this crowd tonight. If this hearing was held last summer, based on the initial application when the main-line ran directly through the most of the communities in this area, this room would be full of outraged residents very similar to your meeting last night. By calling that route an alternate only the most dedicated opponents understand that your decision could easily make it again a primary route. Thus you only see here tonight the most dedicated opponents to this application who have not been lulled to sleep with a false sense of security. The question is not where this pipeline will go the question is whether this pipeline is needed at all.

Second: Who says we need this pipeline?

You have heard many times in great detail what many people see, including one of the FERC commissioners, one of your bosses, as illegal market price manipulation in the forward facing auction. How can anyone be sure that the data used to justify this pipeline is not corrupted by greed and influence if even a senior FERC leader believed the result was invalid and should not be upheld? It is up to you FERC to expose any possible corruption of this data! I pray you have the guts to do what is right and call for congressional hearings to look into the actions taken by ISO New England, FERC, and industry when market pricing was set for energy in New England in the forward facing auction. That flawed auction is why a large corporation sees an opportunity for huge financial gain by preying on the hopes of the residents of New England that a pipeline would lower the costs of energy and bring jobs into the region. Anyone with a basic understanding of economics would realize immediately that the gas this pipeline could carry would be much more valuable if it reached the Canadian Maritimes. Therefore the idea that this pipeline will drastically reduce the costs of energy is fundamentally flawed. As for jobs unless the region enters into a continuous perpetual cycle of pipeline construction any incremental jobs this application will create will be very short lived which can be seen in the proposed rapid construction schedule. Also the idea that a large number of jobs will employ local workers is flawed. Last month our family traveled cross country with our camper. In every campground

we visited in an area with pipeline construction, we found it was filled with pickups carrying large welding machines pulling fifth wheel trailers all with license plates from either TX, LA, and OK. I invite the union employees here tonight to seriously ask their leaders how many jobs will be offered to local employees and how many will be filled by transient, but more experienced workers, who require less training time and therefore offer a lower cost. It is up to you, the public servants of the citizens of this great country, conceived in this precious and historic region, to stand up to a corporation with unlimited resources and confirm the flaws in this application and make the only logical decision and deny this application.

## 20150828-0006

AUGUST 21, 2015

Patrick J. Leary  
21 Weston Road  
Hancock, NH 03449

Ms. Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission (FERC)  
888 First Street, N.E.  
Washington, DC 20426

Northeast Energy Direct Project - PL Alternate I

FERC Docket Number PFI4-22-000 as the Northeast Energy Direct Project

RE: Draft Environmental Report, Resources Report 10, Alternatives

Dear Ms. Bose:

This letter examines statements by Tennessee Gas Pipeline Company, L.L.C. (herein "Tennessee") in its Draft Environmental Report for the Northeast Energy Direct Project (herein "NED"). Tennessee has simply not made a case for necessity based on demand. I urge the FERC not to issue a Certificate of Public Convenience and Necessity required for the project to proceed as this pipeline is not needed.

### ADDRESSING NECESSITY

In late 2013 all six New England Governors and all twelve New England US Senators asked for more energy for New England - please see Annex A for these letters. The emphasis of both letters was on natural gas and electricity. Over the last ten plus years New England has retired numerous coal and coal/oil electricity generators. In some cases these capabilities have been replaced with natural gas as the energy source. This has created stress on the natural gas delivery system in New England particularly in the winter time.

The winter time energy balance in New England is very dynamic. Fortunately, the FERC has provided' a succinct summary of this complex situation. "This slide (please see Figure 1 on page 2) shows monthly natural gas demand for New England since the winter of 2012. with a forecast through the next three winters and the historic seasonal norm. Last winter New England avoided significant spikes in natural gas demand. despite high residential and commercial demand Various other sources of generation including oil and coal. plus power imports. helped reduce natural gas demand from New England power generators by 20%. This in turn reduced total natural gas demand to around the same level as the prior three warm winters of about 3.4 Billion cubic feet per day (Bcfd). This winter natural gas-fired plants will have to make-up for generation lost from the retirement of some non-gas-fired units ."

**{2 pages with graphics + discussion of TENNESSEE SYSTEM ALTERNATIVES not OCR compatible, omitted}**

*{page with graphic + discussion of Alternate Electricity Supplies not OCR compatible, omitted}*

### EXECUTIVE SUMMARY

What is needed in New England is an additional 0.75 Bcfd of natural gas or equivalent. What is coming without the NED is 1.263 Bcfd, almost two times what is needed. Tennessee never discusses the actual de-

mand for the NED which is the heart of necessity.

## CONCLUSION

The most likely natural gas and electricity equivalent demand scenario in New England, as provided by the FERC, is in the range of 0.75 Bcfd. Natural gas and electricity projects that have been approved or are imminent for New England will supply an additional equivalent of 1.263 Bcfd of natural gas. The demand is easily accommodated by the projects spelled out herein by a factor of almost 2. Therefore, the FERC should not issue a Certificate of Public Convenience and Necessity required for the project to proceed as there is no necessity.

Sincerely,

Patrick J. Leary 8/21/2015

1 Winter 2014-15 Energy Market Assessment, Item No. A-3, October 16, 2014.

*{not OCR compatible & omitted: dopy of "New England Governors' Commitment to Regional Cooperation on Energy Infrastructure Issues", also December 21, 2013, letter from 12 US Senators to Secretary Moniz, Dept of Energy }*

### 20150828-0007

Patrick J. Leary  
21 Weston Road  
Hancock, NH 03449

Ms. Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission (FERC)  
888 First Street, N.E.  
Washington, DC 20426  
Northeast Energy Direct Project - PL Alternate 2

FERC Docket Number PFI4-22-000 as the Northeast Energy Direct Project (aka the NED)

RE: Tennessee Gas Pipeline Company FERC filings in support of the NED

Dear Ms. Bose:

This letter examines statements by Tennessee Gas Pipeline Company, L.L.c. (herein "Tennessee") in its Documentation for the Northeast Energy Direct Project (herein "NED"). Tennessee has simply not made a case for necessity based on demand to put a pipeline in New Hampshire. I urge the FERC not to issue a Certificate of Public Convenience and Necessity required for the project to proceed as this pipeline is not needed in New Hampshire. This pipeline is desperately needed in Massachusetts, stick it there.

### ADDRESSING NEED

In late 2013 all six New England Governors and all twelve New England US Senators asked for more energy for New England - please see Annex A for these letters. The emphasis of both letters was on natural gas and electricity.

The winter time energy balance in New England is very dynamic. Fortunately, the FERC has provided] a succinct summary of this complex situation. "This slide (please see Figure 1 on page 2) shows monthly natural gas demand for New England since the winter of 2012, with a forecast through the next three winters and the historic seasonal norm. Last winter New England avoided significant spikes in natural gas demand, despite high residential and commercial demand. Various other sources of generation including oil and coal, plus power imports, helped reduce natural gas demand from New England power generators by 20%. This in turn reduced total natural gas demand to around the same level as the prior three warm winters of about 3.4 Billion cubicfeet per day (Bcfd). This winter natural gas-fired plants will have to make-up for generation lost from the retirement of some non-gas-fired units. "

1 Winter 2014-15 Energy Market Assessment, Item No. A-3. October 16, 2014.

**20150828-0008**

SJP environmental consulting, LLC  
PO Box 303, Montague, MA 01351  
Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, D.C. 20426

August 21, 2015

Dear Secretary Bose:

I am submitting this letter of comment as a Montague resident living within several miles of the proposed Kinder Morgan Tennessee Gas Pipeline Company's Northeast Energy Direct (NED) project, No. PF14-22. Though I am sending comments ostensibly within the environmental scoping review process for the NED project. I want to first echo a letter of comment submitted by Elaine Mroz, of Lunenburg, MA, who raises the larger and more important question of where in FERC's public input process affected parties are given an opportunity to submit comments about the "need" for the pipeline and the public impact such a project may have beyond immediate environmental concerns.

I share Ms. Mroz's request that this project be examined in the context of larger concerns, "needs" and impacts. Is the added, cumulative natural gas capacity that NED and other proposed pipelines in Massachusetts and New England necessary? Many analyses suggest that the gas capacity of the NED pipeline alone is much larger than local and regional demand and that the 'proposed cumulative capacity is unnecessary and will have too many negative local and global environmental impacts.

The pipeline is likely to commit communities that receive this 'natural gas' to long-term use of a climate impacting fossil fuel, one that is under increasing scrutiny by the federal government for its methane emissions. In committing Massachusetts residents, businesses and municipalities to expanded and long-term fossil fuel use; the NED may undermine the state's mandated timeline to reach greenhouse gas (GHG) emission goals under the Massachusetts Global Warming Solutions Act and will, at minimum, slow our state's efforts to lower GHG emissions.

In ISO New England's June 2015 discussion paper, The Importance of a Performance-Based Capacity/ Market to Ensure Reliability as the Grid Adapts to a Renewable Energy Future, ISO NE recognizes that, "New England has small, but rapidly growing levels of renewable energy resources—namely wind power and solar power .. In the medium- to long-term, the capacity market will enable the region to achieve necessary levels of resource adequacy and resource performance while transitioning toward a system with greater levels of renewable resources,"

How does the purported need for the NED and other proposed pipelines in the region factor in the rapid growth of renewables and energy efficiency in our state? How does a pipeline that is designed to bring natural gas to our communities for its 50-75 year lifetime meet our state's mandate to reduce our greenhouse gas emissions from fossil fuel use? How does increasing dependence on natural gas, with its inherently volatile pricing, more effectively address the desire for more stable and predictable energy prices than the stable prices provided by enhanced energy efficiency and renewable energy?

Regarding the scoping review, which allows for public input related to environmental impacts, the potential negative impacts of the proposed pipeline are many: the taking, fragmenting, and potential polluting of lands with conservation easements in perpetuity; the disturbance and potential damage to the viability of wetland and public land ecosystems such as the Montague Plains with unique, rare and endangered fauna and flora; the potential impacts of pollutants from drilling and fracking materials on land, including agricultural lands and waterways through which the pipeline would be installed: the potential contamination of one of our

town's public wells and private water sources; the potential damage to septic systems; the potential damage to vernal pool habitats; and the necessary cleanup, restoration and mitigation of the pipeline along its entire route.

In light of the volumes of the extremely overdue draft Environmental Impact Statement (EIS) that Kinder Morgan recently released, the current deadline is inadequate to allow for its thorough review. I support our state and Congressional representatives' call to reschedule or add additional the scoping meetings and extend the scoping deadline for at least several months. Without rescheduling the scoping input deadline, citizens and lawmakers are effectively being denied the right to have input/comment

In addition, Massachusetts' Attorney General Maura Healey is leading a regional energy and gas capacity study, which will be complete in October, 2015, and will address the question of whether more natural gas is needed in the region, and if so, how much more capacity is necessary. There is much evidence that those with financial and/or political interests in gas infrastructure and sales are grossly overstating the 'need' for more gas, perhaps with an eye toward exporting excess supplies to more profitable markets overseas.

FERC scoping hearings should occur only after the AG's report is available, KM has been required to provide important information left blank in its current draft EIS, and citizens and policy-makers have been given adequate time to review the new information.

Before committing our state to the destructive local, environmental and global climate change impacts of a gas pipeline that appears to much exceed demand, alternative approaches to addressing the short-term "need" for additional energy, if there is one, could be used. Alternatives might include Liquefied Natural Gas and market pressures, such as time-of-use rates and demand charges, to address very short-term peak demands and price spikes, as was done successfully this last winter. This could provide a bridge to an energy generation system built on safer, more reliable, and healthier renewables and energy efficiency, which our state is aggressively pursuing as it develops its clean energy economy.

Thank you for this opportunity to submit comments.

Sally Pick

SJP environmental consulting, LLC

## 20150828-0009

John A. Dingee Jr.  
7 Bemis Rd.  
Pepperell, MA 01463

August 9, 2015

Ms. Kimberly D. Bose, Secretary FERC  
888 First St. NE; Room 1A  
Washington, DC 20426

Dear Ms. Bose,

RE: Docket No. PF14-22-000

As a member of the human race, I am proud that the citizens of New England are standing up to the multi-million no, multi-billion dollar corporations hell bent on destroying our way of life. The watershed aquifers and private lands are far more valuable to us, and, more importantly to future generations.

Having attended many meetings on this proposed pipeline, it makes me proud to see all the resistance to the Kinder Morgan's of this world. They need to be held accountable for their greed at the expense of the little guy. Having attended the FERC meeting at the Radisson Hotel in Nashua, I thought the first portion of the meeting went very well. But the statement portion for the record of FERC was muddied by the once again presence of the 'trade unions. During every meeting I have attended for the last couple of years, these men have stood in the periphery of the audience to intimidate and observe. When it was time for question and answers, the "hired gun" spoke in favor of the project stating employment for their members. I challenge them

to look at the failing infrastructures, i.e., water supply, roads, bridges, etc., the alternative energy, i.e., solar, wind, geothermal, wave power, tidal generators, etc. which can all create far more work for all citizens, union and private workers alike. The Kinder Morgan/TV A's of this world have held the purse strings long enough. It appalls me to see the hard working men and women of the trade unions being taken advantage of by big business interests. It appears that big business is importing union members to do their dirty work and pressuring the good people into submission. Is it the perks or just the pressure of jobs that keeps the blind workers from challenging the ideas of the extremely wealthy greed, rather than using common sense?

To allow the public to speak at the FERC meeting was heart warming in volume and content. The union's voice was also heard by FERC. It scares me to think the ruining of our natural resources isn't and can never be worth the sacrifice of the remaining natural resources, The fossil fuel industry should not be allowed to deplete all the reserves in the name of profits. The future generations need to have access to the same benefits we enjoy now. Clean water, clean air and renewable energies are a must for the future.

At the PERC meeting, the political representatives informed the audience of a new proposal of 6,000 pages, which was presented some 3 days earlier for review by the towns and FERC. It troubles me to think that after the FERC hearings a recommendation will be submitted to a hand full of officials who will decide between action or denial of the pipeline project. This is quietly saying to the concerned citizens of this area that it has already been "rubber stamped."

Please don't give up. We have shown big business and FERC that we are strong.

We can win if we stay united and don't give in to their pressure. Please save the future for our grandchildren and their grandchildren. Kinder Morgan and others like them go home and ruin your own future not ours. We drink our water from the tap, not a truck!!

#### **20150828-0021**

Hand written letter, 2 pages, Roseann & Ralph Kaiser, 2270 Quaker Hill Rd, Jefferson, NY 13093, opposing

#### **20150828-0022**

August 24, 2015

Ralph A. Zimmerman  
200 Cardigan Road  
Tewksbury, MA 01876

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

Re: Project Docket Number PF14-22-000

Dear, Ms. Bose:

I am writing to submit comments/concerns related to the proposed Northeast Energy Direct Project pursuant to the notice announcing the opening of the scoping process that is being used to gather public input for the associated Environmental Impact Statement (EIS) (ref. Request for Comments on Environmental Issues, and Notice of Public Scoping Meetings, June 30, 2015). I am submitting comments as an abutter to the proposed MA Lynnfield lateral 63.00 and 77.02 (Map/lot 212-10E & 80-14). My comments/concerns are detailed as an attachment to this letter.

Please feel free to contact me directly if there are any questions, or if there is a need for additional information. I can be reached via e-mail at [zimmerman.ralph@gmail.com](mailto:zimmerman.ralph@gmail.com), or by phone at 978-257-5136.

Thank you for your attention to this matter.

Sincerely,

Attachment

**20150828-0023**

August 24, 2015

Ralph A. Zimmerman  
200 Cardigan Road  
Tewksbury, MA 01876

Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

Re: Project Docket Number PF14-22-000

To Whom It May Concern:

I am submitting comments related to the proposed Northeast Energy Direct Project as an abutter to the proposed ll# MA lynnfield lateral 63.00 and 77.02 (Mapllot 212-10E & 80-14).

There are two environmentally significant concerns that I believe should be addressed in the EIS relative to the Market Path represented by the proposed lynnfield lateral in the vicinity of my property, located at 200 Cardigan Road, Tewksbury, MA. Both of these concerns involve the impact of the pipeline project on water runoff, including, but not limited to the impacts of: site preparation, installation, and ongoing pipeline maintenance. The first concern is about the fact that there is a stream bed that runs adjacent to my property line and which is approximately parallel to, or in line with, the path of the proposed pipeline. The second concern is about a water runoff collection system that has been constructed adjacent to my property line on abutting property, and which lies across the path of the proposed pipeline. Disruption to either of these two systems, one natural, and the other manmade, would almost certainly have a negative impact on water runoff, with the very real potential of causing flooding of yards and basements during periods of increased precipitation.

I am formally requesting that the Northeast Expansion Project EIC investigate the potential impact of routing the pipeline near, or through natural or manmade systems that would have a direct impact on water runoff, specifically in the vicinity of Map/lot 212-10E & 80-14. Although the stream bed does not have running water at all times of the year, this feature provides a natural water handling system that protects my property from excessive runoff during times of peak preclpitation (esp. early Spring). In addition, the culvert and water handling system that runs from the base of Deca Circle, Andover, MA, through the adjacent property located at 210 Cardigan Road, Tewksbury, MA, and which is ultimately tied directly into the storm drain system on Cardigan Road, Tewksbury, MA, is critical to handling rain water runoff for the referenced properties. As highlighted above, disruption of either of these systems would have a detrimental effect on the ability to manage water runoff so as to prevent flooding and protect property. Given the potential severity, the impact of the proposed lynnfield lateral on water runoff on and adjacent to the property located at 200 Cardigan Road, Tewksbury, MA, should be appropriately addressed and mitigated as part of the Northeast Energy Direct Project project plan.

Sincerely,

**20150828-0024**

Jennie L. Hill  
32 Cross RQad  
Richmond, NH 03470

Docket #PF14-22 (Northeast Energy Direct)

August 24, 2015

Kimberly D. Bose, Secretary

Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington DC 20426

Dear Secretary Bose,

Less than 3 weeks ago Kinder Morgan abruptly changed the route of the proposed NED pipeline through the western side of Richmond, NH. The route was changed from going through undeveloped woodland, to going through the front or back yards of my 6 closest neighbors, as well as sensitive local historical and environmental sites; not the least of which is the healthy bat population in some of the older houses. Bats are now a protected species, since nearly 90% of the population was wiped out by a virus during the past decade.

Extend the deadline for public comments: Needless to say, the people directly affected by this sudden re-route and our local officials have been scrambling to provide input to your Commission, prior to the August 31 closing date for public comments. It hardly seems fair that people who will be so adversely affected have less than 4 weeks to voice their opinion. So my first comment is to request that the deadline for public comments be extended.

Require meaningful environment impact studies: A cursory “study” conducted on a parcel of land that is not even going to be part of the route anymore hardly provides a meaningful environmental impact study. There are sensitive wetlands, protected and endangered species (bats, native brook trout), ground water and aquifers in the proposed path. A year long study is absolutely necessary to document seasonal features such as vernal pools and seasonal movements and migrations of animals.

Require meaningful cultural and archeological studies: The pipeline will destroy the value of the homes of the residents in its path, It will destroy the quality of life for their friends and neighbors who are nearby, but not in the “incineration zone”, and it will devalue property and tax bases in Richmond and other towns along the route. Furthermore this route goes within feet of several of the oldest houses in Richmond with some unique architectural features, such as massive central chimneys made with local bricks. Several old cellar holes, again with unique features, will be destroyed. Towns will be forced to bear the cost of devalued tax base, as well as prepare for any emergency response when there is an incident, which seems to be a given, considering Kinder Morgan’s less than stellar safety record.

Require a full disclosure of Kinder Morgan’s finances: Kinder Morgan shifted the proposed route of the NED pipeline in December 2014 from a more or less straight line from the Greenfield, Massachusetts area to Dracut, Massachusetts, north to Winchester, New Hampshire, across southern New Hampshire and back to the south to its terminus in Dracut. A quick “eyeball” estimate suggests that the change, including the Fitchburg feeder line, means 40 to 50 miles of additional pipeline construction. Various estimates using data or formulae available on the internet estimate construction costs for 36” pipe from a low of \$1.193 million per mile (early 2000’s data) to a high of \$7.2 million per mile (2011 data). Does this company really have the financial resources and backing to add a third of a billion dollars (\$7.2 million times 50 miles) to the cost of this project with the flick of the CAD stylus? What gets cut: stockholder dividends, safety? Who is left holding the bag when the money runs out: the stockholders? K-M employees (in the manner of Enron)? the Federal Government? the people along the route who never wanted it in the first place?

These are just a summary of the many, many concerns I and my neighbors have about this project. As I stated before, we have unjustly been given inadequate time to voice our opinions. Again I will request that the Public Comment period be extended. And my thanks to all the hard working employees of FERC who will be doing the due diligence on this approval process. Having worked in a part time capacity for the State of New Hampshire, I have enormous respect for the ethics of the vast majority of government employees.

**20150828-0026**

John Curry  
361 Michaels Hill Rd.

Montrose, Pa. 18801  
570-278-7445 johncurry11@frontier.com

Federal Energy Regulatory Commission  
888 First Street, NE Room1A  
Washington, D.C. 20426

RE: Docket No: PF 14-22-000

**Environmentally sensitive areas within 361 Michaels Hill Rd. Montrose, PA 18801**

To Kimberly D. Bose, Secretary

I am writing to you today to follow up on the email that I sent to Kimberly D. Bose on 4-23-2015 regarding my property in Dimock Township, which borders the Woodbourne Forest Wildlife Sanctuary (see Figure 1). In this email, I had documented the extensive wetland areas, beaver dams, and large old growth white pines (*Pinus strobus*) that can be found on my property. As you may know, the Northeast Energy Direct Project (NEDP) proposes to run a gas pipeline through my property and potentially impact the sensitive environmental resources that are found therein. After meeting with professional wetland scientists, that surveyed my property for jurisdictional wetlands, and a representative of NEDP, I would like to take this opportunity to add some additional information to your case file that has come to light about my property.

In addition to the old-growth white pines and beaver dam habitat that can be found on my property (see Field 3 on Figure 2), there are also unique vegetative communities that have been identified, namely that of coniferous palustrine forests/bog that contain mature, old-growth stands of hemlock (*Tsuga canadensis*). I believe that, based on discussion with the aforementioned professional wetland scientists, that these bogs should qualify as 'High Priority Bogs' that are afforded protection under Section 14.8 of the Pennsylvania's Wildlife Action Plan. 14.11

As I had mentioned earlier, there are active beaver colonies on my property. These beavers may provide a sensitive and critical habitat for other threatened and endangered species. My property falls within the Atlantic Coast Joint Venture Pennsylvania Waterfowl Focus Area known as the Upper Susquehanna River Focus Area. Preserving as much of my property, especially Field 3, where three recorded State of Pennsylvania specimen white pines can be found, will best serve water quality and wildlife habitat for the area. Furthermore, I intend upon deeding the majority of the natural areas on my property to the Woodbourne Sanctuary in the future. Therefore, I want to conserve and preserve the most ecologically sensitive areas on my property now in order to further increase the ecological functional lift provided by this area to the Woodbourne Sanctuary.

I would also like to note the correspondence I had with Mr. Doug Carey, the land agent for NEDP held over the course of the summer. After discussing the ecological sensitivity of the northern portion of my property and the current proposed pipeline course (see Figure 1), Doug Carey stated that he would direct the course of the pipeline away from this area. He said that he would bring the vector of the pipeline further south 500 feet into my property. While this will still entail wetland impacts, it will avoid high quality wetland impacts, as well as direct impacts to the beaver habitat and the three specimen white pines found in Field 3. I agreed with Doug Carey at that time and Informed him that the revised

route would be acceptable to me. The revised route is now marked with the survey stakes that are 500 feet south of the original proposed line.

I look forward to maintaining a collaborative effort with your office in order to ensure the conservation of the vital natural resources that are found in and adjacent to my property. I look forward to your response to this correspondence.

Sincerely,

John Curry

Cc: Jim Garner-District Manager Susquehanna Conservation District  
Robert Wagner- Robert.Wagner@pa.usda.gov

Ryan Brown- DCNR Bureau of Forestry - rybrown@pa.gov Kevin White-DEP- kevwhite@pa.gov  
Shane Kleiner-DEP- shkleiner@pa.gov  
Woodbourne Nature Conservancy

*{2 maps, omitted}*

**20150828-0032**

*{4 archaeological maps of Deerfield, MA, showing pipeline path, not reproduced here}*

**20150828-0037**

OUR LADY OF HOPE RETREAT HOUSE

400 Temple Road  
New Ipswich, NH 03071

Mr. Norman C. Bay, Chairman  
Federal Energy Regulatory Commission  
888 First Street NE  
Washington, DC 20426

RE: Docket No. PF14-22-000

Dear Chairman Bay:

I respectfully request that the Federal Energy Regulatory Commission REJECT Tennessee Gas Pipeline Company's proposed Northeast EnergyDirect (NED) Project. I base this request upon the following:

1. The pipeline, which will abut our complex if it follows the pipeline project, and the compressor station are located too close to Our lady of Hope, our religious retreat facility. This high-pressure, high-capacity station will bring significant human safety risks to our Sisters living there and our guests.
2. The pipeline and compressor would also be in close proximity to Lukas Community which is a residential facility for disadvantaged adults.
3. The pipeline and compressor station are located too close to the Temple School whose heating system uses outside air to heat the facility. The high-pressure, high-capacity station will bring significant human safety risks to the teachers and children attending the school.
4. The pipeline and compressor station are located too close to a farm containing Newfoundland ponies, an endangered animal. There are only 250 left on earth.
5. The pipeline and compressor station are located too close to an annual migration path of thousands of raptors. The high-pressure, high-capacity station's exhaust plumes of heated gases will bring significant safety risks to these birds.
6. The pipeline and compressor station are located too close to our water supplies; the towns do not supply town water and all homes must have wells. The pipeline and compressor station are too close to parks and conserved land and will bring significant environmental hazards.
7. FERC has already approved another pipeline to satisfy New England's natural gas-fired electric generation needs on the coldest days of winter. We do not appreciate the need to add more supply especially since, for the most part, the pipeline supply will be shipped to Europe and Asia. OF WHAT FINANCIAL BENEFIT WILL THIS PIPELINE AND COMPRESSOR STATION BE FOR NEW HAMPSHIRE? Add to these negative impacts is the devaluation of property for all homeowners in the affected areas.
8. The towns have volunteer fire departments, limited budgets for police and first responders and emergency management. Who can adequately respond to explosions and fires and who foots these bills in case of explosions and fires? Town taxes will increase and add additional financial burdens to residents.
9. The gas that would be carried in the proposed pipeline is likely to be particularly high in toxins and radiation and the health impact upon our families, animals and plants must be avoided.

10. The proposed pipeline route requires a new right-of-way that would cut through many miles of environmentally sensitive areas and take permanently protected land out of that protection.

11. Some “fracking” compounds and chemicals negatively impact the skin, eyes, sensory organs, the respiratory system, the gastrointestinal system, the liver, the nervous system and are endocrine-disrupting chemicals. Endocrine-disrupting chemicals (EDCs) present unique hazards, particularly during fetal and early childhood growth and development. We do not want to be exposed to any of these chemicals.

I urge you to take all these comments into consideration when making decisions relative to the pipeline and compressor station project.

Thank you.

Respectfully submitted,

Sister Lorraine Trottier

Sister of the Presentation of Mary

400 Temple Road

New Ipswich, NH 03071

**20150828-0038**

*{same text as 20150828-0037, except signed by: }*

Pamela Hurley, 410 East Rd, Franconia, NH

**20150828-4001**

Memorandum to Record

To: Docket No. PF14-22-000

From: Eric J. Tomasi

CC:

Date: August 28, 2015

Re: Extension of Comment Period and New Public Meeting – Northeast Energy Direct Project

The Office of Energy Projects is extending the formal comment period for Tennessee Gas Pipeline Company’s (Tennessee Gas) Northeast Energy Direct Project (NED Project) and will be hosting a 14th public comment meeting for the NED Project in Cheshire County, New Hampshire.

Shortly, we will issue a Supplementary Notice that will include the new public meeting date, time, and location, as well as finalize the date for the extended formal comment period.

All environmental comments will be addressed by FERC in the environmental impact statement. Comments filed within the formal comment period would be required to be addressed by Tennessee Gas. As always, we encourage the public to continue to file environmental comments.

**20150828-5002**

GEORGE MESZAROS JR., VAN ETEN, NY.

August 27, 2015

Federal Energy Regulatory Commission

888 First Street, N.E.

Washington, D.C. 20426

Attention: Kimberly D. Bose, Secretary

Reference: Docket No. PF14-22.000

Dear Ms. Bose:

I would like to make the following comment on the above mentioned docket,

## 1) Storm Water Pollution Prevention Plan (SWPPP)

Stormwater is water from rain or melting snow that doesn't soak into the ground but runs off into waterways. As it flows, storm water runoff collects and transports pollutants to surface waters. Although the amount of pollutants from a single residential, commercial, industrial or construction site may seem unimportant, the combined concentrations of contaminants threaten our lakes, rivers, wetlands and other Pollution conveyed by stormwater degrades the quality of drinking water, damages fisheries and habitat of plants and animals that depend on clean water for survival. Pollutants carried by storm water can also affect recreational uses of water bodies by making them unsafe for wading, swimming, boating and fishing. According to an inventory conducted by the United States Environmental Protection Agency (EPA), half of the impaired waterways are affected by urban/suburban and construction sources of stormwater runoff.

### Examples of Pollution in Stormwater

- Nutrients such as phosphorus and nitrogen can promote the overgrowth of algae, deplete oxygen in the waterway and be harmful to other aquatic life.
- Bacteria from animal wastes and illicit connections to sewerage systems can make nearby lakes and bays unsafe for wading, swimming and the propagation of edible shellfish.
- Oil and grease from construction equipment causes sheen and odor and makes transfer of oxygen difficult for aquatic organisms.
- Sediment from construction activities clouds waterways and interferes with the habitat of living things that depend upon those waters.
- Careless application of pesticides, herbicides and fertilizers affect the health of living organisms and cause ecosystem imbalances.
- Litter damages aquatic life, introduces chemical pollution, and diminishes the beauty of our waterways.

The best way to control contamination to stormwater is usually at the source, where the contaminants can be identified, reduced or contained before being conveyed to surface water. More often than not, it's more expensive and difficult to remove the combination of contaminants that are present at the end-of-pipe where stormwater is finally discharged directly to a receiving waterbed

### Regulatory Requirements

The U.S.EPA and NYSDEC are increasing their attention in several ways. There are several State Pollutant Discharge Elimination System (SPDES) general permits required for activities associated stormwater discharges.

- The Multi- Sector General Permit for Stormwater Discharges Associated with Industrial Activities (MSGP) addresses stormwater runoff from certain industrial activities. This permit requires facilities to develop Stormwater Pollution Prevention Plans (SWPPPs) and report the results of industry-specific monitoring to the New York State Department of Environmental Conservation (NYSDEC) on an annual basis.

Construction activities disturbing one or more acres of soil must be authorized under the General Permit for Stormwater Discharges from Construction Activities. Permittees are required to develop a SWPPP to prevent discharges of construction-related pollutants to surface waters.(1)

TGP must submit a complete SWPPP to FERC to be included in DEIS, before the issuance of the EIS, not prior to construction. This plan must also include all water certifications for waterbodies and wetlands that will be directly and indirectly impacted by this project. The SWPPP must include the preferred route, all alternative routes, contractor yards, permanent access roads, temporary access roads and compressor stations that are being considered for this project. This SWPPP must be available for review and comment. All agencies, organizations and individuals, must have the opportunity to review and comment on this vital and critical information.

Sincerely,

George Meszaros Jr.

(1) New York State Department of Environmental Conservation web site  
WWW.dec.ny.gov/stormwater

**20150828-5005**

Robert Sundstrom, Milford, NH.

I am the owner of a 72 acre woodlot in Rindge NH that is directly affected by this project. I purchased this property in 1985 for 2 reasons.

1. To provide wood for my business. I am a logger and firewood vendor.
2. It is my retirement account. I have no additional savings set aside.

This is not idle property but has had several selective harvests over the years. How will this lost present and future income be compensated for.

My circumstances are even more pressing as I am a widower with a child.

This project will go right thru a small cranberry bog which I have found to be a very rare natural occurrence in NH.

Needless to say I am in total opposition to this project as it is slated to take my land and others with little benefit to the citizens of the State of NH.

Thank you,

Robert Sundstrom

**20150828-5006**

Phyllis J Ellefsen, East Greenbush, NY.

I am a resident of Rensselaer County New York and I writing to express my opposition to the proposed gas pipeline called Northeast Energy Direct. My home is located near the area of the proposed compressor.

My concerns with this project are as follows:

Leakage from the pipeline containing toxic chemicals would threaten the health of the families living nearby. This leakage would damage our environment. We are a rural neighborhood and obtain our water from individual wells. Damage to our aquifer would be devastating to our families and the streams and rivers nearby. Many of us grow our own food and have animals, so not only would our wells be compromised; but our gardens and animals would be in danger . My family has lived in this home for 35 years. We have grown and preserved our own organic vegetables since living here. We also have chickens raised organically for fresh eggs. We have recently begun raising organic trout in our backyard water system for our own consumption. The chemicals are known to contribute to global warming There are 40-50 children located within 1/2 mile of the site. They are being raised in this area because their families wanted the current environment and lifestyle for them. .

In rural areas, such as our, pipeline safety standards are less stringent than in densely populated areas: thinner pipelines, long distances between shut off valves and the depth of the pipeline is unsafe. The Pipeline and Hazardous Material Safety Administration has found to be inadequate in inspections of the pipelines.

Another concern for my family is the noise factor of the working compressor especially when there is a "blow off" and of the gasses released . The blow offs can last for up to 2 hours and happen at any time day or night. The noise levels are comparable to diesel locomotive engines running 24/7 and commercial jets at takeoff. Noise levels are unacceptable especially the young children in the area. The noise levels are dangerous and can cause hearing impairment, learning disabilities and cardiovascular problems.

This project will reduce our property values . Who would want to buy or build a house or locate a business, or invest in a farm in a town at risk of the dangers caused by this project?

The construction of this site is another concern. Blasting and the heavy machinery require to build the pipeline will damage our towns' infrastructure and who will pay for that? There would be a lot of materials

transported across our area. Our infrastructure cannot accommodate this traffic. This traffic would adversely affect our environment and lifestyle of the area. There would also have to be a huge amount of material storage areas during construction which would only add to the disruption of our lifestyle and environment.

**20150828-5007**

Jean Nigro, Temple, NH.

August 27, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426

Re: Docket PF 14-22

Dear Secretary Bose,

Based on statements made by Eric Tomasi, the FERC must consider the cumulative effect of this project when considering Kinder Morgan's application. I am writing to point out that in addition FERC must consider the cumulative effect of repeated and chronic exposure to emissions of those living, working and playing in close proximity to the planned compressor stations. Cumulative effects of toxic emissions after an initial exposure, compound the impact of the first exposure and, in time, produce negative health effects. Repeated exposures will increase the risk for development of acute and chronic health conditions.

Gas Compressor stations are known to emit a number of toxic chemicals through fugitive emissions, during normal operation, through blowdowns and through accidents.

1. The effects of chronic (long-term) exposure to methylene chloride have a negative impact on the health of the central nervous system (CNS) in humans and animals. Animal studies have shown increases in liver and lung cancer with long term exposure.
2. Formaldehyde targets the lungs and mucous membranes, can cause asthma-like symptoms, coughing, wheezing, and shortness of breath. The World Health Organization classifies it as carcinogenic to humans. It has also been associated with childhood asthma. It has also been linked with adverse pregnancy outcomes and reproductive and developmental toxicity.
3. Polonium and lead are daughter products of radon which accumulates in the gas line and is emitted by compressor stations Polonium in the human blood stream causes genetic damage and early death from diseases such as liver and bladder cancer, stomach ulcer, leukemia, cirrhosis of liver, and cardiovascular diseases.
4. Lead is a known neurotoxin associated with decreased IQ, attention deficit hyperactivity disorder (ADHD) and hearing impairment in children as well as disruptions in balance and impaired peripheral nerve function.
5. Exposure to diesel fumes commonly emitted in high concentrations during construction are is likely to pose a lung cancer risk to humans.
6. Particulate matter combines with these and other chemicals to, in effect, increase the dose of the chemical. Once in the body, the actions between particles and chemicals are synergistic, enhancing or altering the effects of chemicals. In pregnant women exposed to toxic chemicals in combination with particulates, there were higher incidences of endocrine disruption, and impaired oxygen transport across the placenta, all of which can potentially lead to low birth weight and preterm births

Given the potentially deadly conditions associated with compressor station emissions, FERC is holding the health and well-being of New Hampshire residents in its hands. I challenge you to withhold permission of compressor station construction unless Kinder Morgan develops a plan for construction that guarantees to be emission and leak proof.

Sincerely,  
Jean M. Nigro  
241 Hadley Highway  
Temple, NH 03084  
jeenigro@yahoo.com

Reference: SOUTHWEST PENNSYLVANIA ENVIRONMENTAL HEALTH PROJECT [www.environmentalhealthproject.org](http://www.environmentalhealthproject.org)

Summary on Compressor Stations and Health Impacts  
February 24, 2015

**20150828-5014**

John Leoutsacos, Temple, NH.

Where will the power (electricity) come from to power the compressor station 24/7

**20150828-5015**

John Leoutsacos, Temple, NH.

Does it make sense to jeopardize New Hampshire's clean rivers and streams, when it is said that drinkable water will be a primary concern of this planet's inhabitants in the very near future?

**20150828-5016**

John Leoutsacos, Temple, NH.

If built the pipeline will be very susceptible to frost heaves created by our New Hampshire (NOT Texas) winters.

**20150828-5020**

Loren Brown, Nassau, NY.

I write to URGE you to deny approval of the Kinder-Morgan Northeast Energy Direct Pipeline (DOCKET NO. PF14-22-000). I know perfectly well that I do not have to educate you about the perils of approving this pipeline, that you have heard the perils recited over and over again in these e-comments, and that you would not be in the position you are in to read and decide if you were not intimately familiar with all that everyone and the environment stands to lose, as well as the little to nothing all but the corporate interests stand to gain. So I will not recite:

- \* The risks of leaks, ruptures, and explosions that unavoidably come with high-pressure transport of fracked gas through pipelines.
- \* The toxic off-gassing of devastating chemicals both along the pipeline and especially at the compression stations, as well as the intentional release to manage the pressure, which will be but a few miles from me.
- \* That since 2000, there have been 990 and counting significant pipeline accidents in this country with loss of life, life circumstance, injury, etc.
- \* That many will lose their entire life-long investment building a life in pristine and healthy rural country, that their housing resell values will plummet to nothing, and that they will not be able to effectively relocate because of these low resell values.
- \* That the fascist regime of eminent domain is just that: fascist, and has no place in this country for the sake of corporate interests.
- \* That when we should be using our corporate, economic and political power resources to make the transition to renewable and clean energy infrastructure, you can decide to waste incredibly precious time and resources to accelerate our arrival to the tipping point in climate change and environmental damage from

which there will be no return, and that this will be your legacy, UGH!!! And anyone erudite in the politics of fracking would know that this is just a false bubble of hope that does not significantly delay the energy/economic crisis that is just around the corner: as in, we do not have this precious time to waste!

I do not have to regale you with all of the above, because you know all of it. I can only encourage you to do what is right for us, for all the other creatures we share this world with, and for our children, our grandchildren, and that precious seven generations down the line for whom you are making these EPIC decisions.

One last note of a personal nature. I will be devastated by this. I will lose everything. I lived very near the Dewey-Loeffel landfill and became disabled with Multiple Chemical Sensitivity as a result. I am unable to do what most can do, be with people, because of the chemicals in personal care products, detergents etc. Do you think I will be able to survive this pipeline and compression station in my backyard? Honestly? No, I won't survive it, not without being very miserable if I do. You can be sure that I will be one of the sacrifices for the bully powers that be.

I apologize for the emotionality of this comment, and mean no disrespect, but just want to reach your heart and your most generous perspective, perhaps your highest selves as well.

So, thank you for taking this to heart, or at least to some very serious and honest consideration.

Sincerely,

Loren Brown  
151 New Rd  
Nassau, NY 12123

#### **20150828-5021**

Loren Brown, Nassau, NY.

Remember This

Hitler was vegetarian  
and if that isn't poem enough  
consider this:

My chickens roamed unharmed  
until one night  
I was not home  
cagey fox  
how could it know?

And if that is not poem enough  
consider this:

It used to be paved paradise  
we feared the most  
but now we wake  
to roots of evil  
grabbing our feet  
with unadulterated greed  
to take our lands  
and call it need  
to shatter ground  
with tongues like ant eaters  
dripping juices  
killing us.

And if that isn't poem enough  
consider this:

pipelines snake throughout the lands

breathing fires in their wake,  
us little people running round  
to put them out,  
hands tied tight behind our backs  
by corporate Goliathes,  
no water found  
to put them out,  
all in the plan.  
Evicted from the earth  
our home  
with nowhere left to go,  
paradise pillaged,  
left for dead  
and all for what?  
And if this isn't poem enough  
consider this:  
It's our turn now  
in our backyard.  
Sleep well tonight,  
this poem one day  
will be the voice  
of land you once called home.  
Consider this:  
Hitler was vegetarian.  
Remember this.  
© Loren Brown  
Re. PF14-22

**20150828-5044**

**Energyzt  
REPORT  
Analysis of Alternative  
Winter Reliability Solutions  
for New England Energy Markets**

Prepared for:  
GDF SUEZ Energy North America,  
Prepared by:  
Energyzt Advisors, LLC  
August 2015

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## EXECUTIVE SUMMARY

In New England, significant discussion and analysis has occurred in recent years regarding the reliability of electricity and natural gas markets in the winter. The winters of 2012/13 and 2013/14 experienced extreme weather and a series of transient infrastructure and commercial conditions that caused natural gas prices to soar, establishing new levels of natural gas basis differentials, along with corresponding increases in electricity prices.

In competitive energy markets, such as those that exist in New England, high prices generally indicate a shortage of supply for given demand levels. In keeping with this assumption, certain market participants have advocated for extraordinary government intervention to mandate regulated electric ratepayer funding of a new natural gas pipeline, implicitly claiming that high prices are signaling a shortage of pipeline delivery capability and a failure of the market to respond appropriately. Some have gone as far as to claim that New England gas and electric reliability are at risk. These claims are unsupported.

The proposed electricity ratepayer funding of additional gas pipeline capacity is an expensive and dangerous proposition in terms of ratepayer cost and healthy market function in New England. Energyzt's review and analysis of recent events and future gas and electric market conditions in New England, embodied in this report, support the following conclusions:

1. Existing infrastructure is more than adequate. Existing pipeline, pipeline expansions already underway and other natural gas supply infrastructure is more than adequate to meet winter peaking needs. In fact, the electricity system has maintained required reserve margins during some of the most extreme conditions over the past three winters despite numerous force majeure challenges. The issue is not lack of infrastructure, but insufficient commercial contracts to access existing energy infrastructure.<sup>1</sup> Winter 2014/15 illustrates the positive impact of utilizing existing infrastructure.
2. Winter prices reflected a transient peaking problem. High prices from the winters of 2012/13 and 2013/14 reflect a peaking problem and lack of commercial arrangements with existing infrastructure, not a baseload issue that justifies new pipeline capacity. High basis differentials for natural gas in New England during the past three winters occurred during only a few of the highest peak demand days of the year (when incremental delivery infrastructure was available but had not been arranged for in advance to ensure commercial availability at a price certain).
3. The market is responding with dual-fuel capability and LNG contracts. This past winter 2014/15 has demonstrated the powerful ability of competitive natural gas and electricity markets to respond to price signals. Dual-fuel units providing up to 6,000 MW (700 to 900 million cubic feet per day) of gas demand reduction on an as-needed basis already have been recommissioned, and gas distribution companies have entered into new long-term contracts for LNG imports. As a result, realized basis differentials this past winter were roughly half of what they were in Winter 2013/14 and are expected to reduce even

further as existing infrastructure is contracted and otherwise made available. ISO-NE's Payfor- Performance program also could motivate innovative, market-based solutions to winter reliability, including potential conversion of additional gas-fired units to dual-fuel capability.

4. New Pipeline Capacity already is being built. The Atlantic Bridge Project, Spectra's Algonquin Incremental Market (AIM) Project, and other expansion projects are expected to increase pipeline delivery capacity by around 600 million cubic feet per day by winter 2017/18. This new pipeline capacity needs to be included in any assessment of costs and benefits of an additional pipeline

5. Public policy does not support new pipeline infrastructure. Federal and state policies are promoting non-gas-fired generation such as renewables, low load growth from energy efficiency and demand response, and market-based performance incentives in New England competitive capacity markets to ensure electric generation capacity is available when it is needed most. These programs are projected to flatten if not decrease natural gas consumption from the electric generation sector. Emerging technologies such as distributed generation and battery storage are likely to further moderate peak demand. Government intervention to build a new gas pipeline to supply future natural gas demand from the power sector is inconsistent with these programs.

6. A new pipeline subsidized by electric ratepayers violates the beneficiary pays principle. Given existing energy infrastructure, expansions already underway, and other market responses to winter peak prices, a new pipeline subsidized by electricity ratepayers will overserve the New England market, resulting in a glut of natural gas throughout the year that is likely to flow to markets outside of New England into Canada and overseas. This would leave New England ratepayers paying for the cost of building a new pipeline for twelve months of the year, and reselling back unused capacity at a lower rate for at least nine months to natural gas shippers selling into other markets.

The lowest cost and lowest risk way to meet power generation demand and reduce natural gas prices in the New England market in the near to medium term is to contract with existing infrastructure, including LNG imports and dualfuel capability, that can provide peaking response at little to no capital cost and without ratepayer commitment. With existing infrastructure and projected needs over the next ten years, there is plenty of time to monitor how existing policy initiatives, infrastructure availability, market response and therefore new pipeline infrastructure needs evolve over the long-term. The solution is contracting, not construction.

-----  
1 In addition to this report, Energyzt performed an analysis focused explicitly on the adequacy of existing infrastructure on behalf of the New England Power Generator's Association, "Report: Winter Reliability Analysis of New England Energy Markets," October 2014,  
<http://nepga.org/14/10/energyzt-report-on-winter-reliability/>

*{NOTE: the remaining pages of this 86 page report are omitted. The report may be downloaded at: }*  
*{ <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=13970690> }*

**20150828-5047**

Dear Commissioner's,

I live at 149 Clarks Chapel Road, Nassau, NY. This pipeline and specifically the Mid Market path 1 compressor station will pose grave consequences to my land, business and family. We own a 100 acre farm from 1777 located across the street from the proposed compressor station. The farm has currently been undergoing review to be classified as a historic farm homestead. It once use to be part of 384 Acres owned by Abner Newton in the late 1700's, many of the outbuildings which were located on the land of the compressor station have been taken and restored at the Cooperstown Farmers Museum and also the house has been restored in Austerlitz, NY at the Old Austerlitz museum, it is now known as the Morey-Devereaux house. Our land use to be part of what is now slated for the compressor station site back when all of the buildings on that

property were built in the late 1700's. The land for the compressor station site is listed in the resource report for July as potentially being historic. With My farm now under review for a historic status, and industrial structure located next to it could take away from the noise criteria of the review process. Since this farm has been here for almost 240 years, placing of such an industrial structure next to something that has been meticulously maintained for almost 240 years is a travesty. Not to mention we are still a working farm. We have invested thousands of dollars in equipment, cattle, repairs and redoing the hay fields to make the farm a business and source of revenue after just investing in the purchase of the farm in 2013 and an additional 58 acres in 2014. We operate organically and have customers who only want meet, eggs, maple syrup, honey and Christmas trees from a source that does not use chemicals. We have gone to great measures to meet these standards. Placing an industrial compressor station across the street from my working farm will hinder our ability to sell our products. We also have thousands of Christmas tree customers from November- December who come to the farm for the ambiance. Please explain the economic loss I will sustain from the compressor station being located across the street from my farm.

Another major concern over our economic loss, is the health of us and the large population of children that live next to this site. There are 15 children who literally will be living on top of this site since our property's border the compressor station site (many more children live well within a very close proximity). After all this is a residential neighborhood. My two children and wife suffer from a gene disorder that does not allow them to process toxins like the average person. Nitrous oxide can be deadly with this condition. My wife has gone through great medial expense and personal expense to ensure our children eat organically (all of our meat is produced on this farm as well as vegetables, honey and maple syrup). The air we breathe is currently not located next to any major sources of pollutants. Our water is from the well which contains no chlorine, fluoride or other chemicals that could hinder the detox process in my wife and kids since they lack the ability to detox ingested toxins by air and mouth. We do not use any harsh chemicals in the house. If this compressor station is allowed to be built across the street from my house my wife and children will be subject to the toxins 24/7 since the farm is my wife's full time job along with raising our two sons. We will inhale the toxins and consume them since our food is raised on site. FERC needs to evaluate the effects of being exposed to the toxins not only in the air we will breathe but in the animals and produce that is raised on this farm that is consumed. Our one son also has a learning disorder and border line autistic, please include in the EIS how the noise generated from the compressor station will impact an autistic child living across the street from the site. In case the point is not coming across, our children are placed where they are for a reason. Having established ourselves in a residential zoning we are protecting our children from the medical conditions that hinder them. Kinder Morgan setting up a toxic noisy compressor station is a complete and total injustice to this entire neighborhood.

FERC needs to do a long term comprehensive study on the impacts of living next to a compressor station. It needs to include the disruption of life for the residents, acute and long term health effects on adults and children. It needs to include long term air surveillance at the site and local houses. It needs to include water and soil sampling from the site and nearby residences. It should also incorporate the disruption in the wildlife, local livestock and domestic pets. This also needs to be performed at a compressor station of equal value to the one proposed for the area.

This EIS should be a study that encompass at least two years. These neighborhoods have taken hundreds of years to establish, Kinder Morgan would like to plow through in the matter of a year. How can all the information presented be researched thoroughly in such a short period of time. FERC please listen to the people; understand this pipeline is not for the good of the people. It is merely to satisfy the private corporation's lust for more money and power using hard working American's at their expense. The people will put up a fight, we know FERC does hold more power then they should, we the citizens of the United States will use our freedom of speech to protest this 412 miles of unnecessary pipeline.

As the Union workers would say we live here, we work here, we raise our families here, but we also eat the food we grow here, so how will this pipeline and specifically the compressor station going to effect and alter the lives we have grown to love here. Please answer that in your EIS statement.

Sincerely,  
Scott Reilly

**20150828-5048**

Peter Corens and Gabriel Corens  
P.O. Box 309  
Ashfield, MA 01330

August 27, 2015

Kimbery D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First St. NE  
Washington, DC 20426

Dear Secretary Bose:

We are writing to implore you consider the breadth of public statements from concerned citizens, businesses, and other organizations, as well as town resolutions, peer-reviewed research, and industry reports, that strongly oppose the construction of the Northeast Energy Direct (NED) project. Specifically, we ask you to consider the following:

1. No documented need: The purported justifications for the NED project are dubious at best. There are a plethora of reports that show Tennessee Gas Pipeline, Co. (TGP) statement of demand in the Northeast is inflated' and instead the pipeline is being constructed to provide a supply path for the foreign export of gas'.
2. Seriously Consider Pipeline Alternatives: There are many proposed alternatives to this project that will have substantially reduced harmful impacts on our natural resources and communities. As opposed to the disastrous impacts of NED, some of these alternatives will have a net positive effect! For example, there are numerous studies that show that existing pipeline infrastructure suffers from large amount of gas leakages". Fixing these would provide the region with substantially more gas, improve safety, lessen the environmental impacts leaked gas, and create jobs.
3. What is the justification for eminent domain? Eminent domain allows for the seizure of private property for projects of public use and public benefit. Neither of these are present in the case of NED! How can FERC permit the seizure of private property to support corporate interests in the foreign export of natural gas?
4. What kind of pipeline is TGP planning to build? Horror stories of natural gas pipeline explosions abound". Pipeline leaks are also a critical environmental concern. New research suggests methane leaks are grossly underestimated across the pipeline industry", which has serious consequences as methane has powerful atmospheric heating effects and is a substantial contributor to the larger process of climate change. If the NED project is approved, it is essential that FERC requires TGP to use only the highest quality of pipeline infrastructure that minimizes leakages, rather than cutting corners with substandard infrastructure to save on costs.
5. Consider how NED will destroy pristine and protected open space: The proposed route for NED crosses numerous Massachusetts Department of Energy and Environmental Affairs identified priority habitat areas for rare and endangered species", The route also crosses land that has been put into permanent environmental conservation, with the specific purpose of creating a legal means to protect land from future human development". The construction and maintenance of this pipeline is a mockery of the hard work, financial investment, and ecological priorities of our communities.
6. Require comprehensive studies on the environmental impact: Currently there is a dearth of information available on the environmental impacts of the NED pipeline. How will the pipeline effect subsoil layers of bedrock and aquifers? What are the long term impacts on water quality and air quality? What drilling methods will be used? What kind of contaminants will be released through the construction and maintenance of

the pipeline? None of this is available in any TGP documentation. FERC should require a comprehensive town-by-town study of the myriad of environmental concerns so decision makers are not working from pseudo-science and speculation.

7. Let's get real: You know just as well as we do that NED is motivated by the corporate interests of Kinder Morgan and their associates, not by a concern for the energy needs of the Northeast. Just for a moment, I wonder if you can step back and imagine yourself in the shoes of someone living along the pipeline route. Imagine if the home you cherished, that you have poured your heart and soul into conserving, that you plan to pass along to your children, was about to be upended by the pipeline construction of a multinational company. Imagine if the hiking trails your community joined together to protect which and which you walk on daily were about to be destroyed by a compressor station. What would you do in this situation? Who would you turn to? Secretary Bose, please hold yourself accountable to mission of your agency. Don't be a rubber stamp for the gas industry. You, the commissioners, and all of the agency staff have the opportunity to stop this harmful pipeline project dead in its tracks and instead become environmental champions helping to lead the way towards a prosperous and environmentally sound energy future for our country.

Sincerely,

Peter Corens

Gabriel Corens

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1 [http://www.nescoe.com/uploads/CLF Comments on IGER 30May2014.pdf](http://www.nescoe.com/uploads/CLF%20Comments%20on%20IGER%2030May2014.pdf)

2 <https://www.llrbenergy.com/movin-out-exporting-us-sourced-Ing-from-the-maritimes> 3 [http://www.markey.senate.gov/documents/markey lost gas report.pdf](http://www.markey.senate.gov/documents/markey_lost_gas_report.pdf) and [http://www.clf.org/static/natural-gas-leaks/WhitePaper Final lowres.pdf](http://www.clf.org/static/natural-gas-leaks/WhitePaper%20Final%20lowres.pdf)

4 [https://en.wikipedia.org/wiki/List of pipeline accidents in the United States in the 21 st century](https://en.wikipedia.org/wiki/List_of_pipeline_accidents_in_the_United_States_in_the_21st_century) and <https://llhip.phmsa.dot.gov/analyticsSOAP/saw.dll?Portalpages>

5 <http://onlinelibrary.wiley.com/doi/10.1002/ese3.81/epdf>

6 [http://maps.massgis.state.ma.us/map\\_ol/oliver.php](http://maps.massgis.state.ma.us/map_ol/oliver.php)

7 <http://www.nofrackedgasinmass.org/notg/wp-content/uploads/2014/03/M-LTC-Pipeline-Letter-Feb2014.pdf>

## 20150828-5049

This information pertains to the compressor station proposed for Nassau, NY.

The deed attached is the agreement between Tomas Hanson who is selling the 142 acres of land for the compressor station site in the Town of Nassau, NY. It states a schedule "A", this schedule should be made public. My land shares borders with the portion of property across the street from where they are proposing the site. It also states parcel 1 being the same premises conveyed by deed dated December 6, 1999. If it is that same deed then it would entail the land on both sides of the road and not just the land on the compressor station side as highlighted on Kinder Morgan's map. Please make Schedule "A" available for review, if Kinder Morgan obtains more than the one side of the road it will open up ample space for additional structures in the future.

Also this deed was made between a holding company that was just formed May 6, 2015.

It was also signed on the same day decibel meter readings were being conducted, and Mr. Hanson had workers generating as much noise as possible that day. I am requesting a new Decidable reading test to be conducted for the Clarks Chapel Road Compressor Station. How can a 24 hour test determine the neighborhood? It should be in place for at least a month. Plus there are seasons; I request a test to be done in January when all is extremely quiet outside and no leaves on the trees since they believe that will "buffer" the noise. Yes, I am still outside for a great period of time this time of year, and I will hear the compressor station when there are no wild animals to hinder the humming of the engines. The first test conducted was not accurate. The owner of the compressor station site had dump trucks idling all day while he hauled gravel from the pit. I also was planting Christmas trees with a tractor and a garden that was right near the testing box. Due to the fact that this area does have a farm next to where the decibel readings were being taken, things that are done a few times a year such as planting Christmas

trees, haying the fields or the neighbor hauling gravel all day can generate noise for a majority of the day since we don't have a 9-5 work schedule, but it is not an operation that is a 24/7 noise. Even a neighbor mowing the lawn can be a whole day event with the size of lawns in this area. Also were wind speeds taken into account when the readings were done? May 21 was a windy day. If a 24 hour test is being conducted, weather conditions need to be taken into account. The Town of Nassau resource committee conducted their own testing, showing a drastic difference in readings. This is an extremely quiet neighborhood no one agrees with Kinder Morgan's results. We need a new test conducted by a third party that is not hired by Kinder Morgan. The testing box that was located next to the road indicated the testing was being done by HFP Acoustical and not SLR as indicated in the July RR. I contacted the testing company directly after seeing the box chained to a telephone pole on the side of the road. I explained to the lady the noise levels had been elevated and new testing should be conducted. The worker who was in the area doing the testing was supposed to contact me and never did. I think another true test would be to place something in the location of the compressor station of equal value to the compressor station and then take a reading at the local houses, see how the noise will radiate to the extremely close households. Wait, that test was conducted, when The owner of the site was hauling gravel all day from the same location of where the compressor station will be located, what was the reading on the report, 56, at my location but the other three locations that had more buffers registered 44.. So how is Kinder Morgan going to keep the noise from radiating in such a quiet neighborhood? I want better and longer acoustical readings done throughout the year, which will determine the true decibel reading of a neighborhood. It is still an injustice to place an industrial infrastructure in a rural residential neighborhood. Our towns placed zoning rules for a reason, to protect the residents. Now the Federal Government can override a town. A town has a reason why those rules were put in place, not the Federal Government. THERE SHOULD BE NO EXCEPTIONS TO THE RULE!

Sincerely,  
Libby Reilly

*{attached documents not OCR compatible, omitted}*

## 20150828-5052

Suzanne E Gray, Fitzwilliam, NH.

Dear Commissioners Bay, Moeller, LaFleur, Honorable and Clark:

I have served on the Fitzwilliam, NH Planning Board for 13 years and am **Chair of the Fitzwilliam Economic Development Committee**.

While I understand and respect the need to supply the Northeast with adequate energy resources, I ask that you consider all issues in front of you, including those listed below, prior to rendering your decision on the NED project.

I have reviewed the Environmental Report dated July 24, 2015 submitted by Tennessee Gas Pipeline, LLC a Kinder Morgan Company, Volume 1, Section Five "Socioeconomics".

Section 5.10.2.9 "Project Economic Benefits" refers to impact on affected towns. Fitzwilliam is a small rural town, year round population of 2,396. In summer our population grows as we welcome tourists and summer residents with houses and cabins along our lakes, ponds and streams.

The business revenue is derived primarily from tourism. We are eight miles from the most climbed mountain in North America, Mt Monadnock. The mountain is within the view shed from many locations in town. Fitzwilliam has many antiques shops, inns and B&B establishments. The tourists and summer residents provide significant revenue to Fitzwilliam and the surrounding towns. Fitzwilliam is known as the "antique mecca" for the entire state of New Hampshire.

The towns of Fitzwilliam and Troy share Rhododendron State Park, a 2,723 acre park which attracts many to this area.

The proposed pipeline runs through Rhododendron State Park, New Hampshire's only designated botanical park, and home to "The Old Patch Place" an historic home on the National Register of Historic Places. This park is visited by thousands every year. There is hiking, picnicking and bird/wildlife watching in the warm months and cross country skiing and snow shoeing the winter months. [https://en.wikipedia.org/wiki/Rhododendron\\_State\\_Park](https://en.wikipedia.org/wiki/Rhododendron_State_Park)

The proposed NED Pipeline would clear cut a hundred foot wide swath through this region. Construction is expected to last for a year to a year and a half. During that time, many tourists who would typically visit this area for a peaceful, rural get-away, will go elsewhere. There is nothing rural or peaceful about the type of destruction this construction necessitates and it will cause irreparable damage to our tourism industry. The economic benefits listed in section 5.10.2.9 "Project Economic Benefits" fails to properly study the immediate and long term adverse impact of the pipeline on tourism and our businesses.

#### REQUESTS OF FERC

- Please study the long term economic effects of construction of and existence of a 30-36" pipeline in rural towns which depend on tourism as the primary source of business revenue. How will the businesses be compensated for the initial and subsequent loss of tourism revenue?
- How will TGP avoid or mitigate impacts to regional tourism, negatively affecting both businesses and state parks/forests, as well as private recreational areas?
- Please study the true effect of property valuations due to the proximity of a 30 or 36 inch pipeline in rural areas where people desire a quiet, peaceful and safe environment. Note: The following link is listed in Section 5.11 "REFERENCES" as a source for property valuations is not currently active. [http://www.palomargas.com/docs/resources/Pipeline\\_Impact\\_on\\_Property\\_Values.pdf](http://www.palomargas.com/docs/resources/Pipeline_Impact_on_Property_Values.pdf)
- Please communicate and solicit feedback from other permitting agencies such as the EPA and DES regarding their analysis of the pipeline's initial and residual effects of the route through natural resources such as Rhododendron State Park.
- Please communicate with NH Park System regarding the fragility of the ecosystem in and around Rhododendron State Park. How can impacts to these and other natural resources along the route be avoided or fully mitigated? How will the pipeline construction be minimized to avoid disruption to the State Park?
- The Troy Superfund site is literally within feet of the proposed pipeline route. Please ask the EPA to comment on concerns with disruption of that site.
- Please request reports from the EPA, DES, NH Park System and land conservation groups to consider
  - o the full value of all impacted conservation land recognizing. Significant public dollars go into identifying, purchasing, and stewarding conservation land. Those costs must be identified when considering value
  - o the value of conservation land is greater than the acreage value, both in ecosystem services and in recreation and dollars into local economies
  - o that all of the above be considered when assessing likely extent of eminent domain, as well as percentage of natural gas meant for New Hampshire markets verses for export. Eminent domain is meant only to be used when there is clear public benefit.
- Please require a survey for state-listed rare species be conducted by experts, survey done during the appropriate time of year, when species are most likely to be found
- Please identify conservation and agricultural preservation restrictions, as well as deed restrictions, followed for each affected parcel
- Please extend the scoping period until the proper research can be completed on the sensitive and fragile areas of New Hampshire.
- Please consider the burdens already imposed on rural NH towns which also benefit the greater good. Is this route the "best" location; destroying virgin land of forests, wetlands, conservation areas, State Parks, wildlife and individually owned properties.

- Fitzwilliam is currently burdened with an EverSource (formerly PSNH) substation that creates noise, disrupting abutters, wildlife and view shed.
- And lastly, please consider review of the Connecticut proposed pipeline and NED together as a potential solution to the energy needs of the Northeast, please examine solutions with the least risk to the ratepayer and least impact to the affected property owners and environment.

**20150828-5062**

Debby Williams, W Sismbury, CT.

Dear Secretary Bose,

I am writing in regards to Docket number PF14-22, Kinder Morgan's Northeast Energy Direct (NED) project.

In the environmental impact statement, FERC needs to take into account the increased amount of methane emissions that this large project will pour into our atmosphere. Earlier this month the EPA proposed new standards to reduce methane emissions by 45% over the next 10 years. The EPA recognizes that methane is a potent global greenhouse gas, far worse than carbon dioxide at trapping heat in the atmosphere. The NED project will make those reductions in methane emissions impossible, and will cause irreparable harm to our climate.

Furthermore, these shale gas expansion projects are segmented into two, the Connecticut Expansion and NED. FERC must acknowledge that this is the case, and admit that the environmental harm caused by these two projects is cumulative. They are not separate projects, and FERC has been guilty of illegal segmentation in the recent past.

The potential harm to water has been raised by the Hartford MDC, the municipal corporation responsible for providing clean water to 400,000 people in the Hartford area. In a June 26 letter to FERC, MDC Chief Executive Officer Scott Jellison wrote "to express some concern that the proposed pipeline could potentially impact MDC's public drinking water supplies in West Hartford and Bloomfield, CT." FERC must address the concerns of MDC and the public about the impact of pipeline construction and operation on drinking water.

FERC should take into account the frequency of pipeline leaks and explosions, and factor in the costs to local communities, who bear a burden when environmental harm from pipeline accidents occur. According to the Pipeline Hazardous and Safety Material Administration, leaks and explosions are not uncommon and have increased in frequency in recent years.

Thank you for the opportunity to comment on this issue.

Yours,

Debby Williams

**20150828-5068**

Ronald VanFleet, Averill Park, NY.

RE: Project docket number PF14-22-000

I am a property owner along the proposed route of the NED pipeline delivering gas from Pennsylvania to Massachusetts. I own a campground that abuts the current National Grid Power lines. As I understand the proposed route of the pipeline it will encroach further into the campground in order to maintain a safe distance from the power lines, which I assume must be considerable since a gas explosion combined with the high tension power lines serving down state NY would not only be a local catastrophe, but would likely shut down power in at least parts if not all of the NYC metropolitan area. At this point I have no knowledge of where the proposed pipe will actually be placed. I have to wonder what the impact on my business will be if I no longer have a "Nature Trail" to offer my campers. Also will people want to camp next to a potentially dangerous situation? And lastly what will the impact be on the ability to sell the campground in the future?

Beyond that I have other concerns about the delicate eco system that surrounds our property and feeds the wetlands and the nature ponds in and around our property. Our ponds are home for herons, fish, frogs, turtles, and geese and ducks that return every year to nest. We also have deer that frequent the pond, as well as many other woodland creatures. If this small stream of water from above is changed in any way much of the wildlife could be destroyed forever. Again, I must also wonder, as I mentioned above, what impact this will have on my business without the wildlife that my guests come to enjoy.

While my description of my concerns is brief, the proposed pipeline plans are also brief and not specific enough to make me feel comfortable that a true analysis of the impact on the area in question has been viewed. Just recently a representative of Tennessee Gas and Pipeline came and asked permission to go through my property to go to the National Grid Power Lines saying that they thought there was only one set of poles and lines on the line when in fact after they reviewed aerial photos of the line they discovered there are in fact two sets of poles and lines. This concerns me because it does not seem that they have really put a solid plan together for anything other than accomplishing their goal without regard to the impact on business, environment or quality of life for the property owners near the proposed route of the pipeline.

Lastly, I must question, if the NED pipeline is pushed through, and the environment is destroyed, taking my business with it, will the Federal Government or Tennessee Pipe and Gas pay restitution for the loss of my business, my retirement, my future and my family's future. I have spent 16 years of hard grueling work building this business so that I could provide for my family, and prepare for our future. And if this project is approved by your agency, this can all be taken from me by eminent domain, which would basically destroy my family. How do I prepare my wife and my 16 year old daughter that our future is not what we have been working, saving and planning for, but welfare instead? And how do I tell my daughter that her future plans for college will not happen, as well as many other plans that we have all worked hard for?

Respectfully,

Ron VanFleet  
Alps Family Campground  
1928 SR 43  
Averill Park, NY 12018  
vanfleetr@gmail.com  
518-674-5565

**20150828-5074**

**TOWN OF SHELBURNE**  
**Conservation Commission**  
51 Bridge Street  
Shelburne Falls, MA 01370

August 28, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

Re: Tennessee Gas Pipeline Company, L.L.C.

Northeast Energy Direct Project - Docket No. PF 14-22-000

Dear Secretary Bose:

The attached Scoping Comments on the proposed Northeast Energy Direct Project - Docket No. PF 14-22-000, replaces initial comments dated August 18, 2015 that were filed by Shelburne Conservation Commission. The initial comments had an error in one section and should be disregarded.

Sincerely,

Tom Miner  
Clerk, Shelburne Conservation Commission

attach

**TOWN OF SHELBURNE**  
**Conservation Commission**  
51 Bridge Street  
Shelburne Falls, MA 01370

August 28, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

Re: Tennessee Gas Pipeline Company, L.L.C.  
Northeast Energy Direct Project - Docket No. PF 14-22-000

**SCOPING COMMENTS**

Dear Secretary Bose:

The Shelburne Conservation Commission is charged under Massachusetts Conservation Act to protect conservation lands and watershed resources in the Town of Shelburne. We are also responsible for administering and enforcing environmental standards set by the Massachusetts Wetlands Protection and Rivers Protection Acts for projects that affect wetlands and water bodies in the Town.

The Northeast Energy Direct Project (“the Project”) will have significant effects on wetlands and water bodies in Shelburne. Its proposed route will require directional drilling of the pipeline under the Deerfield River, crossing of several streams, and development in wetlands protected under the Wetlands Protection Act. All of these actions should require Tennessee Gasjo file a Notice of Intent with the Shelburne Conservation Commission, and the Conservation Commissions of other towns, to secure its approval of the Project.

The Shelburne Conservation Commission is concerned that the current process for regulation of the Tennessee Gas pipeline will allow approval without the input of local Conservation Commissions through the Wetlands Protection Act, thus bypassing critical local regulation that has proven to be highly effective in protecting wetlands and associated fish and wildlife resources. We therefore request that all parties involved (including Kinder Morgan, FERC, State of Massachusetts) in the approval process act to ensure that the Shelburne Conservation Commission has the opportunity to review any aspect of the construction of all new pipelines that will impinge the wetlands resources of the town of Shelburne, and that similar opportunities be guaranteed for all towns in the Commonwealth that are impacted by the proposed pipeline.

Before getting to scoping comments, we want to make FERC aware that the Shelburne Conservation Commission, like many others in rural areas that will be traversed by the proposed pipeline, is wholly made up of part-time volunteers. We do not have professional staff and generally meet just once a month. We join our state and regional representatives, fellow Conservation Commissions, towns, NGOs and countless individuals in calling for a longer period to comment on the 2n d Draft Environmental Report filed by Tennessee Gas on July 24, 2015. The 60-day comment deadline is unreasonable and should be extended by at least 45 days.

While the Shelburne Conservation Commission has not had time to fully review the 2n d Draft Environmental Report filed by Tennessee Gas, we have identified the following issues and lack of information that we believe must be fully addressed in the Draft Environmental Impact Statement (EIS) to be issued by FERC:

- Impact on water bodies. Provide details of project construction impacts on the Deerfield River, Shingle Brook, and other unnamed water bodies to be crossed by the proposed pipeline. We note that no details on directional drilling under the Deerfield River are included in the 2n d Draft Environmental Report.
- Impact on wetlands. Provide details of project construction and ongoing right-of-way maintenance

impacts on wetlands that will be crossed by the proposed pipeline. Alternate routes to avoid wetlands should be identified and assessed.

- Impact on protected habitats. The Massachusetts Natural Heritage and Endangered Species Program have identified a land corridor with Priority and Endangered Species habitats along the Deerfield River. Provide details of project construction and ongoing right-of-way maintenance impacts on protected habitats that will be crossed or disturbed by the proposed pipeline.
- Invasive species. Soil used to backfill the pipeline trench could introduce invasive plant species. Provide information on procedures that will be required by FERC to insure no invasive species are introduced. A long-term control plan for the right-of-way should be required.
- Blastinfi impacts. If blasting is required for creating an adequate pipeline trench, the FERC should require a geomorphologic study of the pipeline corridor to assess the potential for impacts on private wells and groundwater flow patterns. The Draft EIS should include a discussion of measures that will be taken to insure against or mitigate any adverse groundwater impacts.
- Geology. Massachusetts is regarded by USGS as a region of active geologic faults. The Draft EIS should examine the geology under the Deerfield River and adjoining areas in Shelburne and Conway to determine whether there is a threat to pipeline integrity in both the short and long-term and how to mitigate the risk.
- Fragmentation of farmlands and forests. Development of a cleared pipeline corridor will increase fragmentation of farmlands and forests in Shelburne, resources of natural and economic importance to the Town. To minimize economic and environmental impacts, the final pipeline route should be required to follow existing cleared rights-of-way, e.g., transmission lines, or major highways such as the Mass Pike (1-90). Pipeline development should be accomplished within, not expand, existing rights-of-way.
- Sediment runoff. The majority of roads serving the proposed pipeline route in Shelburne are narrow, rural, two-lane roads; some of which are gravel. Heavy equipment and construction traffic will damage these roads and create the likelihood of sediment runoff into brooks that run along many of the roads. The Draft EIS should identify the roads that will be used and the measures to control erosion and sedimentation. Provide details of plans for post-construction road repair.
- Noise. Shelburne is a quiet, rural area, but residents live throughout the town including the area of the proposed pipeline route. The Draft EIS should include an analysis of ambient noise levels and define an upper noise limit for project operation that meets the state noise regulations (not to exceed the average ambient noise the level by more than five (5) db(A)).
- Air quality. As noted above, many of the roads in Shelburne are unpaved, making them highly susceptible to dust production by heavy trucks and equipment. A plan should be outlined to maintain local air quality to minimize impact on residents living near the construction sites and on roads used for transport.
- Permanently protected open space. While the proposed pipeline route does not cross any permanently protected lands in Shelburne, the Conservation Commission wholly supports Article 97 of the state Constitution that provides this protection, and we oppose any effort to secure legislative approval to void this protection. Permanently protected open space reflects a more than century old public initiative to insure the natural heritage of the Commonwealth.

In closing, the Shelburne Conservation Commission wishes to state its endorsement of the more comprehensive scoping comments submitted by the Franklin Regional Council of Governments. We intend to participate actively in the oversight and monitoring of the construction and maintenance of the Northeast Energy Direct Project, should it be approved by FERC.

Sincerely,

Norman Davenport

Chair, Shelburne Conservation Commission

Steve McCormick

Shelburne Conservation

Allan Smith  
Shelburne Conservation  
Tom Miner  
Shelburne Conservation Commission

Todd Blake  
Member, Shelburne Conservation Commission  
Cc: Members, State Legislative Delegation  
Franklin Regional Council of Governments  
Massachusetts Association of Conservation Commissions

**20150828-5075**

John Zimmerman, Hopkinton, NH.

I support the Northeast Energy Direct pipeline. Over the past 30 years, it has bothered me that my friends who had access to natural gas in their street had a less expensive and cleaner burning fuel than the number 2 fuel I was stuck with. What a great combination! This expansion will allow more people to have that advantage.

**20150828-5080**

Peter Engelman, Conway, MA.

We oppose the construction of the Northeast Energy Direct pipeline that is slated to run through Conway and other towns in Western Massachusetts. The pipeline poses a direct threat to our determined community effort over the years to protect open space land in Conway and surrounding towns and to insure that small farms continue to thrive in this region. We have chosen to live here because of the natural beauty of the area, highlighted by open spaces, ample farmland and clean rivers. The drilling and blasting necessary to build the pipeline and its substations will mar this tranquil environment and permanently scar the region, while it offers local residents little in return.

We oppose the pipeline because:

- It has not been shown by objective studies to be necessary to meet the energy needs of the region.
- It has the real potential to have a deleterious effect on protected habitats, wetlands, agricultural lands and the Deerfield River and other water ways.
- It will cross lands protected under Article 97 of the state Constitution.
- It will pass through active geologic fault zones, and Tennessee Gas has not demonstrated that the structure can withstand earthquake damage, which could result in catastrophic disaster.
- Conway and other towns are not equipped to respond to a pipeline emergency.

Peter Engelman  
Kendall Clark  
954 Reeds Bridge Road  
Conway, MA 01341

**20150828-5094**

Maureen Quinn, Temple, NH.

The town of Temple NH is a small rural community that is a pleasant quiet place to live a life of escapes from the everyday noise and confusion which is why I decided to move to Temple and build a new home about twelve years ago. The town is primarily dependent on property taxes to support our school and town needs there are farms and other small businesses located here. As a recent retiree and owner of 2 properties in the town I have many concerns with the proposed pipeline and compressor station that is presented.

My Residence is within 1 mile of the proposed compressor station and 3 Titan Turbines. It is with great concern that I provide you with this list of concerns and comments.

- The danger of being within the burn zone for me and my husband and the potential loss of my home and

belongings is first on my list. I have worked hard and many years to retire here and have planned the value of my home as part of my support later in life. In the event that the pipeline is built the value of my property will be greatly reduced and the opportunities to sell my home will basically be nonexistent. I wonder what Kinder Morgan has to offer the people that will be taking monetary losses of this large nature?

- The Town of Temple and State of New Hampshire have nothing to benefit from this supply of Natural gas. Our town does not have public utilities so there is no form of natural gas available to us and we only have a volunteer Fire Department to respond to any emergencies that might result from the compressor station, turbines or the pipeline making the risk of loss much higher.
- The Town Elementary School is also with 1/2 mile of the compressor station and the safety of the children in town should be considered the ultimate reason for you to reconsider running the pipeline through this area. The school is relatively new and our town cannot afford to relocate the school that also serves as our local disaster shelter. Our property taxes are already high enough and with property values dropping we can't afford to up the taxes or the community will not survive.
- The NOISE POLLUTION that will be created from the compressor and turbines will totally disrupt the local wildlife and human population that reside in this area. The creatures that have elected to live here because of the peaceful nature of this community.
- We don't need this gas in NH
- With no benefit to our community and the only reason this area is being considered for a location is that the resistance in some towns in Massachusetts makes this route seem completely unreasonable. The state of Massachusetts already has existing gas lines that could be improved to handle additional load and provide the towns with gas more access and potentially less cost
- Contamination to our private water system as well as the local reservoir.

Proposed alternates

- If this gas is for use in Massachusetts and not just for export then keep the line in Massachusetts as originally proposed. Improve the services and feed lines in the towns and cities and offer lower rates and provide a solid tax payment to the towns to help support the communities. Do Not just run large pipelines outside of the current systems.
- Keep the pipe lines traveling along route 2 and utilize land that is already a publicly defined area that people have accepted as through way for traffic. These previously defined corridors are not currently inhabited by a lot of people or wildlife.
- When compressor sites and turbines are needed construct them under ground to help minimize impact to local areas.

## 20150828-5123

kaela law, pelham, NH.

In places where the pipeline is scheduled to hop from one side of the powerlines to the other, does the pipeline need to be completely perpendicular to the overhead transmission wires to mitigate corrosive effects? If so, will the pipeline have 90 degree angle bends in certain places? If so will the 'pigs' be able to make full sweeps of the entire pipeline lengths? Will the 90 degree bends be considered weaker points along the pipeline system? If there are not going to be 90 degree bends in the pipeline could we get a set of updated maps delineating longer arcs that are specific and representative of how the pipeline would actually be routed in real life.

We deserve to know, with pinpoint accuracy where the route of this pipeline will be carved through our towns and across our properties so that we can prepare, research and become informed on all aspects of this project. Until such time as we have that level of accuracy there is no reason your agency or the pipeline company should be carrying forward with this project. Please make the answers to my questions available and public through this docket.

**20150828-5145**

Patricia H. Silvestro, Temple, NH.

Dear Secretary Bose:

Blow downs from the New Ipswich compressor station will release (along with millions of cubic feet of methane) other pollutants including Radon 222 and its radioactive decay isotopes of heavy metals and other toxic chemicals used in the fracking process. Once they settle through the air, they can be inhaled and also contacted and absorbed through the skin upon settling to the ground in the many square miles surrounding the station. Our only source of water for our towns and major cities will be poisoned when these toxic chemicals perk down to our aquifers.

I have lived in Temple since 1971 and love the tranquil beauty of this picturesque New Hampshire village. My husband and I are now retired, and our dream is to live out our remaining years here in peace and safety. We're greatly concerned about the very real possibility of pollution to our well water and soil, not to mention the harmful quality of the air we would be breathing due to toxic emissions that would be released by the compressor station. We are currently in the process of having work done on our house after carefully saving funds specifically for that purpose. Now we are faced with the likelihood that if the compressor station is built in New Ipswich, our property will be greatly reduced in value while our property taxes will increase. We can't afford to move, even if we wanted to (which we don't!); neither can we afford to pay higher property taxes or increased energy rates due to gas exportation overseas.

The families who are living in what would be the "incineration zone" (that term alone is terrifying!) area of the compressor station are in a nightmarish position. The deafening noise, lights, and dangerous emissions from the station are horrendous conditions to subject any person (or other living creature) to.

The NED pipeline would have a severe negative impact on towns in our state. It would certainly NOT benefit the people, only the Kinder Morgan/Tennessee Gas Pipeline Company and contractors who stand to make large profits if it's approved. New Hampshire doesn't need more gas; we already have a surplus!

Even one precious life lost because of a pipeline/compressor station accident is one too many, and the tragic result of unmitigated greed! Are we all considered to be "expendable" along with the children who attend the Temple Elementary School?

Sincerely,

Patricia Silvestro  
215 Colburn Road  
Temple, NH 03084

**20150828-5146**

Peter R Wood, Stephentown, NY.

August 28, 2015

Re: Docket #PF 14-22-000

Peter R. Wood  
153 Fire Tower Road  
Stephentown, NY 12169

Federal Energy Regulatory Commission  
Kimberly D. Bose, Secretary  
Washington, D.C.

Commissioners:

I write to express my strong opposition and serious concern about the proposed Kinder Morgan/Tennessee Gas Northeast Energy Direct Project.

Kinder Morgan has a demonstrated record of skimping on safety and compliance, and an above average incidence of pipeline explosions, fires, and other safety issues.

Our towns, Schodack, Nassau, and Stephentown, and the Rensselaer County legislature, have passed resolutions expressing the people's will against the construction of this pipeline.

The proposed pipeline compressor plant located in Nassau, NY will burn gas contaminated with hydrofracking chemicals. Residents in that area, as well as those living downwind of it, will be exposed to and breathing those contaminants. Gas contaminants released by compressor stations include volatile organic compounds such as methane, benzene, methylbenzenes, ethylbenzene, xylene, pentane, hexane, toluene, 1, 3-butadiene, aliphatic hydrocarbons. These are known human carcinogens. Compressor stations also release formaldehyde, hydrogen sulfide, and radon, which are carcinogens and can cause cancer and other health disorders, and respiratory and nervous system diseases. The compressor plant will operate 24/7 and its noise will reverberate for miles through the Burden Lake basin and the surrounding hills and hollows. The fumes, noise, and light pollution will become a constant presence in the lives of hundreds, if not thousands of residents in the vicinity. This dangerous industrial facility is completely unsuited to what is a bucolic agricultural and residential area.

The proposed pipeline will cut through, destroy, reduce and degrade parts of the Rensselaer Plateau, which is a unique and irreplaceable natural area, and a reservoir of natural diversity.

The proposed pipeline is planned to pass through our property. It will slash through and require bulldozing 200-year old stone walls, a maple sugar bush, a low and high blueberry bush, a rare lag gravel, vernal pools, wetlands, and an aquifer recharge area. As bedrock is close to or even on the surface, I question what effect blasting or other excavation techniques might have on our water well and aquifer.

The pipeline's approval would force us to sell through eminent domain at least several acres and create an unnatural leveled strip separating our house from the main part of our property. The pipeline will pass through what is our backyard. The high-pressure gas pipeline will pass closely around our house on two sides. I would not feel safe or comfortable living fifty or one hundred feet from a 30" high-pressure fracked gas pipeline. It will also leave our c.1800 home and barns isolated on a small rump portion of what is a thirty-five acre parcel, cut off from and inaccessible to the larger portion. This strip, which will be owned by Kinder Morgan, will be a magnet for off-road vehicle mayhem running 24/7. I do not believe that they can ever successfully fence off or otherwise restrict this space.

The pipeline will reduce our property's value and destroy part of what we have worked for, saved, and accumulated. This amounts to an unfair taking of our property, and government overreach.

This pipeline is not about convenience or necessity, but an industry taking profit by forcing risk and cost onto individual private property owners, who will not be fairly compensated. This is wrong, and Un-american.

This project will override local control and opposition, and subject the people of Rensselaer County to potentially devastating health impacts, for a hydrofracked gas pipeline operated by a company with a poor safety record. It would degrade the ecologically unique Rensselaer Plateau.

For more information:

[www.rensselaerplateau.org](http://www.rensselaerplateau.org)

#### **20150828-5149**

Tennessee Gas Pipeline Company, LLC  
1615 Suffield Street  
Agawam, MA 01001

Date: 2-3-15 / February 3, 2015

Via Certified Mail, Return Receipt Requested

Re: Denying Property Access

As the owner of the property located at:

86 Rumrill Rd. / P.O.Box 326  
New Ipswich, NH 03071

I am denying permission to the Tennessee Gas Pipeline Company, LLC (a Kinder Morgan Company), its representatives, contractors, sub-contractors, or associates to enter my land or to perform surveys, or for any purpose in furtherance of a pipeline infrastructure project. Any such physical entry onto my property from the date of this letter forward will be considered unauthorized, and treated as trespass.

Gregory W. Blais  
Carol L. Blais

## **20150828-5169**

Susan F. Conger, Montague, MA.

I'm writing in regard to the Tennessee Gas Pipeline Company's proposed Northeast Energy Direct pipeline. (PF14-22-000) The proposed route of the pipeline would cross through beautiful Franklin County, Massachusetts, where I live, work, and own property. Where it would cross nearest to my property, the pipeline would cut through the Montague Plains — a Wildlife Management Area preserved "in perpetuity" by the Commonwealth of Massachusetts — and underneath the Connecticut River. In 2012, the Connecticut River Watershed was designated as the first ever "National Blueway" by the U.S. Department of the Interior.

Along its proposed route through the Connecticut River Valley, the pipeline would also cut through a fertile landscape dotted with active farms, including many preserved through our state's Agricultural Preservation Restriction (APR). The official website of the Massachusetts EEA states: "The primary purpose of the APR program is to preserve and protect agricultural land, including designated farmland soils, which are a finite natural resource, from being built upon for non-agricultural purposes or used for any activity detrimental to agriculture..." APR land has "a permanent deed restriction which precludes any use of the property that will have a negative impact on its agricultural viability."

As FERC reviews the application for this pipeline, it must thoroughly consider the following critical issues:

-Is the pipeline necessary at all? This crucial question must be the starting point of any consideration of the proposed pipeline. Currently the Massachusetts Attorney General's office is conducting an investigation into how the energy needs of the state can be met, with the goal of answering the question of whether the pipeline is necessary. Please await the results of this study before making any decision. Common sense dictates that before a massive, costly, disruptive, and long-term piece of infrastructure is built, the need for it should be very thoroughly examined. This is even more imperative in the case of new infrastructure related to fossil fuels. To build this project at all is to invest heavily in a technology that is no longer appropriate in a world imperiled by climate change.

-How would construction of the pipeline and its use to transport gas affect all of the following: the rivers under which the pipeline would cross (including the Connecticut), aquifers, farmland, preserved wildlands, endangered species?

-How would a gas leak affect each of the entities listed above?

-How would a gas explosion affect each of the above? What dangers would it pose to residents in the area? Are local emergency responders (in many cases volunteer forces in small towns) prepared to deal with such an emergency? Are there adequate evacuation routes?

-What dangers would be posed by having a gas line run through the Montague Plains, an area somewhat prone to wildfires?

-What will be the effect on Massachusetts' hitherto robust programs of land preservation, if it turns out that land preserved "in perpetuity" can become the property of a for-profit corporation which has goals completely antithetical to preservation?

-How would the pipeline compressor station proposed for the town of Northfield, Mass. affect air quality, noise levels, and night-time dark skies in that rural community?

-Why must the utility rate-payers bear the cost of construction for a project built by a for-profit corporation?  
I ask FERC to urgently and thoroughly consider each of these questions, in addition to the many other thoughtful questions posed by those who live in the communities that would be permanently affected by the construction of this pipeline.

Thank you for your attention to these concerns. It is my sincere hope that FERC will deem the proposed pipeline both unnecessary and unwise, and will deny any permit for its construction.

Sincerely,

Susan F. Conger  
4 Main Street  
Montague, MA 01351

**20150828-5171**

**Trout Unlimited**

August 28, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, D.C. 20426

RE: Trout Unlimited comments on the scope of environmental impact statement for the Northeast Energy Direct Project, Docket No. PF14-22-000

Dear Ms. Bose:

Trout Unlimited hereby submits these comments, in response to the Notice of Intent to Prepare an Environmental Impact Statement for Planned Northeast Energy Direct Project, Request for Comments on Environmental Issues, and Notice of Public Scoping Meetings, published in the Federal Register on July 8, 2015. 80 FR 39095. These comments are submitted by Trout Unlimited, and its Pennsylvania, New York, Massachusetts, Connecticut and New Hampshire State Councils and our chapters in the affected area, representing more than 30,000 members, including: Lackawanna Valley Chapter, Al Hazzard Chapter, Upper Delaware Chapter, Dave Brandt Chapter, Clearwater Chapter, Homewaters Chapter, Catskill Mtn. Chapter, Deerfield River Watershed Chapter, Taconic Chapter, Millers River Chapter, Nor'East Chapter, Greater Boston Chapter, Farmington Valley Chapter, Great Bay Chapter and Merrimack Chapter (collectively "Trout Unlimited").

Trout Unlimited has reviewed the following documents associated with the proposed Northeast Energy Direct project (Docket No. PF14-22-000): original Resource Reports 1, 2, 3, 7 and 10, revised Resource Report 2, and related correspondence between the Federal Energy Regulatory Commission (Commission) or other agencies and Tennessee Gas Pipeline, LLC (Applicant).

On July 24, 2015, the Applicant filed a letter documenting changes to the project, along with revised Resource Reports 1-13 that reflect project changes and respond to hundreds of comments made by the Commission and other federal and state agencies on the original Resource Reports. Project changes and the revised Resource Reports were made available to the public 27 days into the 60-day scoping period and after six of the thirteen public scoping meetings had been held. Trout Unlimited strongly urges the Commission to re-start the scoping period and to require that additional hearings be held in the communities where hearings were held before the new project information and revised Resource Reports were filed, to allow for meaningful public participation in the required Environmental Impact Statement (EIS) scoping process. By not doing so, the Commission would be frustrating the public participation component of the National Environmental Policy Act process and limiting input on specific issues and concerns that may arise from the project changes and revised Resource Reports.

## General Comments

Trout Unlimited's mission is to conserve, protect, and restore North America's trout and salmon fisheries and their watersheds. To accomplish its mission, Trout Unlimited employs a comprehensive strategy to protect the highest quality trout and salmon habitat, reconnect high quality habitats with restored areas downstream through the augmentation of instream flows and barrier removals, and restore degraded habitats so that they again support healthy trout and salmon populations. Given the significant volume of new information released in the revised Resource Reports and the limited time available in the comment period to review these reports, Trout Unlimited's comments on the scoping document for the draft EIS for the planned Northeast Energy Direct project will focus on identifying the general impacts of the project on coldwater resources and identifying mitigation measures to limit or eliminate those impacts.

The Northeast Energy Direct project would involve the construction and operation of approximately 418 miles of new pipeline, pipeline looping and laterals (ranging from 12" diameter to 36" diameter) in multiple counties in Pennsylvania, New York, Massachusetts, New Hampshire and Connecticut. Construction of the planned facilities would temporarily disturb approximately 6,761 acres of land for the pipeline and above-ground facilities, not including temporary access roads. Approximately 2,602 acres would be maintained for permanent operation of the project's facilities, not including permanent access roads. Approximately 82 percent of the planned pipeline route parallels existing pipeline and utility rights-of-way.

Pursuant to the National Environmental Policy Act (NEPA), the Commission is required to consider the following actions and impacts, in determining the scope of the draft Environmental Impact Statement (EIS): (1) connected actions, cumulative actions and similar actions; (2) the no action alternative, other reasonable alternatives and mitigation measures not proposed in the action; and (3) direct, indirect and cumulative impacts. NEPA §102(2)(C); 40 C.F.R. §1508.25.

Given that the proposed preferred route for the Northeast Energy Direct project will cross, or is located near, more than 220 streams in Pennsylvania, New York, Massachusetts, New Hampshire and Connecticut that are designated as native or wild trout streams or have high trout habitat potential, Trout Unlimited strongly urges the Commission to specifically identify the potential direct, indirect and cumulative impacts to coldwater fisheries and their habitats in the draft EIS, and to propose avoidance measures where possible and mitigation measures where avoidance is not feasible.

## **ALTERNATIVES CONSTRUCTION TECHNIQUES**

Trout Unlimited strongly recommends that the draft EIS contain an analysis of smaller right-of-ways—at a minimum, a 50 foot right of way—for the entire length of the pipeline, based upon the use of alternative techniques for pipeline construction and placement such as stove-piping, dragging or other currently available methods that require less acreage for temporary and permanent workspace. By reducing the amount of land disturbed by the project, the Applicant will be reducing the risk of potential sedimentation events from exposed soil.

## **STREAM CROSSINGS**

### *Stream Designation*

According to revised Resource Report 2, the Applicant has yet to identify the water quality designation/fishery classification for 125 streams that are proposed to be crossed in New York. Stream/fisheries designations must be determined before the EIS is prepared, if the Commission is to identify potential impacts and mitigation needed to ensure that these 125 streams are not adversely impacted.

### *Pipeline Route*

*{map omitted}*

Depending on the size, timing, duration and methods employed, stream crossings can have significant impacts on aquatic ecosystems by altering stream morphology, process and function including instream habitat both upstream and downstream of the crossing location, as well as at the crossing location itself.

Trout Unlimited recommends that the pipeline route avoid alteration of stream hydrology, sediment trans-

port, and morphology by eliminating crossing streams of any size, including ephemeral streams, where possible. Where avoidance is not feasible, measures to reduce impacts should include site specific evaluations of construction activities. Stream crossings should be located downstream from all confluences to reduce the total number of stream crossings and the impacts on stream morphology at these convergent locations. For example, the EIS should evaluate whether the two proposed pipeline stream crossings on Weston Brook and Wahconah Falls Brook in the headwaters of the Housatonic watershed in Berkshire County, MA could be reduced to one stream crossing by moving the pipeline route southwest less than 0.1 mile.

Trout Unlimited strongly recommends that the Commission include in the draft EIS appropriate measures to reduce both short-term and long-term impacts to stream morphology and hydrology. This is particularly important given the importance of small headwater streams that serve as spawning reaches and thermal refuges for coldwater fish, including native and wild trout.

### ***Stream Crossing Methods***

Resource Report 2, section 2.2.11.1, describes the proposed methods that will be used for stream crossings, including: wet open cut, dry crossing methods (which could include flume, dam and pump, cofferdam and dry open cut), conventional bore, horizontal directional drilling (HDD) and Direct Pipe. While each of these methods is explained, the report fails to explain what information has been gathered during surveys and related analysis to inform which stream crossing method should be used, what criteria and type of evaluation process will be used by the Applicant to determine which crossing method is appropriate, and when, during the planning process, a final decision will be made on which method is appropriate for each stream crossing. As additional information is collected by the Applicant through surveys and the pipeline constructability analysis, Trout Unlimited urges the Applicant and Commission to make that information publicly available, in order to provide

interested parties such as Trout Unlimited with a meaningful opportunity to review stream crossing methods and make recommendations for avoiding or minimizing impacts to streams. Additionally, Trout Unlimited recommends that the conventional open cut wet crossing method not be used in any circumstances on any streams within watersheds that support native and wild trout.

Trout Unlimited recommends that the Applicant use HDD, conventional bore or Direct Pipe methods to cross sensitive streams, where feasible. HDD, conventional bore and Direct Pipe methods are preferred for stream crossings because they have the advantages of minimizing land disturbance, avoiding the need for dewatering the stream, leaving the immediate stream bed and banks intact, and reducing erosion, sedimentation and project-induced watercourse instabilities. Further, the Direct Pipe method is favorable for stream crossings over other methods, including HDD and open trench, because it is suitable for unconsolidated sand, gravel, and cobbles (such as river bottoms), virtually eliminates the risk of blowouts associated with HDD, and does not disturb the channel bed as compared to dry crossing methods. Because the Direct Pipe method presents the least amount of risk to stream systems, it should be evaluated for proposed crossings of native and wild trout streams.

The draft EIS should evaluate whether the use of HDD, conventional bore and Direct Pipe methods for each stream crossing is feasible, and where these methods are determined not to be feasible, provide a justification. Where HDD, conventional bore or Direct Pipe methods are proposed, the draft EIS should describe the typical work area required and protective measures that will be used to limit runoff of sediment and other fluids into streams, as well as describe a contingency plan if the HDD, conventional bore or Direct Pipe method fails and results in sediment and/or drilling fluid entering a stream.

If the dry crossing method is proposed, the Applicant should identify which type of dry crossing—whether dam and pump, flume, cofferdam, or dry open cut—will be used. Each type of dry crossing method has unique and individual impacts that must be considered on site-specific basis. In revised Resource Report 2, Attachment 2b, Tables 2.2-4 through 2.2-8, the Applicant describes its “dry crossing method” as dam and pump or flume, but does not distinguish between these two methods for each stream being crossed. Further, the tables do not include the other types of dry crossing methods that the Applicant stated in revised

Resource Report Section 2.2.11.1 that it would use, including cofferdam and dry open cut. In order for the Commission to identify the impacts of each stream crossing on stream hydrology and aquatic habitat and to propose appropriate mitigation measures, the specific type of dry crossing method proposed for each stream crossing must be identified in the draft EIS.

Field reconnaissance by pipeline personnel is necessary for the identification of stream crossings since many ephemeral and some perennial streams are not visible on topographical maps. Information that must be gathered during surveys and included in a draft EIS, in order to determine which type of crossing method should be used for each stream, what impacts may result, and what mitigation measures are needed, includes at a minimum:

- Geotechnical feasibility studies to determine if HDD, Direct Pipe or other conventional bore method is appropriate and feasible for each stream crossing;
- Proximity to the nearest confluence up and downstream;
- Stream discharge, channel gradient, channel sinuosity, stream substrate, cross-sectional surveys, channel debris and sediment storage, and stream order;
- Geomorphological data, including complete fluvial geomorphic characterization of the stream's hydraulic geometry, plan form, and profile, and information about bed and bank stability, scour depth and depth of pools; and
- A scour depth analysis either based upon measured pool depth or calculated scour for observed bed materials and design discharge, to determine the potential for vertical or lateral adjustment of each stream.

This information is necessary for a site-specific review of the proposed method and will provide an opportunity for Trout Unlimited and other interested parties to provide specific recommendations on mitigation measures appropriate for each specific stream crossing.

According to revised Resource Report Section 2.2.11, the Applicant is proposing to provide a minimum depth of cover of five feet over the pipeline across waterbodies, stating that “the proposed cover (of 5 feet) will generally provide adequate scour protection from high flows and flooding.” As part of the stream crossing method assessment, Trout Unlimited recommends that a hydraulic analysis be completed at each crossing to ensure that the pipeline is buried deep enough to remain undisturbed by scour and fill processes typically associated with peak flows that have the potential to negatively impact trout habitat. The appropriate pipe depth will vary for each stream and can only be determined by collecting the necessary information and performing a site-specific analysis at each site as part of the EIS process. Regardless of crossing method, the pipeline should be located at sufficient depth in and distance from the stream bed to accommodate any reasonably anticipated horizontal or vertical channel adjustment during the design life of the pipeline materials.

## **CONSTRUCTION ACTIVITIES, EROSION AND SEDIMENTATION CONTROLS**

As part of the planning process, the draft EIS should evaluate opportunities for sediment reduction at each phase of construction, giving specific attention to locations where the pipeline parallels a stream, and making sure that there is an adequate buffer between the excavation and the stream. The proposed pipeline project has the potential to impact many miles of headwater systems in steep terrain, even if the pipeline itself is not crossing the stream. Trout Unlimited urges the Commission to include in the draft EIS appropriate erosion control mitigation measures for each construction area proposed for slopes in excess of 15%. These should be site-specific plans that include a mechanism for ensuring that the erosion control measures are performing properly, as well as being maintained. Additionally, construction and earth disturbance activities on slopes in excess of 15% in headwater areas should be avoided or, at a minimum, limited.

Stream bank and soil disturbance occurring on or near streams during critical trout spawning and rearing stages can negatively impact coldwater species. At least 15 different direct negative effects from sedimentation have been demonstrated to impact trout, ranging from stress, altered behavior, reductions in growth and direct mortality.<sup>i</sup> The draft EIS should describe each proposed construction activity—in addition to the

stream crossing itself—and identify acceptable time frames for when the proposed construction near trout streams may take place, with the goal of avoiding impacts on critical life stages of coldwater species.

A preliminary stormwater pollution prevention plan (SWPPP) must be included as an appendix to the draft EIS, describing the proposed erosion and sediment control practices and post-construction stormwater management practices that will be used and constructed to reduce the pollutants, including increased water temperatures, in stormwater discharges. The draft EIS should include methods for isolating work areas from flowing waters to ensure that the work is accomplished such that no visible contrast to waters outside and downstream of the work site is apparent. Additionally, the draft EIS should discuss and evaluate how the various erosion control techniques described in the SWPPP will be coordinated within the construction schedule to avoid the potential for catastrophic sedimentation events. Extensive time delays between vegetation clearing/grubbing, initial grading of the right-of-way and actual installation of the pipe must be avoided and only a limited length of the project development area should be opened at any one time. Further, the presence of karst topography along the proposed primary route is of particular concern and warrants additional consideration in preparation of the SWPPP to ensure that by-products from the construction process do not enter karst inlets, including exposed soil, fuel, oil, hydraulic fluids and other construction-related chemicals. Where karst topography cannot be avoided, best management practices must be employed and strict attention to proper installation and maintenance of erosion and sediment controls in areas with karst topography is critical to minimizing impacts to water resources.

#### **SITE SPECIFIC DETERMINATION OF RIPARIAN BUFFERS AND SITE RESTORATION**

Due to the serious potential for erosion and sedimentation from construction activities occurring near streams to impact trout populations, Trout Unlimited recommends that the draft EIS include general minimal buffer setbacks for construction activities occurring on various slope grades, with a site-specific determination for each construction activity occurring near any stream supporting trout or trout reproduction, to determine if the buffer width for each stream should be greater than the general minimal buffer distance.

Regardless of the type of crossing method, the Commission should require the Applicant—with input from appropriate agencies and groups such as Trout Unlimited—to develop a stream restoration plan for each stream crossing as part of the EIS process. At a minimum, the restored stream channel should be comparable in width, depth, slope, and substrate to upstream and downstream reaches, and should be constructed of native materials similar in condition, appearance, type, composition and species to those in the vicinity of the crossing including, but not limited to, wood, rock, and vegetation. Stream restoration activities should resemble pre-construction conditions. Stream restoration plans should also ensure that the resulting re-construction does not impede natural channel processes, such as lateral channel migration, vertical adjustment (bed aggradation/degradation), or the transport of sediment, wood and ice.

Trout Unlimited recommends that the Commission require the Applicant to explain how pre-construction conditions will be restored at each stream crossing location or the methods for documenting existing conditions and how that information will be used to guide stream reconstruction activities, prior to the Commission's preparation of the draft EIS. Without this information, the Commission cannot reasonably identify the potential impacts of this project, nor can

the Commission identify which mitigation measure will limit or eliminate impacts on stream form, process, and function and its dependent aquatic life.

#### **HYDROSTATIC TESTING**

Prior to performing hydrostatic testing, the impacts of such testing on aquatic life (both fish and invertebrates) must be determined for all streams that support native or wild trout populations. If large quantities of water are to be removed from the stream, there may be an adverse impact on stream temperature and water levels, which are critical for fish health and habitat. Bypass flows must be required and strictly adhered to, in order to ensure that adequate stream flows are maintained to support aquatic life. Discharge of hydrostatic testing water must be through barriers that permit filtration of sediments contained in the discharge, and also

to allow the water temperature to cool to its pre-withdrawal temperature. In order to determine the potential impacts from hydrostatic testing, the Commission must include the above-identified information in the draft EIS so that appropriate mitigation measures are thoroughly developed, publicly-vetted and included in the final EIS.

## **MONITORING**

A monitoring plan should be developed for each stream crossing and tailored to evaluate potential biological and morphological impacts to the aquatic system. Pre-construction monitoring will provide baseline data to evaluate potential impacts. During construction, real-time monitoring devices should be installed to capture changes in water quality as a result of construction activities. Post-construction monitoring should consider immediate and long term impacts to the stream system. Trout Unlimited recommends that the Commission require the Applicant to develop a monitoring plan for each phase of development, including pre-construction, during construction and post-construction, and that monitoring be conducted by an independent third-party.

## **CUMULATIVE IMPACTS**

To comply with the NEPA, the Commission must conduct a comprehensive analysis of the incremental impacts of the project when considered in addition to other past, present, and reasonably foreseeable future actions. NEPA requires the Commission to conduct a detailed and useful analysis of cumulative effects, not just describe the anticipated impacts. The analysis must include information about the baseline impacts of other actions and the incremental impact of the current project will have on existing projects and reasonably foreseeable future projects and it must include detailed data and explanation to support the Commission's findings.

Given the significant number of native and wild trout streams that will be crossed by the project, Trout Unlimited strongly urges the Commission to conduct a comprehensive analysis of the cumulative impacts of constructing the pipeline on native and wild trout populations and the water resources they rely upon, including among other aspects: crossing and disturbing significant acreage in watersheds that support native and wild trout populations; constructing the pipeline on steep slopes in excess of 15%; multiple crossings of streams in watersheds that support native and wild trout populations; and water withdrawals from trout streams for hydrostatic testing.

NEPA requires the Commission to take a hard look at the proposed project within the context of past, present and future activities and it requires the Commission to conduct an analysis of the cumulative harm that results from the proposed action's contribution to existing adverse conditions or uses in the area. Therefore, Trout Unlimited urges the Commission to conduct a thorough analysis of the proposed project's impacts in light of other existing and foreseeable natural gas pipeline infrastructure. For example, while co-location of this project with the Constitution Pipeline may have the advantage of reducing forest fragmentation, the Commission must fully evaluate the direct, indirect and cumulative impacts to streams and aquatic life from multiple phases of construction, likely just a year apart, in the same corridor. The project's construction will have additive impacts on the streams where the pipelines will cross, including long-term degradation in water quality from sedimentation, effects on stream stability from multiple stream disturbances, and potential impacts on aquatic life and function.

Declines in water quality directly affect Eastern Brook Trout, the East's only stream-dwelling native trout, and a species whose survival depends on a steady supply of clean, cold water. A recent assessment found that brook trout are either greatly reduced or have vanished from 50 percent of their historic range, and are at risk of disappearing from other areas.<sup>ii</sup> The report found that two of the major impacts to brook trout are instream habitat alteration and sedimentation due to road crossings and construction—two impacts that will result from this proposed project. Significant efforts have been made by Trout Unlimited, federal and state agencies, and other partners to improve water quality and stream habitat in the areas affected by this project, so that streams that have historically supported native Eastern Brook Trout can once again support thriving

populations.

In conclusion, Trout Unlimited strongly urges the Commission to prepare an EIS that fully considers the potential direct, indirect and cumulative impacts of the Northeast Energy Direct project on coldwater streams and avoids water quality degradation and other stream health impacts, so that years of progress to restore native Eastern Brook Trout to its historic range is not undone.

Thank you for your consideration of Trout Unlimited's comments. Please do not hesitate to contact Katy Dunlap, kdunlap@tu.org or 607-703-0256, if you require additional information or clarification.

Sincerely,

Katy Dunlap

Eastern Water Project Director

Trout Unlimited

Brian Wagner, President

Pennsylvania Council of Trout Unlimited

Ron Urban, Chair of New York Council of Trout Unlimited & President of the Catskill Mtn. Chapter of Trout Unlimited

**20150828-5195**

**Town of Conway, Massachusetts**

**Planning Board**

P.O. Box 240, Conway, MA 01341

Town Office: 32 Main St. · Town Hall: 5 Academy Hill Rd.

Phone (413) 369-4235, ext. 0 · (413) 369-4237 Fax

planningboard@townofconway.com

www.townofconway.com

August 27, 2015

Secretary of the Commission

Federal Energy Regulatory Commission

888 First Street, N.E.

Washington, DC 20426

ELECTRONIC COPY

Dear FERC Commissioners,

REFERENCE: EIS Pre-filing scoping comments for PF14-22 TGP Northeast Direct Project (NED)

**General:**

Conway is located in Pioneer valley near the foothills of the Berkshires, heavily forested and pastured with little industrial and commercial business. As there are no National Forest Parks located in Massachusetts; the State, various land conservation agencies, and private citizens in western Massachusetts have undertaken a concerted effort to preserve its pristine environments, many of which are protected by conservation restrictions authorized under Article 97 of Massachusetts Law. These lands should be deemed as valuable if not more valuable as lands preserved with Federal dollars. The Kinder Morgan TGP NED project is poised to disrupt or destroy many of the environmentally sensitive areas along and adjacent to its proposed path. To prevent or mitigate the detrimental effects of the proposed pipeline and to minimize the inherent associated safety and environmental risks with pipeline construction and operation the Planning Board of Conway recommends the following for your consideration in the EIS scoping process:

**Pipeline diameter, design strength, operational pressure and LNG storage:**

The potential impact blast radius (PIR) from a pipeline explosion has been shown to be correlated with pipeline diameter and operational pressure. The 30" pipeline as currently proposed for the 1.3 Bcf/day natural gas (NG) flow capacity will operate at pressures that correlate with a predicted blast radius of 800 feet and represent an unnecessarily high risk for our community. FERC should insist that the pipeline be sized to meet the projected natural gas demands of only the Northeast, allowing for little or no growth as new alternate sources of electrical energy, such as hydro, solar, and wind become mainstream sources of energy. Selection of the smallest possible pipeline required to serve the Northeast's energy demands will significantly reduce any associated risks to our community. LNG storage should be investigated as an alternative to increased pipeline capacity to address peak winter NG flow demands to the Northeast.

**PHMSA's Pipeline Safety program:**

The Pipeline and Hazardous Materials Safety Administration (PHMSA) was charged (P.L. 112-90) in 2011 with developing and implementing interstate pipeline law to provide safety and environmental protection in the transportation of natural gas by pipelines. There are 42 Congressional mandates to be included in the reforms, requirements, and programs established under the law. That law is scheduled to expire in September 2015 with potentially unimplemented mandates. The current law requires pipeline operators to implement these mandated requirements within one year of promulgation on new or replacement pipelines. Given the enormity of this proposed NED pipeline project and its associated safety and environmental risks, TGP should be required to comply with all current and future mandated requirements that are promulgated under the law, or alternatively delay construction and/or operation until these important mandated requirements can be included in this project.

**Noise:**

Current Federal standards of 55 dba for allowable noise levels from pipeline operation do not account for the current ambient background conditions that exist in our community. Noise abatement technology exists today to minimize radiated noise from point sources. Given the topography of our town with its rolling hills and valleys that reflect sound we recommend that the allowable noise standard be no net gain in ambient noise at the TGP property borders. We request pre- construction and operational sound level monitoring to establish compliance with these requirements.

**Methane releases:**

TGP has proposed that pipeline valves and safety blow-offs be located on a ridgeline north of the town population center. The town's population center is surrounded by hills and has been commonly known to be colder than the surrounding hill tops. While compressed NG in pipelines is presumed to be warmer than the ambient groundcover, rapidly expanding NG associated with routine or emergency venting is anticipated to be significantly colder than the ambient air. This denser, colder NG containing residual shale fracking chemicals could, with prevailing winds, drift to our town center resulting in potential health and safety issues, and potential contamination of organic farming product operations. We request that air quality sampling be conducted to establish pre-construction background levels of known possible harmful chemicals.

**Potential Aquifer and Groundwater Contamination:**

While Conway's drinking water needs are served by private shallow and deep wells, it also serves as a watershed area for Deerfield's and Northampton's water reservoirs. Any risk assessments involving blasting, channelization of bedrock, horizontal direction drilling, etc. should include the potential impacts to these watershed resources.

**General Support:**

The Conway Planning Board in concert with other town boards and the Franklin Regional Council of Government (FRCOG) has submitted additional topics and concerns for the EIS which are supported by the Planning Board and included by reference thereof.

Respectfully submitted,  
Conway MA Planning Board  
Joseph Strzegowski, Chair  
Cc: Conway Pipeline advisory committee  
Conway Selectboard  
Conway Board of Health  
Franklin Regional Council of Government

**20150828-5208**

**Monadnock Conservancy**

Together; protecting forever the land we love

August 28, 2015

Ms. Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE  
Washington, DC 20426

RE: Northeast Energy Direct Project, Docket N. PF-14-22-000

Dear Ms. Bose, and To Whom It May Concern;

We at the Monadnock Conservancy are grateful for the opportunity to provide comment on the proposed Northeast Energy Direct Project (NED) and our recommendations of considerations to be made in the associated Environmental Impact Statement (EIS) now in development.

The Monadnock Conservancy recently celebrated its 26th anniversary as the only land trust dedicated exclusively to the protection of natural resources, wild and working lands, rural character and scenic beauty of the Monadnock region of southwestern New Hampshire. We currently protect nearly 17,000 acres of conservation easement lands across 37 towns, and we own and manage more than 1,000 additional acres of conserved lands. Two of our conservation easement properties are located directly within the proposed NED corridor: the Towne Hill Fairmount Farm conservation easement, and the Converse Meadow conservation easement, both in Rindge. We are opposed to new utility infrastructure, including the NED, traversing preexisting conservation areas of any kind. Conservation areas represent significant public investments of resources and are established in the public interest, which is arguably greater than the public interest of the NED.

Substantial public dollars go into identifying, purchasing and stewarding conservation land forever, which in turn provides tangible and valuable public benefit through ecosystem services, recreational opportunities and scenic value. Federal Treasury regulations and the Internal Revenue Code pertaining to conservation transactions and land trusts support this assertion, as does charitable trust law here in the State of New Hampshire. Therefore, New Hampshire's conservation land should only be used for new utility corridors as a last resort, and only when the public need is overwhelming and no other route is feasible. Further, we request that, if conservation areas must be impacted, compensation paid by the project developer to holders of conservation land and conservation easements should account not only for the loss of directly impacted real estate, but also for the ecosystem services and other conservation values compromised by both direct and indirect impacts.

We are aware that the federal Natural Gas Act grants private natural gas companies that have received a FERC certificate of public convenience and necessity the power of condemnation through eminent domain proceedings. This authority is a powerful tool providing significant regulatory advantage over landowners. Therefore, FERC must exercise extreme diligence and restraint before granting such power. Given that staff of the New Hampshire Public Utilities Commission recommended that the Commission deny Liberty Utilities' Petition for Approval of a Firm Transportation Agreement with Tennessee Gas Pipeline Company,

LLCI related to the NED Project, we do not feel that substantial public ‘convenience and necessity’ has been demonstrated to warrant condemnation of conservation lands. Removing permanent restrictions on conservation land for a temporary utility use (30-50 years) is unwise. We encourage the Commission to require conditions in its certification process that totally avoid impacts to conserved lands such as ours.

Regarding our conservation lands specifically, over the last several months we have begun to assess the potential impacts the NED project could have on our Towne Hill and Converse Meadow conservation easements and their natural resources. Our recent assessments of these properties discovered many significant natural resources that warrant avoidance<sup>2</sup> These resources contribute to the high level of ecological integrity found on these two properties and include:

- Intermittent and perennial streams delineated by the NH Department of Environmental Services.
- 20 acres of palustrine wetlands, more than 16 acres of which have a high probability of meeting NH state criteria for prime wetland designation under RSA 482-A:15. These 16 acres comprise more than twice the total wetland acres listed for the entire Town of Rindge in NED Resource Report 2, Water Use and Quality, Table 2.3-8 (page 98), dated July 2015.
- Occurrences of two animal species of special concern according to the NH Natural Heritage Bureau. One of these two species of special concern is the ebony boghaunter (*Williamsonia fletcheri*), which is not listed in NED Resource Report 3, “Fish, Wildlife and Vegetation”, section 3.4.1.5, dated July 2015.
- Potential occurrences of several endangered plant and animal species according to the NH Natural Heritage Bureau.
- Natural community types not included in NED Resource Report 3, “Fish, Wildlife and Vegetation”, dated July 2015 or in NED Resource Report 2, “Water Use and Quality”, section 2.3.1.4, dated July 2015.
- Hydrologic connectivity to portions of a stratified drift aquifer which has the potential to serve as a source for municipal drinking water, as delineated by the NH Department of Environmental Services.
- Documented turtle nesting habitat and rare snake habitat<sup>3</sup>

We are concerned that potential impacts to the above resources resulting from construction and maintenance associated with the NED project ‘would severely degrade the conservation values protected by and for the public of the State of New Hampshire and visitors to these properties. For this reason and those stated previously, we oppose siting the NED project on our conservation lands.

Finally, in the interest of greater natural resource conservation, we expect that the draft Environmental Impact Statement (eEIS) for this project will include inventory and consideration of the following natural resources on all potentially impacted lands: wetland and vernal pool complexes, floodplains and riparian corridors, seeps, bogs and fens, unfragmented forest blocks, rare plant and animal occurrences, rare natural communities, important agricultural soils, highranking wildlife habitat and migratory bird habitats.

Sincerely

Ryan Owens  
Executive Director

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1 Source: Redacted Direct Testimony of Melissa Whitten on behalf of the staff of the New Hampshire Public Utilities Commission May 8, 2015; Docket No. DG 14-380

2 Sources: “Site Evaluation and Analysis, Monadnock Conservancy - Towne Hill Farm, Robbins Road, Rindge, New Hampshire” prepared by LEC Environmental Consultants, Inc., August 14, 2015; and “Site Evaluation and Analysis, Monadnock Conservancy - Converse Meadow Conservation Area, Converseville Road, Rindge, New Hampshire” prepared by LEC Environmental Consultants, Inc., August 18, 2015.

3 Source: Converse Meadow Conservation Area Land Management Plan, Version 1.0, Rindge, NH” pre-

pared by Bluepoint Ecological, LLC in collaboration with the Rindge Conservation Commission, April, 2006

cc: US Senator Kelly Ayotte  
US Senator Jeanne Shaheen  
US Representative Ann Kuster

**20150828-5219**

To: Federal Energy Regulatory Commission (FERC)  
Filing Party: Troy Conservation Commission, Troy, NH  
Docket: PF 14-22-000 (Applicant - Tennessee Gas Pipeline Company, L.L.c.) Date: August 2015

The Troy Conservation Commission (Troy NH) requests that FERC address the following comments when preparing an Environmental Impact Statement regarding the Northeast Energy Direct Project proposed by Tennessee Gas Pipeline Company and / or Kinder Morgan (Docket PF:14-22-000).

**Subject: Construction (National Park Service) - Comment Number TCC146**

Please determine all properties acquired and/or developed with LWCF (Land & Water Conservation Fund) assistance. There are parcels of land in the NED project path that were acquired or developed with LWCF assistance.

**Subject: Construction (National Park Service) - Comment Number TCC147**

Please determine the process to ensure the NED project complies with all the conversion provisions of Section 6(f)(3) of the LWCF Act, 36 CFR Part 59. These rules are applicable to each and every area or facility for which LWCF assistance was obtained.

**Subject: Construction (Conservation) - Comment Number TCC148**

Please determine how the towns will be compensated for the lost tax dollars surrendered (in some cases for decades) for conservation lands currently threatened by the NED project in South Western NH.

**Subject: Construction (Conservation) - Comment Number TCC149**

Please determine how the violation of lifetime gifts by donors who deeded lands to be conserved “in perpetuity” will be fairly discharged due to the NED project in South Western NH.

**20150828-5229**

08/28/2015

Susan Baxter  
302 N Rankin St  
Appleton, WI 5491  
920-739-7427

Re: Docket No; CP14-529 (copied to PF14-22)  
Ms. Kimberly Bose, Secretary  
Federal Energy Regulatory Commission (FERC)  
888 First Street NE, Room 1A  
Washington, DC 20426

Dear Ms. Bose,

I recently discussed the realities of pipeline repair with the Pipeline and Hazardous Materials Safety Administration (PHMSA). Regular pipeline maintenance is not something that is regulated with respect to the protection of resources (environmental) by PHMSA. This makes sense because protection of the “non-human” environment is not part of PHMSA jurisdiction. That being said:

In the long term, a pipeline will have repairs. Some of the repairs may be necessary in places where other

entities do have jurisdiction. For example:

In 2014, maintenance was necessary along the pipelines located in Sandisfield, MA. The repairs/maintenance were discovered by a pigging operation done in 2012. TGP had the information at some point in time, about the necessary repair/maintenance, and they planned this repair, in part, based on their maintenance budget. The local Conservation Commission was informed about the planned work, in 2014, only days before the work was to be done, but many months after the work was planned. The work was presented to the Commission as an “emergency”.

Needless to say, the Sandisfield Conservation Commission did not dispute the “need” for the repairs/maintenance, and the wetlands in the areas of “maintenance” were not protected.

In the future, (CP14-529) what procedures will be required by the various jurisdictional agencies who do have authority over protection of the environment (non-human) about this issue?

Since the Sandisfield Conservation Commission has already been lied to about an “emergency” situation, should they assume that any further “emergency” is without basis? Which authority can over rule the Sandisfield Conservation Commission in the possibility of future “emergencies” claimed by TGP, and will they (the authority) be held accountable for the damage to the environment in Sandisfield if there is no “emergency”?

Obviously, TGP filing a NOI in Sandisfield, MA, for work in wetlands, prior to doing work would, in a maintenance situation, be responsible, and allow for protection of the environment.

I would think the FERC would agree, and would ask, in addition to clarifying what procedures for routine maintenance of the pipe line (not ROW) should be followed for CP14-529, that some consideration be given to how the environment already disrupted by the previously installed lines can be protected in the future.

I believe that the Director of the Office of Energy Projects might have delegation authority to take whatever steps are necessary to ensure the protection of all environmental resources during construction and, more importantly, operation of the previous projects. Who should be contacted at OEP or has the authority been delegated, and if so, to whom?

Sincerely,

Susan Baxter

cc PHMSA, CATS Manager, Karen Gentile  
Sandisfield Conservation Commission

**20150828-5230**

15 Silverwood Terrace  
South Hadley, MA 01075-1231  
413-536-3078  
mhh777@verizon.net

August 28, 2015

Ms. Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, D.C. 20426

Subject: Docket Number PF14-22-000 Northeast Energy Direct Pipeline Project

Dear Secretary Bose:

In evaluating the environmental and related social and economic effects of the proposed NED pipeline, please consider the impacts on all of the natural and human resources identified at the scoping hearing in Greenfield and at all of the scoping hearings, as well as in all of the written comments submitted to you, in respect to:

- local habitats, both animal and human. Please look at the prospective fragmentation of habitats including forests, wetlands, and waterways. Please consider the effects of this project on agricultural lands and soils, noting for example the fact that organic farmers may have invested decades of labor in establishing soils, and may not have capacity to start over in other locations. Please examine the consequences for local geological formations, including karst and seismic areas. Please examine the likely incalculable damage to parks, conservation land and nature reserves, and recreational areas. Please investigate the predictable harm to state and federally listed endangered and sensitive species. Please assess carefully the prospective harm to ground and surface water, including wells, aquifers, reservoirs, rivers, lakes, ponds, and wetlands.
- the societal contexts, involving local and regional interests, and the wider society. Please look into prospective harms to historic places, and to the quality and character of the region. Please inquire into the effects of the project on first responders' safety and evacuation plans, on their ability to enforce property use rights on rights of way (including illegal snowmobile use), and their ability to meet an increased threat of terrorism. Please look into environmental justice concerns involving low income, minority and tribal communities who would be affected by this project.
- the impact of the project on local economies that are dependent on aesthetics and on natural and wild settings, or are dependent on certified organic status of farming practices, and that would suffer declines in local property values as well as insurmountable insurance issues.
- the cumulative effects of the project, by itself and in conjunction with existing and other proposed pipelines, on all of these values stated above over time, together with the cumulative effects of drilling fields, LNG and shipping facilities that would also fall inside the network of this project.
- the consequences for climate change, remembering both the guidelines issued in December 2014 by the Council on Environmental Quality for NEPA reviews to include potential greenhouse gas emissions and climate change impacts of projects, and the stipulations of the Massachusetts Global Warming Solutions Act.

Please require that Kinder Morgan pay for air quality testing and tests of all potentially affected wells and septic systems both before and after execution of the pipeline project.

Please study the very toxic coating used for lining the pipelines, in relation to all natural and human contexts in which the coating substances could be expressed, both in regular operations and in the event of any rupture or other accidents.

In regard to public health and safety impacts, please investigate the likely harm at blowdown sites, such as compressor, metering and valve stations. Please study the zones that are within a blast radius of the project, including neighborhoods, schools, hospitals, and senior facilities. Please study the likely impacts to air and water quality during construction and operation of the project.

In regard to local infrastructure, please analyze the effects of construction and operation of this project on all affected roads, water sources, and utilities. Please study and assess the effects of blasting on water wells and septic systems. Please evaluate the effects of heavy equipment on local roads during construction as well as maintenance of the proposed pipeline. Please examine the feasibility of forming emergency plans for infrastructure within the blast radius of the project, including roads, bridges, water, sewer, and power resources. Please consider questions of what training and compensation responders to such emergencies would receive, and at what societal cost they would receive it.

In regard to the impacts of construction and maintenance of the project, please include in your evaluation a consideration of the pipeline right of way, temporary work zones and staging areas. Please assess the impact of heavy equipment on roadways and temporary access roads. Please look into the environmental and agricultural effects of maintaining the right of way, including the consequences of chemical defoliation and the spread of invasive species. Please evaluate the question of where temporary crews would be housed, and how that would impact local towns in terms of law enforcement, public health, and rescue costs. I request that you require detailed plans for each town along the pipeline route and in neighboring towns that have only voluntary responders. Please remember that Massachusetts has an open trench law requiring that any dug trench measuring 3 feet or more that is left open overnight must be guarded or fenced, as a part of

the requirements in safeguarding the project if it were to go forward.

Please require the public release of a potential impact radius disclosure for every affected property and for the entire pipeline project, including for private homes, schools, hospitals, historic sites, places of archaeological or artifact concern, conservation and open space easements, preserved farmland, organically certified farmland, and all farmland, scenic and recreational sites, wetlands and stream crossings, and forests.

In regard to impacts on endangered species, I call upon FERC to go out and canvas the populations to be adversely affected, since we do not know where they are.

In regard to social harms of the project, I ask you to recognize that the affected region enjoys a tourism economy, and to consider how the project would impact that economy and the likelihood that people would stay in the region. I ask you to be thorough and fair in assessing how many people would be affected by this project, and what would be the economic loss, especially to communities that are already vulnerable. Please consider, also, that within the impact area of the compressor stations, people would receive no compensation, and that, along the path of the pipeline itself, compensation would be inadequate.

Please note in your considerations that the New England Scenic Trail has the same protected status as the Appalachian Trail.

In regard to the harms of this project for climate change, please count the huge and deliberate venting that is planned to take place at compressor stations.

I request that you provide data throughout your consideration of harms, and that your gathering of data be direct, and independent of the developer that has a financial incentive to minimize the environmental, social, and economic damage that would result from this project. I ask you to use established, reproducible scientific methods (including defining a question and gathering information and resources), supply the appropriate scientific controls, have your research peer reviewed, and publish the data so that the public will have access to it.

In regard to each subject of study, please include an analysis of the severity of all impacts, and the direct and indirect effects of pipeline construction and operation in each category. Please evaluate how Kinder Morgan would try to avoid impacting existing assets and, if they are not able to avoid impact, how would they minimize impact, and if they could minimize harm to a high standard of protection. Please state how you would monitor mitigation areas, and provide a detailed description of how problem areas would be resolved when all other mitigation attempts had failed.

Please examine the main subject areas of the thirteen Resource Reports, and Considerations during Construction and Operation. Please evaluate Kinder Morgan's claim of a need for the pipeline, and ask yourselves the questions that you have been asking Kinder Morgan.

Please consider Energy Efficiency as an alternative to this project, recognizing that, under Section 1502.16(e), NEPA specifically requires consideration of this resource. In evaluating the potential for Energy Efficiency as an alternative to this project, please consider what would be possible with a full societal commitment to the recovery of this resource. Please include in your assessment what would be a reasonable benefit of repairing leaks in existing gas pipelines in Massachusetts.

Where NEPA mandates that agencies discuss "energy requirements and conservation potential of various alternatives and mitigation measures", please consider as well the potential resources of wind and solar electricity production in Massachusetts. Also, please evaluate the possibility that some existing oil burning plants could be retooled for use in the event of an emergency. Please consider that there exist pipelines to bring natural gas from Canada, and facilities to bring LNG in to Massachusetts by ship. Please consider the potential for bringing more hydro power down to Massachusetts from Canada, and wind power from Maine.

I request that you faithfully execute your duty to analyze all of the areas of study listed here and in all of the other comments on the harms that would follow from the pipeline project, and on reasonable alternatives to the project. Finally, I ask you to consider what would be the impacts of not building the pipeline.

Yours Sincerely,  
Mary H. Hall

cc by email: Secretary Bose

cc by standard mail: Governor Baker, Senator Warren, Senator Markey, Congressman Neal, Senator Rosenberg, Representative Scibak, Attorney General Healey

**20150828-5232**

**PLAN**  
**Pipe Line Awareness Network**  
**for the North East, Inc.**

August 28, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20216

Re: Docket No. PF14-22, TGP Northeast Energy Direct – Scoping: Air Quality & Noise

Dear Secretary Bose:

The Pipe Line Awareness Network for the Northeast, Inc. (PLAN) submits these comments to inform the scope of the Commission's environmental impact statement for the proposed Northeast Energy Direct project with respect to air quality and noise issues. PLAN reserves our rights to file additional scoping comments in September, as we have been informed that the comment period will be extended. We note that a minimum two-week extension of the comment period was mentioned in the August 20th interagency call notes, but such extension has not been formally noticed as of the filing of this comment.

**Scope of the Proposed Action and Alternatives**

PLAN respectfully requests the Commission, in its assessment of the project:

- (1) Rigorously explore and objectively evaluate all reasonable clean energy alternatives to natural gas in the region, including alternatives involving energy efficiency and energy storage;
- (2) Rigorously explore and objectively evaluate all reasonable siting alternatives including, but not limited to, areas not adjacent to or upwind of the Ozone Transport Region, and areas not adjacent to or upwind of nonattainment or maintenance areas for the 8-hour Ozone National Ambient Air Quality Standards (NAAQS); and
- (3) Insofar as the examination of clean energy alternatives, emission controls, and additional siting alternatives may meet any public purpose of or need for the proposed project, such alternatives and controls cannot be removed in good conscience from detailed study; therefore, please ensure that substantial treatment is devoted to each alternative throughout the evaluation process so that reviewers may evaluate their comparative merits. Systematic exclusion of viable alternatives may not meet the letter, nor the spirit, of your primary mandate.

**Criteria Pollutants and Hazardous Air Pollutants**

We understand that the currently proposed project is within areas that are considered nonattainment for the 8-hour Ozone the NAAQS. In addition, there are nonattainment and/or maintenance areas in all upwind (and downwind) directions (i.e. north, south, east, and west) of the proposed pipeline and its components. The nine compressor stations combined account for power generation comparable to a new mid-sized power plant in the area. However, because the project is spread throughout several regions and states, the project systematically divides the siting and regulatory process into smaller more navigable components. This segmenting may allow for the incremental approval of the entire project, while eastern New York and the New

England states will shoulder the majority of the downwind effects

<b>Compressor Station</b>	<b>County, State</b>	<b>Air Quality Control Region</b>	<b>Attainment Status</b>
Station 319 Upgrades	Bradford, PA	Northeast Pennsylvania-Upper Delaware Valley Interstate AQCR	Unclassifiable
Supply Path Head Station	Susquehanna, PA	Northeast Pennsylvania-Upper Delaware Valley Interstate AQCR	Attainment
Supply Path Mid Station	Delaware, NY	Southern Tier East Intrastate AQCR	Attainment
Supply Path Tail Station	Schoharie, NY	Hudson Valley Intrastate AQCR	1997 O3 Marginal
Market Path Head Station	Schoharie, NY	Hudson Valley Intrastate AQCR	1997 O3 Marginal
Market Path Mid Station 1	Rensselaer, NY	Hudson Valley Intrastate AQCR	1997 O3 Marginal
Market Path Mid Station 2	Berkshire, MA	Berkshire Intrastate AQCR	1997 O3 Moderate
Market Path Mid Station 3	Franklin, MA	Hartford-New Haven-Springfield Interstate AQCR	1997 O3 Moderate
Market Path Mid Station 4	Hillsborough, NH	Merrimack Valley-Southern New Hampshire Interstate AQCR	Attainment
Market Path Tail Station	Middlesex, MA	Merrimack Valley-Southern New Hampshire Interstate AQCR	1997 O3 Moderate

The proposed facility locations are effectively spread over several states and nonattainment areas within the Ozone Transport Region (OTR). This allows the project systematically avoid the strictest requirements and controls outlined in individual states' State Implementation Plan (SIP) of the Clean Air Act (CAA); while at the same time, the proposed activity will generate air pollutants and their precursors that are known to have the ability to be transported regionally from one airshed to another.

In short, we have concerns about the potential for pollutants of interest to form within and/or migrate downwind from Pennsylvania and New York and have adverse effects on the health and welfare in areas downwind, and to potentially interfere with adjacent areas' ability to attain and/or maintain the NAAQS. Therefore, we respectfully request the Commission, in its assessment of the project:

- (1) Include all associated areas spanned by project and all downwind areas including the Metropolitan Boston Intrastate AQCR, the Merrimack Valley-Southern New Hampshire Interstate AQCR, the Berkshire Intrastate AQCR, and the Central Massachusetts Intrastate AQCRs within the in the Region of Interest (ROI);
- (2) Include a discussion about the new 8-hour Ozone NAAQS and the PM2.5 nonattainment status of areas and counties adjacent to the project;
- (3) Include a discussion about the potential for health effects associated with 8-hour ozone levels in the range of 0.060-0.070 parts per million (ppm) as outlined by the US Environmental Protection Agency's (USEPA) Clean Air Scientific Advisory Committee.

- (4) Quantify the proposed facilities potential to emit all criteria pollutants and hazardous air pollutants;
- (5) Discuss in detail the expected permit status of the facility including but not limited to Prevention of Significant Deterioration (PSD), New Source Review, and Title V. Due to the “no backsliding” provisions of the Clean Air Act, these assessments should be made as if the areas (where appropriate) were still nonattainment areas for the 1-hour NAAQS;
- (6) Discuss the plan for the proposed facilities to comply with the National Emissions Standards for Hazardous Air Pollutants (NESHAPs) and the New Source Performance Standards (NSPS); and
- (7) Rigorously explore and objectively evaluate all emission control alternatives for the proposed compressors stations including, but not limited to, the Lowest Achievable Emission Rate (LAER) for NO<sub>x</sub> and carbon sequestration for CO<sub>2</sub>.

The CAA is not all-inclusive. The CAA does not specifically address direct effects of the proposed action and alternatives on human health and the environment. In addition, the CAA focus is on evaluating and limiting air emissions within the confines of a specific region, although it is well understood that such emissions are transported inter-regionally. Therefore, to help ensure the protection of human health and welfare for individuals, we respectfully request the Commission, in its assessment of the project:

- (8) Include specific health-based and epidemiological criteria to determine the significance to air quality under NEPA, for example, 0.060-0.070 parts per million (ppm) as outlined by the USEPA’s Clean Air Scientific Advisory Committee;
- (9) Quantify all actual direct and indirect emissions of the criteria pollutants from the proposed action and alternatives;
- (10) Include in the analysis all emissions from the construction and operation of the project components as well as all the natural gas that will be transported to and burned within the areas in the ROI;
- (11) Quantify the expected change in ground-level ozone concentrations in the AQCRs in the ROI from the proposed action, including the maximum-modeled change;
- (12) Quantify the effects to human health and welfare in terms of number of people exposed to the criteria pollutants, and the number of people that would develop adverse health effects from the exposure. Please break the analysis down to the county level;
- (13) Quantify the number of individuals in the AQCRs in the ROI that would develop and or have additional heart trouble, lung disease, and asthma-associated health effects due to elevated ozone levels. Please break the analysis down to the county level, and differentiate for adults, children, and the elderly;
- (14) Quantify the effects to human health and welfare to children; people with lung disease, such as asthma, emphysema, or chronic bronchitis; and older adults. Please break the analysis down to the county level, and differentiate for the different sensitive groups; and
- (15) Quantify the indirect cost of all indirect costs associated with effects to human health and welfare, including health care cost, insurance cost, loss of wages, unemployment insurance, and reduction in productivity.

In addition, to help ensure the timely attainment and continued maintenance of the NAAQS in adjacent regions, we respectfully request the Commission, in its assessment of the project:

- (16) Quantify the expected change in ground level ozone concentrations at the regional monitoring stations within AQCRs in the ROI;
- (17) Discuss the effects the proposed action will have on the ability of these regions to obtain and maintain the NAAQS, and what additional controls if any these regions would need to implement to achieve attainment; and
- (18) Discuss reductions-by-design, emission controls, emission offsets, and other mitigation that would be implemented to reduce air quality impacts of criteria pollutants and HAPs below the significance level.

## **Greenhouse Gases**

The CAA specifically states that USEPA “shall” (i.e. must, not may) regulate dangerous pollutants once they are found to endanger public health or welfare. Based on an April 2007 Supreme Court decision, USEPA is currently preparing rules regulating global warming pollution from all major sources. These rules are expected to be implemented during the timeframe of the proposed action, and are expected take the form of a cap-and-trade system inherent to all Federal air regulations. The timing of the proposed action seems suspect and specifically designed to take advantage of the gap in final regulations regarding Green House Gas (GHG) emissions. Therefore, we respectfully request the Commission, in its assessment of the project:

- (19) Include a discussion of the existing global environment with respect to greenhouse gas emissions;
- (20) Include a discussion of existing GHG control technologies;
- (21) Include an analysis pertaining to any final, draft, or reasonably foreseeable federal or state regulations or guidances regarding GHG emissions; and
- (22) Include in the analysis all emissions from the construction and operation of the project components as well as all the natural gas that will be transported by the proposed pipeline and burned.

Cumulative impacts are the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time. Keeping this in mind, we respectfully request the Commission, in its assessment of the project:

- (23) Quantify all direct and indirect GHG emissions from the proposed action and alternatives;
- (24) Quantify all cumulative GHG emissions including those from the proposed action plus all other past, present, and reasonably foreseeable actions;
- (25) Discuss the potential for the cumulative GHG emissions to affect the global environment;
- (26) Discuss the ability of the proposed facilities to comply with the pending/reasonably foreseeable regulations for GHG emissions;
- (27) Discuss reductions-by-design, emission controls, emission offsets, and other mitigation that would be implemented to reduce air quality impacts of GHG emission below the significance level;
- (28) Include in the analysis all emissions from the construction and operation of the project components;
- (29) Include in the analysis all the natural gas that will be transported by the proposed pipeline and burned; and
- (30) Include in the analysis all emissions from the future leaking of the system, and intentional and unintentional venting of natural gas into the environment.

## **Noise**

FERC regulations require the noise associated with project components not exceed 55 dBA Day- Night-Level (DNL) at any nearby residence. Several states have more stringent regulations; for example, Massachusetts regulations require the noise associated with project components not increase the ambient noise levels at the edge of the right-of-way or property boundary by greater than 10 dBA.

The Commonwealth of Massachusetts defines “ambient” as the background A-weighted sound level that is exceeded 90% of the time, measured during equipment operating hours (i.e. L90). The proposed compressor stations and numerous other components of the project would generate significant noise. We respectfully request the Commission require the applicant to comply with all state and local noise regulations and specifically as that the Commission, in its assessment of the project:

- (1) Compel the applicant to conduct before-construction noise surveys to accurately identify baseline noise as outlined in the state noise regulations. These surveys should be conducted over the period of days or weeks, and during the winter months, so as not to systematically introduce seasonal vegetation

and insect noise into the background readings;

(2) Background noise survey should be conducted at all project components that would have permanent or semi-permanent noise sources, including but not limited to proposed compressor stations, blow-down valve locations, and HDD sites;

(3) Include all nearby residences as well as any area within audible distance to the facilities that is zoned residential or has the ability to be developed residential in the future;

(4) Compel the applicant to prepare and provide a detailed noise assessment outlining how both the FERC and state noise regulations will be met for all project components that would have permanent or semi-permanent noise sources, including but not limited to proposed compressor stations, blow-down valve locations, and HDD sites. This assessment should use the data collected during the winter months as outlined above as a comparative baseline when determining the level of adverse effects;

(5) Compel the applicant to conduct after-construction noise surveys within one month of the in service dates to assure compliance with all federal, state and local noise regulations; and

(6) Compel the applicant to install additional engineering controls and/or noise mitigation as needed after construction to insure noise levels at the edge of the right-of-way or property boundary comply with all federal, state and local noise regulations on an ongoing basis, including during winter months; and

(7) Include in the cost analysis the reduction in property value adjacent to the project components due to noise.

Respectfully submitted,

Kathryn R. Eiseman, President

Pipe Line Awareness Network for the Northeast, Inc.

17 Packard Road

Cummington, MA 01026

info@plan-ne.org

413-320-0747

## **20150828-5236**

Sheila OBrien, Dracut, MA.

I would like to speak out against this proposed pipeline. I live on Blueberry Hill Rd in Dracut, MA. Blueberry Hill is an established residential neighborhood with mature landscaping. My home is within 500 feet of the proposed pipeline and compression station. I have lived here for 21 years. I have raised my family here. I plan on staying here for at least another 21 years - watching my future grandchildren enjoy the nature here. This pipeline/compression station will bring noise, light, and air pollution to my neighborhood, to my home. There are wetlands and wildlife that will be negatively impacted. Members of my family have asthma - and toxins put into the air from the compression stations will compound their breathing issues. I have concerns regarding my family's and local children's safety during construction. My homeowner's insurance will increase as an 'incineration' zone would cost far more than a flood zone (which we are not in). My home is in the 'incineration' zone - that will get up to 800 degrees within seconds if there is an explosion at this compression station - my family and home would no longer exist. This pipeline/ compression station will lower my property value. If I do chose to move away no one in their right mind would want to buy my house. Also, given the increase in solar and alternate power I see in my town, in my neighborhood, there is no need for additional natural gas here in New England.

In summary: the proposed pipeline/compression station will diminish the quality of life for my family, neighbors, the plants, the animals...nature. The issues I raise are irresolvable. I request that you do NOT approve this proposed pipeline - docket PF14-22-000. Thank you. Sheila OBrien

20150828-5239

Sheila OBrien, Dracut, MA.  
{duplicate of 20150828-5236 above}

20150828-5244

Richard R. Silvestro, Temple, NH.  
Richard R. Silvestro  
215 Colburn Road  
Temple, NH 03084

August 28, 2015

Pertaining to Tennessee Gas Pipeline (TGP)  
Docket No. PF14-22-000  
Proposed Northeast Energy Direct (NED) pipeline

Ms. Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426

Dear Secretary Bose:

New Hampshire is, in fact, a forest, which becomes obvious when flying over the state. In this forest are a few cities, a more numerous number of small towns, and many private homes. So, what do you suppose would happen if a pipeline fire, or worse yet a compressor station fire occurred in this forest. These fires have been known to cause spontaneous combustion of wood as far away as 300 ft. just from the radiant heat. If NED is approved and a fire exploded, that would be ignition of a forest fire some 600ft. in diameter before anyone could even start to respond. Obviously, citizens are considered expendable when it comes to acquisition of more money.

Thorstein Veblen, one of the foremost economists of the last century, wrote a description of corporate business methods. To condense the book to its conclusion, he stated that the only goal of a corporation is to make money. If a corporation does something for the good of the people, the community, or even the country, it will only be because it expects that it will thereby increase its profits. Given the hazards of this unnecessary gas pipeline and compressor station and the hardships it would inflict on the residents of Massachusetts, New Hampshire and New York, KM is most certainly adhering as closely as possible to the dark side of this method. Please do not allow them to continue in this travesty.

Sincerely,

Richard Silvestro

20150828-5245

{22 pages} {skip to end of 20150828-5245}

**Monadnock Conservancy**

Site Evaluation & Analyses by LEC for:

**Monadnock Conservancy – Towne Hill Farm**

Robbins Road  
Rindge, New Hampshire

**McGregor Pond/Marsh**

Converse Meadow Conservation Area  
Converseville Road  
Rindge, New Hampshire

*{photos, maps, etc., not included here. Full reports can be downloaded from: }*

*{ <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=13971810> }*

**LEC**

P.O. Box 590, Rindge, New Hampshire 03461603-899-6726

August 14, 2015

Email (Emily@MonadnockConservancy.org)

Emily Hague

Monadnock Conservancy

P.O. Box 337

15 Eagle Court, 2nd Floor

Keene, NH 03431

Re: Site Evaluation & Analysis [LEC File MoC/15-224.04]

**Monadnock Conservancy – Towne Hill Farm**

**Robbins Road**

**Rindge, New Hampshire**

Dear Ms. Hague:

LEC Environmental Consultants, Inc., (LEC) is pleased to submit this baseline information of upland and wetland resource areas located within and adjacent to the existing utility Right-of-Way (ROW) extending through the Towne Hill Farm property of which the Monadnock Conservancy holds a conservation easement. LEC personnel proficient in ecology, botany, soil science, and wildlife biology conducted multiple site evaluations on July 24th, August 6th and 7th, 2015, in order to: 1) identify, classify and evaluate wetlands using the “Cowardin System”<sup>i</sup> and NH Natural Communities<sup>ii</sup>; 2) evaluate wetlands using the “NH Method”<sup>iii</sup>; 3) characterize upland habitat cover types; 4) document important wildlife and plant habitat features, including potential rare species habitat, and actual wildlife habitat utilization/evidence of the presence of wildlife or rare plants.

**General Site Description**

The 302.1± acre Towne Hill Farm property is located west of Route 202 and south of Route 119 within Rindge. Residential development is scattered along Robbins Road (becoming Thomas Road) and off Sundridge Road to the southwest. Undeveloped land primarily dominates the landscape to the west and north and minimally to the east before commercial development along Route 202.

Robbins Road extends through the southeastern portion of the property. Two separate utility ROW’s and corresponding overhead electric lines occur within the southeastern portion of the property, merging immediately west of Robbins Road and continuing in a northwesterly direction through the property within a ±350-foot wide corridor. A narrow band of trees and saplings bisects the ROW, separating the two overhead electric lines.

Remaining portions of the property are primarily comprised of forested upland, forested wetland, and active agricultural (hay) fields. A perennial stream flows in a southerly/southwesterly direction through the western portion of the property, eventually extending through the utility ROW just west of the property boundary. Fringing emergent marsh/wet meadow and scrub shrub habitat conditions abut the meandering stream channel.

An unnamed Pond occurs immediately east of Robbins Road. Several intermittent stream channels (hillside seeps) discharge into the Pond. The northwestern portion of the Pond abuts Robbins Road and an 18” wide culvert extends under Robbins Road, draining the Pond. West of Robbins Road, the stream meanders downhill within forested wetland habitat and continuing through a scrub shrub/emergent marsh wetland that is also fed by two separate intermittent stream channels extending through the utility ROW corridor. Following stream convergence, the stream flows through the utility ROW, eventually discharging to the emergent

marsh associated with the aforementioned westerly perennial stream.

### **Wetland Resource Areas**

In accordance with the NH Method Section 2D. Guidelines to Determine Wetland Evaluation Units, the primary connected wetland system present within the utility ROW has been divided into two separate wetland evaluation areas with Robbins Road functioning as the dividing line. Furthermore, four (4) isolated wetlands occur within the utility ROW east of Robbins Road and have been grouped together for discussion purposes. Wetland areas (map units) are depicted on the Aerial Orthophoto—Wetlands Overlay, prepared by LEC, dated August 14, 2015 (Attachment A) and are described in more detail below.

### **Wetlands East of Robbins Road**

#### **Map Unit W-TH-1**

This map unit is a Palustrine (nontidal), Persistent Emergent wetland (PEM1Eb) associated with the westerly unnamed perennial stream that is seasonally flooded or saturated, at least in-part, due to beaver activity (such as dam building). The plant community is characterized by erect, rooted, herbaceous hydrophytes that are present for most of the growing season in most years. The plants are mostly perennial, dominated by species that normally remain standing at least until the beginning of the next growing season.

Surface water is present for extended periods especially early in the growing season. When surface water is absent, the soils remain saturated near the surface for most of the growing season.

The New Hampshire Natural Community that best describes this map unit is Tall Graminoid Meadow Marsh (S4)-Tussock Sedge Variant. This plant community is dominated by Tussock Sedge (*Carex stricta*), in addition to tall, clonal grasses or sedges such as Bluejoint (*Calamagrostis canadensis*), Woolly Bulrush (*Scirpus cyperinus*), Mannagrasses (*Glyceria* spp.) Lurid Sedge (*Carex lurida*), Three-way Sedge (*Dulichium arundinaceum*), and various spike-rushes (*Eleocharis* spp.). These plants often form dense root mats, and may dominate individually or in combinations depending on hydrologic regime. The community often resembles a meadow and only sustains water at the ground surface for short periods of time (seasonally flooded). A broad diversity of other herbs is often present, but much of the cover and biomass is contributed by only a few species.

The soils are mapped as Borohemists, ponded (197) by the USDA-NRCS. They are very poorly drained organic material (dominantly sapric) that is 16 to 51 inches thick. These areas may also include silty alluvium enriched with organic matter (mucky silt loam). The underlying mineral material (2C) is typically gleyed and ranges in texture from silt loam to coarse sand fluvial material or loamy sand to fine sandy loam glacial till. These soils typically serve as aquifer recharge areas because of their coarse substratum. A soil profile taken from this site is shown to the left. This soil would be classified as a Chocurua mucky peat (395).

Off-site to the west, portions of the wetland within the ROW and abutting the perennial stream can be characterized as Short Graminoid-Forb Meadow Marsh/Mudflat (S4). As a result of beaver activity, extensive mud flats occur along the perennial stream.

#### **Map Unit W-TH-2**

This map unit is primarily a Scrub-Shrub, Broad-leaved Deciduous wetland upgradient of the Tall Graminoid Meadow Marsh within the ROW. The wetland is seasonally saturated and sometimes (partially) ponded as a result of beaver activity (PSS1Eb). The vegetative community consists of shrubs, saplings, emergents, and mosses, but is primarily dominated by woody vegetation less than 6 m (20 feet) tall. Broad-Leaved Deciduous species are woody angiosperms with relatively wide, flat leaves that are shed during the cold or dry season. Surface water is present for extended periods especially early in the growing season. When surface water is absent, the soil is saturated near the surface for much of the growing season.

Transitioning from the Tall Graminoid Meadow Marsh, this map unit can be best characterized as Mixed Tall Graminoid-Scrub Shrub Marsh (S4S5). The clonal grasses and sedges present within the Tall Graminoid Meadow Marsh are also interspersed throughout the Mixed Tall Graminoid-Scrub Shrub Marsh in addition

to Cinnamon Fern (*Osmunda cinnamomea*), Royal Fern (*Onoclea regalis*), Swamp Dewberry (*Rubus hispidus*), areas of Sphagnum spp., and pockets of Narrowleaf Cattail (*Typha angustifolia*). The shrub community is somewhat artificially maintained by periodic vegetative maintenance in the utility ROW and is largely comprised of Meadowsweet (*Spiraea alba*), Steeplebush (*Spiraea tomentosa*), Highbush Blueberry (*Vaccinium corymbosum*), Winterberry (*Ilex verticillata*), and European Buckthorn (*Frangula alnus*) along with scattered Sweet Gale (*Myrica gale*), Speckled Alder (*Alnus incana*), Maleberry (*Lyonia ligustrina*), Witherod (*Viburnum nudum*), and Red Chokeberry (*Aronia arbutifolia*). Distinct patches of Leatherleaf (*Chamaedaphne calyculata*) also abut portions of the Tall Graminoid Meadow Marsh.

Portions of the wetland abutting upland areas are more akin to a Highbush Blueberry-Sweet Gale- Meadow-sweet Shrub Thicket (S4) with taller, dense thickets of Highbush Blueberry and Winterberry with scattered Red Maple (*Acer rubrum*) saplings. Herbs are generally scarce, but include Cinnamon and Royal Ferns.

This map unit lacks deep peat soils, abundant peat mosses, and prominent medium-height heath shrub layers and other peatland indicators. Soils are mostly mineral, and vary in organic content. In some settings, leaf litter covers the soil surface and bryophytes and herbs are in low abundance. In other settings this community can grade into tall shrub fens with organic soils.

Searsport mucky peat (15) dominates this area. It is a very poorly drained soil formed in muck and mucky peat overlying sandy glacial-fluvial and ice-contact stratified drift. They occur in depressions, glacial outwash plains and stream terraces. Depth to the water table ranges from 12 inches above the surface to 12 inches below the surface most of the year. The Soil profile (right) was taken from this map unit.

### **Map Unit W-TH-3**

This map unit is a Palustrine (nontidal) Forested wetland (PFO1) located north of the utility ROW and east of the Map Unit: W-TH-1.

This Hemlock - cinnamon fern forest (S4) occurs within the transition zone from the wetlands to the uplands and maintains a seasonally-high water table. The moderately dense canopy is dominated by Eastern Hemlock (*Tsuga canadensis*) with scattered Red Maple trees. Patches of Cinnamon Fern occur sporadically throughout the wetland. Similar habitat conditions exist on-site south of the utility ROW (Mixed Tall Graminoid-Scrub Shrub Marsh).

### **Map Unit W-TH-4**

This is a Palustrine, Persistent Emergent wetland (PEM1E) abutting an intermittent stream that flows in a westerly direction within the utility ROW, including through an old stone culvert. Surface water within the wetland is present for extended periods especially early in the growing season and when surface water is absent, substrate remains saturated near the surface for much of the growing season.

Within the northern portion of the ROW and north of the stream channel, habitat conditions are largely occupied by a Tall Graminoid Meadow Marsh (S4)-Bulrush Variant. Remaining portions of the wetland can be primarily characterized as a Mixed Tall Graminoid-Scrub Shrub Marsh (S4S5).

The soils in this area are dominated by Chocurua mucky peat (395). The soil has 16 to 51 inches consists of organic material (hemic and sapric), overlying sandy glacial outwash or till. On this site there is evidence of regular ponding for most of the year. These areas serve as aquifer recharge sites because of the underlying sandy soils. A soil profile taken from this map unit is shown on the left. The 2C horizon is loamy coarse sand.

### **Map Unit W-TH-5**

This map unit is a Palustrine, Persistent Emergent wetland (PEM1B) associated with two separate seeps/intermittent stream channels extending northerly through the utility ROW and ultimately discharging to Map Unit W-TH-4. Both seeps originate immediately south of the ROW within a hemlock forest.

The New Hampshire Natural Community that best describes these wetland areas within the utility ROW is an Herbaceous Seepage Marsh. These wetlands occur in a variety of settings where minerotrophic ground-

water discharge is prominent. This area found near upland borders, at the toe slope of the adjacent till ridge. The easterly intermittent stream continues through forested wetland (PFO and Map Unit WTH- 6) north of the ROW, joining the aforementioned intermittent stream within Map Unit W-TH-4.

Herbaceous Seepage Marshes generally tend to be larger than forest seeps and usually have little tree canopy (except along their borders). While technically a marsh, these communities are intermediate between fens and marshes, both floristically and environmentally. They contain a mixture of graminoids, forbs, and ferns including indicators of seepage and minerotrophic conditions.

The plant community is primarily dominated by Cotton Grass (*Eriophorum virginicum*), Reed Canary Grass (*Phalaris arundinacea*), Sensitive Fern, Cinnamon Fern, Narrowleaf Cattail, Woolly Bulrush, Lake Sedge (*Carex lacustris*), Spotted Joe-pye-weed (*Eupatorium maculatum*), Goldenrods (*Solidago* spp.), Marsh Fern (*Thelypteris palustris* var. *pubescens*) and Rough Sedge (*Carex scabrata*). Patches of European buckthorn occur along the upper limits of the wetlands. The wetlands occurs directly below the high tension lines and is subject to regular vegetation control, which helps to maintain its open condition.

The soils in this area are dominantly Pillsbury fine sandy loam, very stony (647). These are poorly drained soils with fine sandy loam textures in the solum, underlain by dense loamy glacial till. The dense substratum supports a perched, seasonal water table 0-1.5 feet below the surface from November to May. Soil textures are fine sandy loam or sandy loam with gravelly analogs throughout the profile. A soil profile from this map unit is shown on the left.

### **Map Unit W-TH-6**

This map unit is a Palustrine (nontidal) Forested wetland (PFO1) located north of the utility ROW and west of the Robbins Road. As noted above, the easterly intermittent stream from Map Unit W-TH-6 extends through this forested wetland. A secondary intermittent stream channel meanders through this wetland, originating from the Pond located east of Robbins Road (via an 18" wide culvert extending under the roadway). The New Hampshire Natural Community that best describes this area may be a Hemlock - cinnamon fern forest (S4). Hemlock dominates the canopy with moderate Red Maple. Cinnamon and Sensitive Fern primarily occur at lower reaches of the system upgradient of the Mixed Tall Graminoid-Scrub Shrub Marsh (Map Unit W-TH-2).

### **Wetlands East of Robbins Road**

### **Map Unit W-TH-7**

This map unit consists of a shallow Pond classified as a Palustrine Unconsolidated Bottom wetland that is permanently flooded (PUBHh). This includes all wetlands and deepwater habitats with at least 25% cover of particles smaller than stones (less than 6-7 cm), and a vegetative cover less than 30%. The bottom material is dominated by mud and organic material. Water covers the land surface throughout the year and is partially impounded by Robbins Road and periodically elevated by beaver activity near the outlet at the roadway. A beaver dam was recently removed by the Rindge Highway Department, but likely to be rebuilt. The southern portion of the Pond occupies the entirety of the utility ROW. Four separate stream systems feed into the Pond; three from the south and one from the northeast that drains ponded areas on either side of Thomas Road.

The New Hampshire Natural Community that best describes this area is Aquatic beds. These are wetlands that occur in permanently inundated areas at the transition between emergent marshes and deeper environments of many rivers, streams, and ponds (ones that lack rooted vegetation). This is a very broadly defined Natural Community dominated by floating-leaved and submersed herbaceous species.

The dominant floating vegetation at this site includes variegated yellow Pondlily (*Nuphar variegata*), White Waterlily (*Nymphaea odorata*) and Water Shield (*Brasenia schreberi*) along with pondweeds (*Potamogeton* spp.) and milfoils (*Myriophyllum* spp.).

### **Map Unit W-TH-8**

This is a Palustrine, Persistent Emergent wetland (PEM1F) that is semipermanently Flooded, occurring at the outlet end of the Pond off Robbins Road (Map Unit W-TH-8 or PUDHh) and includes the remnants of a beaver dam described above. The wetland contains Cattails adjacent to standing water accompanied by by Steeplebush, a variety of sedges and ferns, and European Buckthorn. Due to the beaver activity and small nature of the wetland pocket adjacent to the outlet, the map unit doesn't fit neatly in a New Hampshire Natural Community.

### **Map Unit W-TH-8**

This map unit is a Palustrine (nontidal), Persistent Emergent wetland (PEM1Eb) concurrent to and southwest of the Pond (south of ROW). An intermittent stream from the upgradient hemlock forest discharges into this Tall Graminoid Meadow Marsh (S4). The plant community is primarily comprised of various sedges, cattails, and Red Canary Grass. The area resembles a wet meadow and sustains water at the ground surface for short periods of time (seasonally flooded). Highbush Blueberry shrubs populate the outer fringes.

### **Map Unit W-TH-9**

This map unit is a Palustrine (nontidal) Forested wetland (PFO1) located south of the utility ROW and Pond. Three separate intermittent stream channels flow through this wetland. The two westerly streams originate within the separate, southern utility ROW (Herbaceous Seepage Marsh, similar to Map Unit W-TH-4) and extends through forested areas somewhat resembling a Red Maple- Red Oak-Cinnamon Fern Forest (S3S4). The easterly intermittent stream originates from a (hemlock) forested seep (Hemlock - cinnamon fern forest). . Speckled Alder, Highbush Blueberry, Red Maple, and Cinnamon fern primarily occur at lower elevations within the map unit.

### **Map Unit W-TH-10**

This is a Palustrine, Persistent Emergent wetland (PEM1B) located east of the Pond within the utility ROW. The wetland is located within low-lying troughs where the substrate likely remains saturated near the surface for much of the growing season. The New Hampshire Natural Community that best describes these wetland areas within the utility ROW is an Herbaceous Seepage Marsh primarily dominated by Cinnamon Fern and Sensitive Fern with sporadic cattails and sedges.

### **Isolated Wetlands (east of Robbins Road)**

#### **Map Unit W-TH-11, W-TH-12, W-TH-13, & W-TH-14**

These map units are Palustrine, Persistent Emergent wetlands (PEM1B). They occur in small isolated depressions and benches of slopes in the glacial till uplands. Water is perched above a dense substratum creating saturated conditions within 12 inches of the surface, for a significant period of the growing season in most years but surface water is seldom present.

The plant community is not well developed with small patches of bare ground. The plants are dominated by erect, rooted, herbaceous hydrophytes that are present for most of the growing season in most years. The plants normally remain standing at least until the beginning of the next growing season.

These areas have mostly been created by vehicular traffic or former excavations. There is no New Hampshire Natural Community that applies to these areas. In time, if left undisturbed, they have potential to develop into a Mixed Tall Graminoid-Scrub Shrub Marsh. The plant community is currently primarily occupied by various sedges, rushes, and ferns, in addition to encroaching European buckthorn.

The soils are disturbed areas of the Marlow (77) and Skerry (559) series. A profile of the Marlow soils is shown below:

### **Upland Habitat Cover Types**

#### **Within the Right-of-Way**

Considering the on-going vegetative maintenance practices, upland habitat cover types within the utility ROW cannot be classified within a distinct Natural Community. Upland areas within the ROW can be broadly characterized as Early Successional Upland Habitat defined by rolling topography.

Soils present within the upland ROW are mostly concurrent with those present within the abutting forested upland (described below). Exposed ledge is present within the easternmost portion of the on-site ROW.

Dominant vegetation includes patches of Sheep Laurel (*Kalmia angustifolia*) and European buckthorn with Bracken Fern (*Pteridium aquillinum*), Teaberry (*Gaultheria procumbens*), Dewberry (*Rubus flagellaris*), and scattered Eastern White Pine (*Pinus strobus*) seedlings. Gray Birch (*Betula populifolia*) saplings are prominent within the ROW abutting Robbins Road. Open exposed sandy conditions occur underneath the transmission towers. Prominent open sandy conditions are also present immediately east of the Pond. Off-road vehicular use has likely maintained these conditions abutting the Pond within the ROW.

Between LEC's July 24th and August 6th site evaluation, a gravel road had been installed to the west off Robbins Road, terminating at the wetland boundary. Timber (swamp) mats were delivered to the site both on August 6th and 7th, presumably in association with work activities associated with the overhead electric lines.

### **Abutting Forested Uplands**

The power line ROW bisects a large area of Hemlock - White pine Forest (S4). These forests occur on dry-mesic and infertile till and are characterized by the co-dominance of Eastern Hemlock and Eastern White Pine. The community is narrowly distinguished from hemlock - beech - oak - pine forests, but classified as its own community due to strong conifer dominance, its correspondingly poorly developed herbaceous understory, and the apparent longevity of the association (200+ year old pine and hemlock occur at several sites). It is also distinguished from hemlock - spruce - northern hardwood forests by the rarity or lack of Red Spruce (*Picea rubens*), Balsam Fir (*Abies balsamea*), and Sugar Maple (*Acer saccharum*).

Besides pine and hemlock, the plan community includes Witch Hazel (*Hamamelis virginiana*), Mapleleaved Viburnum (*Viburnum acerifolium*), Indian Cucumber (*Medeola virginiana*), New York Fern (*Thelypteris noveboracensis*), Wild Sarsaparilla (*Aralia nudicaulis*), Partridgeberry (*Mitchella repens*), Starflower (*Trientalis borealis*), Clubmosses (*Lycopodium* spp.), Indian Pipes (*Monotropa uniflora*), Canada Mayflower (*Maianthemum canadense*) and Teaberry.

Soils are acidic and well drained to moderately well drained, dry-mesic to mesic sandy loams of varying degrees of stoniness. The upland soils on this site are mostly derived from glacial till. Upland soils on the north part of the study area are mapped as Monadnock fine sandy loam, very stony (143) by the USDA-NRCS. These are well drained soils formed in coarse glacial till and ice-contact stratified drift on moderately steep side-slopes of ground moraine. Soil textures in the solum range from loamy fine sand to loamy sand, and fine sandy loam to loamy sand with gravelly and cobbly analogs in the substratum. In the southern portion of the study area, the upland soils are mapped as Marlow fine sandy loam, very stony (77) and Skerry fine sandy loam, very stony (559). The marlow and Skerry soils have dense till substrata that perches seasonally high water tables. The Marlow soils are well drained and the Skerry soils are moderately well drained. They both occur on broad, gently sloping crests and lower side-slopes of smooth-sided (drumoidal) hills in glaciated uplands, and formed in loamy material overlying sandy and loamy, dense glacial till. The Skerry soils have a perched, seasonal high water table 1.5 to 2.5 feet below the surface. Soil textures in the solum are fine sandy loam and sandy loam with gravelly analogs, and sandy loam to loamy fine sand with gravelly analogs in the dense substratum. A profile (below) of the Monadnock soils was taken in the Hemlock-White Pine Forest north of the ROW.

### **Wildlife and Plant Habitat**

#### **Rare Species**

According to the New Hampshire Natural Heritage Bureau's (NHB) Rare Plants, Rare Animals, and Ex-

emplary Natural Communities in New Hampshire Towns (July 2013), the following rare species have been documented within Rindge:

Plants:

- Pale Duckweed (*Lemna valdiviana*)—Endangered
- Wild Lupine (*Lupinus perennis*)—Threatened

Vertebrates—Birds:

- Common Loon (*Gavia immer*)—Threatened

Vertebrates—Reptiles:

- Blanding’s Turtle (*Emydoidea blandingii*)—Endangered (under review for federal protection)
- Smooth Green Snake (*Opheodrys vernalis*)—Special Concern
- Wood Turtle (*Glyptemys insculpta*)—Special Concern

Vertebrates—Amphibians:

- Slimy Salamander (*Plethodon glutinosus*)—biologically rare

Vertebrates—Fish:

- Banded Sunfish (*Enneacanthus obesus*)—Special Concern

Invertebrates—Dragonflies & Damselflies:

- Ebony Boghunter (*Williamsonia fletcheri*)—Special Concern
- Martha’s Pennant (*Celithemis martha*)—biologically rare

LEC consulted with the Natural Heritage Bureau (NHB) to review their database for records of rare species and exemplary natural communities on or within 1 mile of the Towne Hill Farm property. NHB’s database includes known records for species officially listed as Threatened or Endangered either federally or by the state, as well as species and Natural Communities judged by experts to be at risk in New Hampshire but not yet formally listed. Following review, NHB reported that Wild Lupine and Blanding’s Turtle have been documented within 1 mile of the property (Attachment C). As NHB notes, a negative result (no database record) does not mean that no rare species are present. Records are of known occurrences based on information gathered by qualified biologists and reported to NHB. Many areas have never been surveyed or have been only surveyed for specific species. The following reviews potential habitat for both the Wild Lupine and Blanding’s Turtle.

*Wild Lupine*

Wild lupine, listed as Threatened species in New Hampshire, is primarily found within open to partially shaded habitats containing dry, sandy soils, including utility ROW corridors and/or other open areas that are maintained as early successional habitat.

Wild lupine functions as the host plant for the Endangered Karner Blue Butterfly (*Lycaeides melissa samuelis*) larvae. While the Karner Blue Butterfly hasn’t been historically documented within Rindge, a reintroduction program has been initiated at the Concord pine barrens/Concord Municipal Airport following extirpation in 2000 (Amaral 2000).

LEC did not observe any Wild Lupine within the utility ROW, but a comprehensive survey was not conducted. Suitable habitat for the species is present within upland portions of the utility ROW corridor.

*Blanding’s Turtle*

Blanding’s Turtles are listed as Endangered in New Hampshire and Maine and Threatened in Massachusetts and New York. Blanding’s Turtle are also identified within the NH Wildlife Action Plan as a “Species in Greatest Need of Conservation”. As noted within the species profile, Blanding’s Turtles require large mosaics of wetland and upland habitats with relatively limited development. The species is characterized by a late age of sexual maturity (14-20 years for female Blanding’s turtles; Congdon and van Loben Sels 1993),

relatively low fecundity (average 13 eggs per year, DePari et al. 1987, Congdon et al. 1983), and high rates of adult survival. Small increases in annual adult mortality (as little as 2-3%, Congdon et al. 1993, Gibbs and Shriver 2002), especially among females, can have catastrophic effects on populations. Within New Hampshire, Blanding's turtle habitat overlaps with the highest human population densities. Therefore, turtles are extremely vulnerable to rapid development, especially where road density and traffic volume is high. Blanding's Turtle require Because Blanding's turtles require large mosaics of wetland and upland habitats with relatively limited development,

During the Blanding's Turtle annual life cycle, adult individuals will utilize a wide variety of wetland and upland habitat cover types and will regularly travel long distances between areas. Blanding's Turtles overwinter in the organic substrate in the deepest parts of marshes, ponds, and occasionally vernal pools. Some individuals overwinter under hummocks in red maple or shrub swamps.

Blanding's Turtles will typically emerge from brumation between mid-March and mid-April, however weather dependent. Following emergence, individuals may exhibit long-distance movements associated with migration between permanent wetlands to ephemeral wetlands, which serve as areas for feeding, mating opportunities, and staging habitat for nesting females (Grgurovic and Sievert, 2005). Adult Blanding's Turtle individuals are omnivorous, feeding on a variety of crustaceans, insects, snails, fish, aquatic/emergent plants, berries, and carrion (DeGraaf and Yamasaki 2000). While nesting sites may occur within close proximity to ephemeral wetlands, females have been observed to travel over 1 km (3280 feet) to find appropriate Nesting Habitat (Grgurovic and Sievert, 2005). Nesting activity primarily occurs in June within well-drained loamy or sandy soils (NHESP Fact Sheet). Blanding's Turtle females will also utilize anthropogenic habitats, such as lawns, gardens, mulch piles, and power line right-of-ways to nest (Grgurovic and Sievert, 2005).

During the summer months, Blanding's Turtle are known to aestivate within both upland and wetland habitats; often intermittently from late July to late August (Ross and Anderson, 1990; Joyal, 1996). Additionally, Blanding's Turtle movement activity during the summer months and into early fall is also typically tied into the return to permanent wetlands for overwintering.

Portions of the perennial stream within the western portion of the Towne Hill Farm property and the Pond east of Robbins Road may provide suitable Blanding's Turtle Overwintering Habitat. The Pond and Emergent Marsh/Wet Meadow and Scrub-Shrub Wetlands associated with the westerly perennial stream may consequently provide viable Feeding (Foraging)/Breeding Habitat. Blanding's Turtle may aestivate within the open wetland areas during the summer months, in addition to the surrounding Forested Upland and Early Successional Habitat conditions within the ROW. Viable Nesting Habitat may be limited to the open sandy conditions found under some of the transmission towers or the larger area located east of the Pond.

Additional significant wetland complexes occur within the migratory distance of the property and along the utility ROW, including those associated with Tarbell Brook to the northwest, thus contributing to the overall potential habitat mosaic for the species.

### **Direct Wildlife Signs and Observations**

The following reviews LEC's documented wildlife observations during the August 6th and 7th site evaluations. However, it is important to note the limited evaluations by no means documents all species utilizing the property.

#### *Avian*

Direct avian observations (both visual and auditory) on-site documented during LEC's site evaluations include eastern towhee (*Pipilo erythrophthalmus*), blue jay (*Cyanocitta cristata*), mourning dove (*Zenaidura macroura*), eastern phoebe (*Sayornis phoebe*), downy woodpecker (*Picoides pubescens*), blackcapped chickadee (*Poecile atricapillus*), American robin (*Turdus migratorius*), American crow (*Corvus brachyrhynchos*), great crested flycatcher (*Myiarchus crinitus*), tree swallow (*Tachycineta bicolor*), great horned owl (*Bubo virginianus*), and a broad-winged hawk (*Buteo platypterus*).

Spotted sandpipers (*Actitis macularia*) were extensively utilizing the mud flats abutting the perennial stream within the utility ROW west of the property.

A possibly abandoned osprey (*Pandion haliaetus*) nest was also observed on a transmission tower immediately west of the property.

#### *Mammals*

As noted above, current and recent beaver (*Castor canadensis*) activity is documented within the westerly perennial stream and the Pond located east of Robbins Road.

Additional observed mammalian species include gray squirrel (*Sciurus carolinensis*), chipmunk (*Tamias striatus*), white-tailed deer (*Odocoileus virginianus*), raccoon (*Procyon lotor*), and eastern coyote (*Canis latrans*).

#### *Reptiles and Amphibians*

LEC observed American toad (*Anaxyrus americanus*) and pickerel frogs (*Rana palustris*) within the onsite utility ROW.

Eastern / Red-spotted Newts (*Notophthalmus viridescens*) were documented within the Pond located east of Robbins Road and the perennial stream within the western portion of the Towne Hill Farm property.

Eastern painted turtles (*Chrysemys picta*) were observed basking within the Pond located east of Robbins Road and the perennial stream west of the property. An eastern painted turtle was also observed swimming in a pocket of standing water within the scrub shrub wetland (on-site utility ROW). Additionally, a predated snapping turtle (*Chelydra serpentina*) nest and other unknown turtle egg shell fragments were found within the open sandy conditions abutting the Pond.

#### *Fish*

A fish population was observed within the Pond located east of Robbins Road. While LEC did not taxonomically identify the species, they appeared to be shiners (*Notropis* spp.).

#### *Invertebrates*

Various dragonflies and damselflies were observed foraging within the Pond and the Emergent Marsh/ Wet Meadow and Scrub-Shrub Wetlands associated with the westerly perennial stream.

### **Wetlands Evaluation**

The 14 individual wetland units, ranging in size from 700± sf to greater than 9 acres within the utility ROW, are associated with a larger wetland complex connecting off-site with Tarbell Brook at the north end of Damon Reservoir in Rindge, continuing to Millers River and ultimately to the Connecticut River at Millers Falls in Massachusetts. The wetland's watershed is approximately 1,700± acres and is largely forested with sporadic rural residential development.

Emergent Marsh/Wet Meadow and Scrub Shrub Habitat conditions are the dominant wetland type within the ROW due to the on-going vegetative maintenance. Open water is associated with the unnamed Pond system located east of Robbins Road, while Forested Uplands and Wetlands occupy significant portions of the landscape surrounding the ROW.

### **Prime Wetlands**

In New Hampshire wetlands of particularly high value can be recognized by individual municipalities, under RSA 482-A:15 and administrative rules Env-Wt 700 as "Prime Wetlands". A wetland receives this designation because of its size, unspoiled character and ability to sustain populations of rare or threatened plant and animal species. To date, the Town of Rindge has not chosen to engage in the formal or statutory process of designating Prime Wetlands. Regardless of the regulatory status, the qualities that make a wetland "Prime" may be evaluated anywhere.

In the course of our evaluation of the wetlands on this property, we observed and examined wetlands that have a high probability of meeting the requirements of a Prime Wetland. The statute requires that a Prime

Wetland: “shall be at least 2 acres in size, shall not consist of a water body only, shall have at least 4 primary wetland functions, one of which shall be wildlife habitat, and shall have a width of at least 50 feet at its narrowest point.” (RSA 482-A:15, I-a.). In addition, the regulations specify that: “wetlands designated as prime shall meet the following minimum criteria: (1) The wetlands shall have the presence of hydric soils, hydrophytic vegetation, and wetlands hydrology; and (2) At least 50% of the prime wetland shall have very poorly drained soils and the remaining soils shall be poorly drained soils” (Env- Wt 701.04).

It is our opinion that the wetlands on this site, listed in the following table, would meet the criteria for Prime Wetlands in New Hampshire:

LEC Map Unit	USFWS Class	Approximate Total Area of Wetland	Area of Wetland Within the ROW
W-TH-1	PEM1Eb	33 acres	9 acres
W-TH-2	PSS1Eb	7 acres	6 acres
W-TH-4	PEM1Eb	3 acres	1 acre

Wetland Evaluation forms for the wetland systems located west and east of Robbins Road (separately) are included as Attachment B. They provide the basis for our evaluation using the “New Hampshire Method”. The following provides a cumulative summary of ecological integrity, wetland-dependent wildlife habitat, fish & aquatic life habitat, scenic quality, education potential, wetland-based recreation, floodwater storage, groundwater, sediment trapping, nutrient trapping/retention/transformation, shoreline anchoring, and noteworthiness

### **Ecological Integrity**

The ecological integrity of the Towne Hill Farm wetlands is moderate based on the presence of Robbins Road, one observed stream crossing within the ROW, and surrounding rural residential and agricultural development off Robbins/Thomas Road and Sunridge Road. Beaver activity has also previously influenced hydrology within the Pond and Emergent Marsh within the western portion of the site. Unnatural sources of sediments, nutrients, and other pollutants from Robbins Road may impact adjacent water quality at the culvert crossing located at the topographic low point of the road. Moving away from Robbins Road, ecological integrity increases.

During LEC’s site evaluations, prior ROW maintenance activities did not appear to significantly disrupt wetland hydrology (e.g., ruts) or overall compact surface soils, thus decreasing soil permeability. However, timber (swamp) mats were being delivered to the site on August 6th and 7th, presumably to be used within the ROW. Furthermore, ATV/ORV use was noted to be somewhat minimal on-site.

### **Wetland-Dependent Wildlife Habitat**

The Towne Hill Farm wetlands have significant wildlife habitat value. The Pond located east of Robbins Road provides habitat for various avian, including waterfowl and wading birds, mammalian, reptilian, amphibian, and fish species, in addition to dragonflies and damselflies. The westerly perennial stream and abutting wetlands also provide habitat for similar wetland-dependent wildlife species. The mud flat areas within the ROW provide significant avian foraging habitat.

Several intermittent streams flow through or into the ROW associated with three primary dominant vegetative classes (PEM, PSS, & PFO). The adjacent wetlands increase the value of those present within the ROW. Vegetative maintenance within the utility ROW has further enhanced the available wildlife habitat communities, especially by providing valuable “edge” habitat along the corridor.

Furthermore, the Endangered Blanding’s Turtle has been documented within 1 mile of the Towne Hill Farm property and viable habitat for the species is present within the ROW. Additional significant wetland complexes occur within the Blanding’s Turtle migratory distance of the property and along the utility ROW to increase the overall potential habitat mosaic for the species.

### **Fish and Aquatic Habitat**

As observed, the 3± acre Pond located east of Robbins Road provides habitat for fish and aquatic life buffered by the abutting PEM and PFO wetlands. Abundant cover (woody debris and rocks) is present within the Pond along with floating, submerged, and emergent vegetation. Prior beaver activity (prior to dam removal) within the northwestern portion of the Pond has likely increased water levels and available fish and aquatic habitat.

The westerly perennial stream also provides habitat for fish and aquatic life. Significant swaths of undeveloped forested areas abut the PEM/PSS wetlands occurring along the length of the meandering channel.

As noted above, the Blanding's Turtle has been documented within the vicinity of the site

### **Scenic Quality**

Public access is not currently granted by the property owner under existing conditions. Thus, view areas are limited to locations along Robbins Road. The Pond and surrounding wetlands are readily visible from two separate locations along the road, providing a moderate landscape contrast with the undulating topography and diversity of vegetation in and around Pond. Scenic value increases to the west moving away from Robbins Road with broad vistas of the variable wetland system associated with the perennial stream.

### **Educational Potential**

Under existing conditions, the on-site wetlands have minimal educational potential as public access is not currently granted and parking is significantly limited. If access were granted, the majority of the wetlands are accessible via the utility ROW corridor for educational opportunities.

### **Wetlands-Based Recreation**

The Towne Hill Farm wetlands have opportunities for wildlife observation from the ROW and (canoe/kayak) access to the Pond, if access is granted. Parking is another limiting factor.

### **Floodwater Storage**

Foss Meadow's floodwater capacity is moderate to high. The wetland is relatively large in relation to its watershed (about 7.5%) enabling it to hold a large amount of water produced by the watershed during times of high flow.

### **Groundwater**

This function scored low for Towne Hill Farm. There is no stratified drift aquifer near the wetlands and to LEC's knowledge, no potential public water supply area nearby. There is limited groundwater recharge potential considering the dominant soil types within 500 ft of the wetlands.

### **Sediment Trapping**

The sediment trapping function of Foss Meadow is moderate, due to a moderate to high Wetland Flood Storage capability, an outlet that is not constricted or blocked, a relatively straight stream channel and some ponded open water with limited sediment removal capacity. Contributing to the sediment trapping function are the moderate gradient of the wetland's watershed, dense emergent wetland vegetation and relatively shallow water depth.

### **Nutrient Removal / Retention / Transformation**

The wetland has a moderate ability to attenuate nutrients. Contributing to this function are the Wetland Flood Storage, dense emergent wetland vegetation and sediment trapping capacity. Other factors are a the seasonally saturated or flooded and semi-permanently flooded hydrology, and soils developed in thick organic material that support year-round nutrient attenuation. The relatively shallow water depth adds to the wetland's capacity for this function.

### **Shoreline Anchoring**

The Towne Hill Farm wetlands have a moderate shoreline anchoring capacity, a function of multiple wetland vegetation types along the shoreline (emergent, shrub, and forested), high vegetative density, and wider wetland areas bordering the westerly perennial stream and Pond, respectively.

### **Noteworthiness**

As noted above, the mapped wetland units at Towne Hill Farm are associated with a larger wetland complex connecting off-site with Tarbell Brook at the north end of Damon Reservoir in Rindge, continuing to Millers River and ultimately to the Connecticut River at Millers Falls in Massachusetts.

The “Marsh & Shrub Wetlands” that occur on-site are listed on the New Hampshire Wildlife Action Plan focal habitat list, 2015.

Additionally, NHB has confirmed that the Blanding’s Turtle, state-listed as Endangered and identified within the NH Wildlife Action Plan as a “Species in Greatest Need of Conservation”, occur within 1 mile of the property. Potential habitat for the species exist on-site.

### **Conclusion**

The wetland and upland cover types present within and surrounding the Towne Hill Farm utility ROW form a mosaic of habitats functioning for wildlife habitat, floodwater storage, groundwater protection, sediment trapping, and nutrient removal/retention/transformation. While residential development and roadways fragment the landscape to varying degrees both on and/or surrounding the property, significant portions of the wetlands within the ROW are buffered by forested areas. The wetland systems are comprised of a diversity of Natural Communities providing a myriad of unique functions and values.

While these wetland systems perform important functions, the ecological integrity of the wetlands and uplands matrix is susceptible to disturbance or degradation due to their location within an active utility ROW. Any major disturbance such as soil excavation, vehicular traffic or excessive disturbance of plant cover in the wetlands, or immediately adjacent uplands, will significantly affect their ability to perform the functions identified. It is our opinion that any additional impacts be prevented especially in highvalue areas such as the pond at Robbins Road and its contributing wetland system and the large marsh system to the northwest.

LEC is pleased to provide this baseline information. Should you have any questions or require additional information, please do not hesitate to contact Tom Peragallo at 603-899-6726 or tperagallo@lecenvironmental.com.

Sincerely,

LEC Environmental Consultants, Inc.

Thomas A. Peragallo  
Certified Wetland Scientist (NH CWS #006)

Brian T. Madden  
Wildlife Scientist

Claire Staines  
Wetland Scientist

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P.O. Box 590, Rindge, New Hampshire 03461603-899-6726

August 14, 2015

Email (Emily@MonadnockConservancy.org)

Emily Hague  
Monadnock Conservancy  
P.O. Box 337  
15 Eagle Court, 2nd Floor  
Keene, NH 03431

Re: Site Evaluation & Analysis [LEC File #: MoC\15-224.04]  
McGregor Pond/Marsh  
Converse Meadow Conservation Area

Converseville Road  
Rindge, New Hampshire

Dear Ms. Hague:

LEC Environmental Consultants, Inc., (LEC) is pleased to submit this baseline information of upland and wetland resource areas located within and adjacent to the existing utility Right-of-Way (ROW) extending through the northern portion of the Converse Meadow Conservation Area (CONVERSE MEADOW CONSERVATION AREA) property of which the Monadnock Conservancy holds a conservation easement. LEC personnel proficient in ecology, botany, soil science, and wildlife biology conducted multiple site evaluations on July 24th and August 6th and 7th, 2015, in order to: 1) identify, classify and evaluate wetlands using the “Cowardin System”<sup>i</sup> and NH Natural Communities<sup>ii</sup>; 2) evaluate wetlands using the “NH Method”<sup>iii</sup>; 3) characterize upland habitat cover types; 4) document important wildlife and plant habitat features, including potential rare species habitat, and actual wildlife habitat utilization/evidence of the presence of wildlife or rare plants.

### **General Site Description**

The 240.8± acre CONVERSE MEADOW CONSERVATION AREA is located immediately north of Route 119 and east of Route 202 in Rindge. Undeveloped forested uplands and wetlands primarily abut the property, while residential development off Old New Ipswich Road (west), Perry Road (north), and North Street (east), and Converseville Road (south) occurs slightly further out. Minimal agricultural lands also occur within the immediate vicinity of the property, primarily to the southeast.

The Converse Meadow Pond/Marsh and McGregor Pond/Marsh systems occupy the eastern and western portions of the 240.8± acre property, respectively. Forested upland and wetland habitats, including three (3) vernal pools occur between the wetland systems. A 170± foot wide utility ROW extends through the northwestern portion of the property. Additional forested uplands exist northwest of the ROW.

Three major wetland classes form the McGregor Pond/Marsh wetland system that lie along the eastern boundary of the utility ROW. On-site, a narrow band of forested upland (avg. 75± feet wide) separates the ROW from the wetland system. Immediately north and south of the CONVERSE MEADOW CONSERVATION AREA property boundaries, the ROW abuts the ROW for lengths of 180± feet and 430± feet, respectively.

The wetlands occur within a confined basin that is approximately 500± feet (avg) wide and about 3000± long with a north/south axis. They form part of the head waters to the Millers River North Branch. Water enters the system as runoff and subsurface flow from the hill slopes immediately to the west and north of the basin. Water trapped in the basin is confined by steep till ridges that most likely reflect the underlying bedrock surface. Water leaves the basin at the north end of the open water (Aquatic bed) known as McGregor Pond at an elevation of approximately 1120 feet. A partially breached beaver dam is present at the outlet, but beaver activity has reinforced it, keeping the water level approximately 6 feet higher than the lowest elevation of the outlet stream. McGregor Brook, a 1st order perennial stream, drains the Pond in a northerly direction, then turns south to enter Converse Meadow Pond/Marsh System. The southern outlet the Converse Meadow Pond/Marsh System via the North Branch is also partially impounded by beaver activity. Flow extends under a pedestrian culvert crossing on the CONVERSE MEADOW CONSERVATION AREA before extending under Converseville Road and Route 119, ultimately draining into Lake Monomonac. The North Branch continues to extend southerly from Lake Monomonac through Whitney Pond and Tannery/Hunts Pond, before connecting to Millers River which ultimately connects to Connecticut River at Millers Falls Massachusetts.

### **Wetland Resource Areas**

Wetland areas (map units) are depicted on the Aerial Orthophoto—Wetlands Overlay, prepared by LEC, (Attachment A) and are described in more detail below.

## Map Unit W-CM-1

This map unit is classified as a Palustrine, Scrub-Shrub wetland, dominated by broad-leaved evergreen shrubs with relatively wide, flat leaves that generally remain green and are usually persistent for a year or more (PSS-3-Eb). The area is seasonally flooded or saturated to the surface. Surface water is present for extended periods, especially early in the growing season. When surface water is absent, the soil remains saturated near the surface for most of the growing season. The ponded surface water on this site results mostly from continuous beaver activity, such as dam building.

The New Hampshire natural community that best describes this map unit is Leatherleaf - Sheep laurel Shrub Bog (S2S3). These wetlands contain an abundance of dwarf- to medium-height heath shrubs. Overall species richness is generally quite low. Scattered saplings occur within the southern portion of the system, while snags occur throughout the bog.

Mossy hummock and hollow topography is well developed, with occasional sedges on the hummocks. Average and average-maximum hummock heights measure 0.24 m and 0.40 m, respectively. Average pH is 3.8. Shrubs average 0.52 m in height and form a relatively dense cover (35-50%) compared to other peatland communities. Shrub height averages 0.60 m, but occasionally ranges to nearly 1 m. Average pH is 3.8

Leatherleaf (*Chamaedaphne calyculata*) is the dominant shrub, with lesser quantities of sheep laurel (*Kalmia angustifolia*) and rhodora (*Rhododendron canadense*). Sphagnum capillifolium is diagnostic and typically occupies hummocks. Other abundant Sphagna include *S. magellanicum* and *S. rubellum*, while *S. angustifolium* is occasional. Polytrichum strictum is common on hummocks and Billing's sedge (*Carex trisperma* var. *billingsii*) is occasional.

Portions of the Leatherleaf - Sheep laurel Shrub Bog are separated from abutting upland areas by a Marshy Moat (S4), described further below. Sphagnum species, present in some areas of the map unit, are unconsolidated and often characterized by *S. cuspidatum* and other Sphagna found in "soupy" conditions. Moss species that may be found on woody stem bases and elsewhere in the moat include *Callicladium haldanianum*, *Hypnum pallescens*, and *Aulacomnium palustre*.

The soil is mapped as Borohemists, ponded (197) by the USDA-NRCS. These soils are comprised of very poorly drained organic material (dominantly sapric), 16 to 51 inches thick (Web Soil Survey 2015). The underlying mineral material (2C horizon) is typically gleyed and ranges in texture from silt loam to coarse sand glacial-fluvial material, or loamy sand to fine sandy loam glacial till. Wetlands established on these soils typically serve as ground water recharge areas.

## Map Unit W-CM-2

This map unit is classified as a Palustrine (nontidal), Persistent Emergent wetland that is permanently flooded, primarily as a result of beaver activity (PEM-1-Hb). The plant community is perennial and characterized by erect, rooted, herbaceous hydrophytes that are present for most of the growing season in most years. The plants remain standing at least until the beginning of the next growing season. Water covers the surface throughout the year in all years. There are a few small areas where floating plants dominate the surface of ponded water.

The New Hampshire natural community that best describes this area is Floating Marshy Peat Mat (S3S4) with a perimeter Marshy Moat (S4). Floating Marshy Peat Mats generally consist of thin, flat, loosely consolidated skins of peat and vegetation along calm margins of lakes, ponds, and slow-moving streams. They are transitional between aquatic bed or emergent marsh communities in deeper water and open peatlands on thicker, more consolidated peat landward.

The depth of the floating peat mat ranges from a few to more than 50 cm, and measured pH ranges from 4.4 - 5.7. The pH values are influenced by proximity to open water. The mat surface is flat with occasional, very low micro-relief. Width ranges from less than a meter to several meters wide.

Characteristic species composition is variable, but often includes water-lilies (*Nymphaea* spp.), pond-lilies (*Nuphar* spp.), spike rushes (*Eleocharis* spp.), white beak-rush (*Rhynchospora alba*), spatulate-leaved sun-

dew (*Drosera intermedia*), bladderworts (*Utricularia* spp.), cotton-grass (*Eriophorum* spp.), St. John's-wort (*Hypericum boreale*), northern blue flag (*Iris versicolor*), and other forbs and graminoids. Small patches of leatherleaf occur sporadically.

Marshy Moats are wet zones that occur between interior peatland communities and adjacent upland habitats. On this site it lies between McGregor Pond (an Aquatic Bed) to the north and a Leatherleaf- Sheep laurel shrub bog to the south. Moat development is likely related to increased peat decomposition along the edges of these communities. Vegetation is sparse and open water patches are common, but emergent marsh and aquatic bed species are prominent, such as pond-lilies (*Nuphar* spp.), reflecting both relatively higher nutrient availability and pH. A number of minerotrophic indicator species may be present.

Soils include some recent pond deposits and moderately to highly decomposed organic material. The area is mapped as Borohemists, ponded (197) by the USDA-NRCS. These soils are very poorly drained organic material (dominantly sapric), 16 to 51 inches thick (Web soil Survey 2015). The underlying mineral material (2C horizon) is typically gleyed and ranges in texture from silt loam to coarse sand glacial-fluvial material, or loamy sand to fine sandy loam glacial till. Wetlands established on these soils typically serve as ground water recharge areas.

Left is a soil profile from this map unit. The upper peat (fibric soil material) was floating on about 12 inches of water overlying the lower muck (sapric soil material).

### **Map Unit W-CM-3**

This map unit is classified as a Palustrine, Unconsolidated Bottom, Permanently Flooded wetland (PUB-4-Hb). The area has shallow standing water throughout the year in all years that is mainly impounded by beaver activity. This entire wetland system is affected by a beaver dam at the north end of the map unit that was built in conjunction with portions of a historic mill dam. It is known locally as McGregor Pond.

The New Hampshire natural community that best describes this area is Aquatic beds (S5). These are wetlands that occur in permanently inundated areas at the transition between emergent marshes and deeper environments of many rivers, streams, and ponds (ones that lack rooted vegetation). This is a very broadly defined natural community dominated by floating-leaved and submersed herbaceous species. We would describe this unit as a "quiet water variant", where shallow pond water and free-floating and emergent species are common.

Floating-leaved and submersed plants are the dominant life forms. Water depths are usually 2-3 feet at low-water in most years, and may be as deep as about 10 feet, the approximate depth limit for the growth of rooted plants.

The dominant vegetation at this site includes variegated yellow pondlily (*Nuphar variegata*), water shield (*Brasenia schreberi*), white waterlily (*Nymphaea odorata*), common bladderwort (*Utricularia macrorhiza*), lesser duckweed (*Lemna minor*), (*Wolffia columbiana*), pickerel weed (*Pontederia cordata*) and tapegrass (*Vallisneria Americana*). Some rare floating-leaved or submersed aquatic species found in quiet, relatively deep water or along shallow shores of rivers or ponds include several pondweeds (*Potamogeton* spp.), common mare's tail (*Hippuris vulgaris*), water marigold (*Megalodonta beckii*), wapato (*Sagittaria cuneata*), pale duckweed (*Lemna valdiviana*), star duckweed (*Lemna trisulca*), Engelmann's quillwort (*Isoetes engelmannii*), large-spored quillwort (*Isoetes lacustris*), and stiff water crowfoot (*Ranunculus subrigidus*).

Soils at the bottom of the pond include an accumulation of fine textured sediment and moderately to highly decomposed organic material. The area is mapped as Borohemists, ponded (197) by the US DANRCS. These soils are very poorly drained organic material (dominantly sapric), 16 to 51 inches thick (Web soil Survey 2015). Areas of this soil may also include silty alluvium and pond deposits enriched with organic matter (mucky silt loam). The underlying mineral material (2C horizon) is typically gleyed and ranges in texture from silt loam to coarse sand glacial-fluvial material, or loamy sand to fine sandy loam glacial till. Wetlands established on these soils typically serve as ground water recharge areas.

## **Upland Habitat Cover Types**

### **Within the Right-of-Way**

Considering the on-going vegetative maintenance practices, upland habitat cover types within the utility ROW cannot be classified within a distinct Natural Community. Upland areas within the ROW can be broadly characterized as Early Successional Upland Habitat. As noted above, topography slopes down-gradient to the east/southeast towards the McGregor Pond/Marsh system.

The upland areas within and abutting the utility ROW are dominated by one soil type: Monadnock fine sandy loam, 15-25% slopes, very stony (143D). These are well drained soils formed in coarse glacial till and ice-contact stratified drift on moderately steep side-slopes of ground moraine. Soil textures in the solum range from loamy fine sand to loamy sand, and fine sandy loam to loamy sand with gravelly and cobbly analogs in the substratum. The soils express spodic profile development (Typic Haplorthods) and are relatively permeable.

LEC observed an intermittent stream channel extending through the ROW; however, no hydric soils were found. While no protectable wetlands are associated with the intermittent stream it empties directly into the McGregor Pond and wetland system where it is immediately adjacent to the ROW. This channel carries run-off during peak storms and could provide a path of direct discharge of sediment and other pollutants during construction or aggressive maintenance.

Dominant vegetation within the ROW includes gray birch (*Betula populifolia*) saplings and patches of blackberry (*Rubus* spp.) along with bracken fern (*Pteridium aquilinum*), teaberry (*Gaultheria procumbens*), dewberry (*Rubus flagellaris*), lowbush blueberry (*Vaccinium corymbosum*), and sheep laurel. Cinquefoil (*Potentilla* spp.), path rush (*Juncus tenuis*), and panicgrass (*Panicum* spp.) were also observed within the earthen walking trail extending through the ROW.

### **Abutting Forested Uplands**

The fringing band of forested upland between the ROW and McGregor Pond/Marsh system can be characterized as Hemlock - White pine Forest (S4) primarily dominated by a moderately dense stand of eastern white pine (*Pinus strobus*) trees. Eastern hemlock (*Tsuga canadensis*) and red maple trees are present along the edge of the Marshy Moat. Eastern serviceberry (*Amelanchier canadensis*) occur sporadically, while low-bush blueberry patches primarily dominate the groundcover with interspersions of bracken fern.

A Dry Red Oak-White Pine Forest (S3S4) occurs to the west of the utility ROW.

### **Rare Wildlife and Plant Habitat**

According to the New Hampshire Natural Heritage Bureau's (NHB) Rare Plants, Rare Animals, and Exemplary Natural Communities in New Hampshire Towns (July 2013), the following rare species have been documented within Rindge:

Plants:

- Pale Duckweed (*Lemna valdiviana*)—Endangered
- Wild Lupine (*Lupinus perennis*)—Threatened

Vertebrates—Birds:

- Common Loon (*Gavia immer*)—Threatened

Vertebrates—Reptiles:

- Blanding's Turtle (*Emydoidea blandingii*)—Endangered (under review for federal protection)
- Smooth Green Snake (*Opheodrys vernalis*)—Special Concern
- Wood Turtle (*Glyptemys insculpta*)—Special Concern

Vertebrates—Amphibians:

- Slimy Salamander (*Plethodon glutinosus*)—biologically rare

## Vertebrates—Fish:

- Banded Sunfish (*Enneacanthus obesus*)—Special Concern

## Invertebrates—Dragonflies & Damselflies:

- Ebony Boghunter (*Williamsonia fletcheri*)—Special Concern
- Martha's Pennant (*Celithemis martha*)—biologically rare

LEC consulted with the Natural Heritage Bureau (NHB) to review their database for records of rare species and exemplary natural communities on or within 1 mile of the CONVERSE MEADOW CONSERVATION AREA. NHB's database includes known records for species officially listed as Threatened or Endangered either federally or by the state, as well as species and Natural Communities judged by experts to be at risk in New Hampshire but not yet formally listed. Following review, NHB reported that the Ebony Boghunter and Banded Sunfish have been documented on the property and the Slimy Salamander, Blanding's Turtle, Smooth Green Snake, Martha's Pennant, and Wild Lupine have been documented within 1 mile of the property (Attachment C). As NHB notes, a negative result (no database record) does not mean that no rare species are present. Records are of known occurrences based on information gathered by qualified biologists and reported to NHB. Many areas have never been surveyed or have been only surveyed for specific species.

The Slimy Salamander (not formally listed) is reported historically from Rindge and it is unclear whether the report represented a native population and if so, whether the population exists. Additionally, Martha's Pennant (not formally listed) is an uncommon species that inhabits vegetated ponds and lakes. Adults forage within open fields and along shorelines. The McGregor Pond/Marsh system could provide habitat for this species.

The following reviews potential habitat for both the state-listed rare species.

### *Ebony Boghunter*

The Ebony Boghunter, listed as a species of Special Concern in New Hampshire, has been documented within the Converse Meadow Pond/Marsh system. While the life cycle of the species is not well known, the Ebony Boghunter inhabits wet sphagnum bogs and swampy northern wetlands, often with soupy sphagnum pools, typically adjacent to coniferous or mixed coniferous/deciduous woodlands where adults hunt and roost. Adults are often observed along dirt roads and trails, or in small woodland clearings near breeding sites.

The McGregor Pond/Marsh system provides similar habitat characteristics to Converse Meadow Pond/Marsh system and may offer suitable for the Ebony Boghunter. Consequently, the surrounding forested uplands and abutting areas within the utility ROW may provide upland foraging habitat for the species.

### *Banded Sunfish*

Banded Sunfish (Special Concern) have been documented within the Converse Meadow Pond. According to the NH Wildlife Action Plan's Species Profiles, the Banded Sunfish prefers vegetated areas of ponds, lakes, and the backwaters of lowland streams (Scarola 1987). Banded sunfish are highly tolerant of acidic water and can withstand pH levels as low as 4.0 (Gonzales and Dunson 1989). Tolerance for acidic water may be an adaptation that provides banded sunfish with access to habitats unavailable to other fish species (Graham and Hastings 1984, Gonzales and Dunson 1991) and may provide the banded sunfish with refuge from both native and introduced species of predaceous fish (Graham 1993). In New Hampshire, banded sunfish are found in a variety of habitats from lakes and ponds to low gradient headwater streams with beaver activity. The species is highly dependent on an intact, vegetated shoreline habitat.

This (upper Millers River system) population is the only known population of Banded Sunfish within the Connecticut River Watershed in New Hampshire. To LEC's knowledge, Banded Sunfish have not been documented within McGregor Pond, but given the hydrologic connection to Converse Meadow Pond, McGregor Pond may be able to sustain a population.

### *Blanding's Turtle*

Blanding's Turtles are listed as Endangered in New Hampshire and Maine and Threatened in Massachusetts and New York. Blanding's Turtle are also identified within the NH Wildlife Action Plan as a "Species in Greatest Need of Conservation". As noted within the species profile, Blanding's Turtles require large mosaics of wetland and upland habitats with relatively limited development. The species is characterized by a late age of sexual maturity (14-20 years for female Blanding's turtles; Congdon and van Loben Sels 1993), relatively low fecundity (average 13 eggs per year, DePari et al. 1987, Congdon et al. 1983), and high rates of adult survival. Small increases in annual adult mortality (as little as 2-3%, Congdon et al. 1993, Gibbs and Shriver 2002), especially among females, can have catastrophic effects on populations. Within New Hampshire, Blanding's turtle habitat overlaps with the highest human population densities. Therefore, turtles are extremely vulnerable to rapid development, especially where road density and traffic volume is high. Blanding's Turtles require a large mosaic of wetland and upland habitats with relatively limited residential development.

During the Blanding's Turtle annual life cycle, adult individuals will utilize a wide variety of wetland and upland habitat cover types and will regularly travel long distances between areas. Blanding's Turtles overwinter in the organic substrate in the deepest parts of marshes, ponds, and occasionally vernal pools. Some individuals overwinter under hummocks in red maple or shrub swamps.

Blanding's Turtles will typically emerge from brumation between mid-March and mid-April, however weather dependent. Following emergence, individuals may exhibit long-distance movements associated with migration between permanent wetlands to ephemeral wetlands, which serve as areas for feeding, mating opportunities, and staging habitat for nesting females (Grgurovic and Sievert, 2005). Adult Blanding's Turtle individuals are omnivorous, feeding on a variety of crustaceans, insects, snails, fish, aquatic/emergent plants, berries, and carrion (DeGraaf and Yamasaki 2000). While nesting sites may occur within close proximity to ephemeral wetlands, females have been observed to travel over 1 km (3280 feet) to find appropriate Nesting Habitat (Grgurovic and Sievert, 2005). Nesting activity primarily occurs in June within well-drained loamy or sandy soils (NHESP Fact Sheet). Blanding's Turtle females will also utilize anthropogenic habitats, such as lawns, gardens, mulch piles, and power line right-of-ways to nest (Grgurovic and Sievert, 2005).

During the summer months, Blanding's Turtle are known to aestivate within both upland and wetland habitats; often intermittently from late July to late August (Ross and Anderson, 1990; Joyal, 1996). Additionally, Blanding's Turtle movement activity during the summer months and into early fall is also typically tied into the return to permanent wetlands for overwintering. The McGregor Pond/Marsh and Converse Meadow Pond/Marsh systems provide ideal Blanding's Turtle Overwintering and Feeding (Foraging)/Breeding Habitat. The surrounding Forested Wetlands, Forested Uplands and Early Successional Habitat conditions within the ROW provide suitable Aestivation Habitat. Viable Nesting Habitat may be limited to open sandy conditions found within the utility ROW. Additional open sandy conditions are located to the east and southeast of the CONVERSE MEADOW

#### CONSERVATION AREA.

##### *Smooth Green Snake*

Smooth Green Snakes (Special Concern) were listed as a species of 'High' conservation concern in the northeast United States (NEPARC 2011, Northeast RSGCN list 2014). As stated within the NH Wildlife Action Plan's Species Profiles, Smooth Green Snakes may be found in a variety of open or lightly forested habitats such as pastures, old fields, wet meadows, marsh borders, coastal grasslands, pine barrens, blueberry barrens, and grassy hilltops (Klemens 1993, New Hampshire Reptile and Amphibians Reporting Program 2015). Smooth green snakes feed primarily on invertebrates including arthropods, caterpillars, grasshoppers, slugs and earthworms. Females may lay two or more clutches of welldeveloped eggs a season, usually in July- August, in piles of rotting vegetation or sawdust, rotting logs and stumps or mammal burrows (Ernst and Ernst 2003). Ant mounds, rock crevices and mammal burrows may be used during hibernation (Carpenter 1953, Ernst and Ernst 2003).

The on and off-site utility ROW may provide suitable habitat conditions for the Smooth Green Snake.

### *Wild Lupine*

Wild Lupine, listed as Threatened species in New Hampshire, is primarily found within open to partially shaded habitats containing dry, sandy soils, including utility ROW corridors and/or other open areas that are maintained as early successional habitat.

Wild Lupine functions as the host plant for the Endangered Karner Blue Butterfly (*Lycaeides melissa samuelis*) larvae. While the Karner Blue Butterfly hasn't been historically documented within Rindge, a reintroduction program has been initiated at the Concord pine barrens/Concord Municipal Airport following extirpation in 2000 (Amaral 2000).

LEC did not observe any Wild Lupine within the utility ROW occupied by relatively dense patches of blackberry and gray birch saplings, but a comprehensive survey was not conducted. Suitable habitat for the species may be present within upland portions of the utility ROW corridor outside of the CONVERSE MEADOW CONSERVATION AREA.

## **Wetlands Evaluation**

### **Prime Wetlands**

In New Hampshire wetlands of particularly high value can be recognized by individual municipalities, under RSA 482-A:15 and administrative rules Env-Wt 700 as "Prime Wetlands". A wetland receives this designation because of its size, unspoiled character and ability to sustain populations of rare or threatened plant and animal species. To date, the Town of Rindge has not chosen to engage in the formal or statutory process of designating Prime Wetlands. Regardless of the regulatory status, the qualities that make a wetland "Prime" may be evaluated anywhere.

In the course of our evaluation of the wetlands on this property, we observed and examined wetlands that have a high probability of meeting the requirements of a Prime Wetland. The statute requires that a Prime Wetland: "shall be at least 2 acres in size, shall not consist of a water body only, shall have at least 4 primary wetland functions, one of which shall be wildlife habitat, and shall have a width of at least 50 feet at its narrowest point." (RSA 482-A:15, I-a.). In addition, the regulations specify that: "wetlands designated as prime shall meet the following minimum criteria: (1) The wetlands shall have the presence of hydric soils, hydrophytic vegetation, and wetlands hydrology; and (2) At least 50% of the prime wetland shall have very poorly drained soils and the remaining soils shall be poorly drained soils" (Env- Wt 701.04).

It is our opinion that the wetlands on this site, listed in the following table, would meet the criteria for Prime Wetlands in New Hampshire:

LEC Map Unit	USFWS Class	Approximate Total Area of Wetland
W-CM-1	PSS-3-Eb	13.3 acres
W-CM-2	PEM-1-Hb	3.7 acres
W-CM-3	PUB-4-Hb	19.2 acres

### **New Hampshire Method**

The following provides a cumulative summary of ecological integrity, wetland-dependent wildlife habitat, fish & aquatic life habitat, scenic quality, education potential, wetland-based recreation, floodwater storage, groundwater, sediment trapping, nutrient trapping/retention/transformation, shoreline anchoring, and noteworthiness. The Wetland Evaluation form is included as Attachment B.

### **Ecological Integrity**

The CONVERSE MEADOW CONSERVATION AREA maintains a fairly high level of ecological integrity. Aside from the utility ROW abutting to the northwest and Route 119/Converseville Road to the south, no

other roadways occur within 500 feet. Forested areas dominate the landscape and minimal residential development is located within this zone. Beyond 500 feet, the CONVERSE MEADOW CONSERVATION AREA is bounded by Old New Ipswich Road (west), Perry Road (north), and North Street further to the east. Beaver activity has influenced hydrology within McGregor Pond/Marsh system.

### **Wetland-Dependent Wildlife Habitat**

McGregor Pond/Marsh system has significant wildlife habitat value. Greater than 50% of the system contains open water habitat and varying vegetative classes are associated or immediately abut (PEM, PSS, & PFO). The system provides habitat for various avian, including waterfowl and wading birds, mammalian, reptilian, amphibian, and fish species, in addition to dragonflies and damselflies.

The connected Converse Meadow Pond/Marsh system greatly enhances value of wetland habitats on the CONVERSE MEADOW CONSERVATION AREA. Two state-listed species of Special Concern, the Ebony Boghunter and Banded Sunfish, have been identified on the CONVERSE MEADOW CONSERVATION AREA property (Converse Meadow Pond/Marsh) and comparable habitat conditions are present within McGregor Pond. Furthermore, the Endangered Blanding's Turtle has been documented within 1 mile of the CONVERSE MEADOW CONSERVATION AREA and ideal habitat for the species is present on-site.

### **Fish and Aquatic Habitat**

While not surveyed, the 19± acre open water McGregor Pond likely provides habitat for a variety of fish and aquatic life buffered by the abutting PEM, PSS, and PFO wetlands. Floating and submerged vegetation are present throughout. Beaver activity within the northeastern portion of the Pond has likely increased water levels and available fish and aquatic habitat.

As noted above, the Blanding's Turtle has been documented within the vicinity of the site

### **Scenic Quality**

The scenic quality associated with the McGregor Pond/Marsh system is relatively high. Views are established from walking trails on the CONVERSE MEADOW CONSERVATION AREA and include the varied wetland classes (PEM, PSS, and PFO) and open water habitat. However, the overhead electric lines are visible in the background, albeit mostly off-site.

### **Educational Potential**

The CONVERSE MEADOW CONSERVATION AREA is open to the public and educational activities currently take place.

### **Wetlands-Based Recreation**

McGregor Pond/Marsh system has opportunities for wildlife observation from the ROW. Canoe/kayak is possible but limited by way of access via 1/2 mile of maintained trail.

### **Floodwater Storage**

Utilizing the NH Method, the McGregor Pond/Marsh system has moderate flood value. The wetland is relatively large in relation to its watershed (about 20%) enabling it to hold a large amount of water produced by the watershed during times of high flow.

### **Groundwater**

The CONVERSE MEADOW CONSERVATION AREA lies directly over a small portion of a Rindge's second largest stratified drift aquifer. The entire aquifer spans the New Hampshire/Massachusetts border with an approximate 857.02-acres within the town of Rindge. The portion of the aquifer that lies within the CONVERSE MEADOW CONSERVATION AREA boundary measures approximately 114.4-acres (13.3% of the total aquifer area in Rindge).

One of the primary management goals of the CONVERSE MEADOW CONSERVATION AREA is to pro-

tect the water resources for use as a potential future drinking water source for Rindge.

### **Sediment Trapping**

The wetland system has high value for detaining and directing storm water and for collecting sediment and attenuating pollutants. While the wetland system has a moderate Wetland Flood Storage capability, a large ponded open water area with limited sediment removal capacity exists. However, a very mild gradient contributes to a moderate sediment trapping function that is moderate to high.

### **Nutrient Removal / Retention / Transformation**

Considering the size of open water, often deep in locations, the overall wetland system has a low to moderate ability for nutrients retention, removal, and/or uptake.

### **Shoreline Anchoring**

The McGregor Pond/Marsh system has a moderate shoreline anchoring capacity, a function of multiple wetland vegetation types along the shoreline (emergent, shrub, and forested), high vegetative density, and wider wetland areas.

### **Noteworthiness**

The McGregor Pond/Marsh system ranked highly in a number of functions referenced above. The system is connected to the larger Converse Meadow Pond/Marsh system and ultimately to the Connecticut River at Millers Falls in Massachusetts via the North Branch (Millers River) and Millers River.

The “Marsh & Shrub Wetlands” that occur on-site are listed on the New Hampshire Wildlife Action Plan focal habitat list, 2015.

NHB has confirmed that presence of the Ebony Boghunter and Banded Sunfish on the CONVERSE MEADOW CONSERVATION AREA property, while the Endangered Blanding’s Turtle, identified within the NH Wildlife Action Plan as a “Species in Greatest Need of Conservation”, occurs within 1 mile of the property. Potential habitat for these species exist within the McGregor Pond/Marsh system.

### **Conclusion**

The wetland and upland cover types found on the CONVERSE MEADOW CONSERVATION AREA property form a mosaic of habitats functioning for wildlife habitat, scenic quality, education, recreation, floodwater storage, groundwater protection, and sediment trapping. Despite the presence of the utility ROW abutting the McGregor Pond/Marsh system, the ecological integrity surrounding the wetlands are relatively high with only minimal residential development within 500 feet. The CONVERSE MEADOW CONSERVATION AREA contains a diversity of habitat cover types providing a myriad of unique functions and values.

While these wetland systems perform important functions, the ecological integrity of the McGregor Pond/Marsh system is susceptible to disturbance or degradation due to the abutting active utility ROW. Any major disturbance such as soil excavation, vehicular traffic or excessive disturbance of plant cover in the wetlands, or immediately adjacent uplands, will significantly affect their ability to perform the functions identified. It is our opinion that any additional impacts should be prevented that adversely affect the high-value McGregor Pond/Marsh system.

LEC is pleased to provide this baseline information. Should you have any questions or require additional information, please do not hesitate to contact Tom Peragallo at 603-899-6726 or tperagallo@lecenvironmental.com.

Sincerely,

LEC Environmental Consultants, Inc.

Thomas A. Peragallo  
Certified Wetland Scientist (NH CWS #006)

Brian T. Madden  
Wildlife Scientist

Claire Staines  
Wetland Scientist

i Cowardin, L.M., V. Carter, F.C. Golet, and E.T. LaRoe. 1979. Classification of Wetlands and Deepwater Habitats of the United States. U.S. Fish and Wildlife Service. FWS/OBS-79/31.

ii Sperduto, D.D. 2000a. A Classification of Wetland Natural Communities in New Hampshire. New Hampshire Natural Heritage Inventory, Department of Resources & Economic Development, Concord, NH.

iii Method for Inventorying and Evaluating Freshwater Wetlands In New Hampshire (NH Method), Edited by: Amanda Lindley Stone and Frank Mitchell (UNH Cooperative Extension), Revised July 2013.

*{attachments, not included here}*

Attachment A

Map Aerial Orthophoto: Wetlands Overlay

Attachment B

NH METHOD FOR THE EVALUATION OF FRESHWATER WETLANDS

Attachment C

NH NATURAL HERITAGE BUREAU RESPONSE

{end of 20150828-5245}

## **20150828-5264**

### **Rivers Alliance of Connecticut**

Kimberly D. Bose, Secretary August 28, 2015”

Federal Energy Regulatory Commission

888 First Street, NE, Room IA

Washington, DC 20426

Re: Proposed Northeast Energy Direct Project, Tennessee Gas Pipeline L.L.C/

Kinder Morgan (FERC Docket No. PF14-22-000)

Dear Secretary Bose:

Rivers Alliance of Connecticut is the statewide, non-profit coalition of river organizations, individuals, and businesses formed to protect and enhance Connecticut’s waters by promoting sound water policies, uniting and strengthening the state’s many river groups, and educating the public about the importance of water stewardship.

Rivers Alliance of Connecticut strongly urges you to disapprove the section of the above referenced project that crosses highly protected drinking-water lands on the property of the Metropolitan District Commission in Hartford. ‘Connecticut law provides the highest protections in the nation for drinking water. First, no water body that has received a waste discharge can be used for public supply of potable water. Second, water utility land hydrologically linked to drinking-water reservoirs must be kept as natural open space and cannot be disturbed in any way other than certain limited permitted actions necessary to maintain operations. By statute the protected lands are termed Class I (closest to the source) and Class II (also impacts the source).

Protection of Class I and II lands is the highest priority in our state water policy. violate this protection would set a precedent that would put at risk Connecticut’s drinking water sources. The state’s standards for drinking water are uniquely high (only Rhode Island has similar standards). These high standards are increasingly justified as science reports document the myriad new pharmaceuticals, plastics, pesticides and other toxins in ordinary wastewater. Existing treatment methods cannot adequately define or manage this array of toxins.

As an advocate for water health, Rivers Alliance of Connecticut frequently works on land-use policy. Thus, for example, I am a member of the statute-based, state landconservation board (Connecticut Natural Heritage, Open Space, and Watershed Land Acquisition Review Board); and I am co-chair of the Watershed Lands Sub Committee of the statute-based Water Planning Council Advisory Group.

Two lesser points. We are aware that Kinder Morgan has a small easement on the property it wishes to cross; the easement pre-dates the law that defines and protects source water lands. I attended a Kinder Morgan open-house presentation in Farmington, Connecticut, on August 13. There was no suggestion or evidence that the current project could be done within that easement. I also saw no detail on alternative paths for the pipeline. Until alternatives are fully described and reviewed, there is no reason to approve a pipeline path that would necessarily disrupt the hydrology of the site and would undermine the state's legal protections for drinking water.

Thank you for your consideration,  
Mararet Miner,  
Executive Director

**20150828-5268**

Kenneth Stokem, Castleton on Hudson, NY.

Please redo the live FERC Scoping Meetings for the Northeast Energy Direct pipeline and start over with a new Notice of Intent and new Scoping Meeting Schedule.

The FERC hearings for NY and PA had already concluded on Thursday, July 16th when Kinder Morgan dumped 6,500+ pages of new Resource Reports for a new scale of project on July 17th. Those of us who attended and commented at the NY scoping meetings did so without any knowledge of this new information and those who attended the New England hearings had little time to learn of and digest the 7/16 document dump.

Providing new sessions will provide citizens with another adequate time to pick through the mountain of added information. A reported preliminary search of the new documents shows over 10,000 entries of "TBD" - To Be Determined - where critical information on infrastructure and impact should be. With all the TBD entries, even with this new information, that public will not be adequately of many facts on this project.

Please provide a second opportunity to my family, neighbors and community to provide oral statements to FERC by providing a second round of FERC scoping sessions.

**20150828-5269**

Tony Mitchell, New Hartford, CT, CT.

I agree with Rivers Alliance of Connecticut and strongly urge you to disapprove the section of the above referenced project that crosses highly protected drinking-water lands on the property of the Metropolitan District Commission in Connecticut. In our state water utility land hydrologically linked to drinking-water reservoirs must be kept as natural open space and cannot be disturbed in any way other than certain limited permitted actions necessary to maintain operations. By statute the protected lands are termed Class I (closest to the source) and Class II (also impacts the source). Protection of Class I and II lands is the highest priority in our state water policy, and to violate this protection would set a precedent that would put at risk Connecticut's drinking water sources.

**20150828-5270**

Kenneth Stokem, Castleton on Hudson, NY.

Please mandate that all transport and storage of natural gas products as well as gas transport structures such as and specifically including the Northeast Direct Energy (NED) pipeline demonstrate and maintain adequate insurance to cover catastrophic and other accidents and resulting damages, losses and costs to neighboring properties, farms, businesses, communities, water and other natural resources and to local municipalities and emergency services and to state governments. This level of insurance should be more than sufficient to make such victims whole from any damages that may arise from the construction, operation and duration of the NED and other such pipelines in the United States.

Additionally, please mandate that all transport and storage of natural gas products as well as gas transport structures, including compressor and pumping stations in the United States and including the NED must demonstrate adequate insurance and assurance and maintain financial resources for end of useful life removal, remediation and restoration of facilities and lands utilized in transport or storage of those products. The funds should be sufficient and readily available to remove all pipelines and facilities and restore the land to its natural or pre-pipeline state to the satisfaction of landowners and the public.

### **20150828-5283**

Kenneth Stokem, Castleton on Hudson, NY.

To protect my family, community, and country, I oppose the Northeast Direct Energy (NED) pipeline project for the following reasons:

- New Yorkers and specifically my community will not receive any of the gas; most of the transported gas will likely will be exported to foreign markets. Gas products should not be sent overseas at the expense of ordinary Americans who will pay higher costs without any meaningful share in the profits from overseas sale.
- Pipeline safety standards in rural areas are much lower than in urban areas, effectively treating constituents who live in the rural communities along the proposed route as second class citizens. Standards should be same for the NED in rural areas as they would be in urban areas.
- The governing federal and state regulations and the resources used to ensure pipeline safety during construction, operation and decommissioning phases are woefully inadequate.
- Only landowners whose lands abut the pipeline route may receive compensation. All other residents along the pipeline corridor, even those within the "incineration zone," involuntarily assume the risk of death, personal injury and property damage in the event of a rupture, but receive no compensation for their risk and diminished quality of life.
- Property values along the pipeline will decline and reduce assessed valuations. This in turn will increase the tax burden on properties further away from the pipeline. The NED, should it be built should compensate all nearby landowners for risk and property loss.
- The federal process for approving and constructing gas pipelines violates the requirement of the National Environmental Policy Act (NEPA) to minimize cumulative negative impacts that federal agency decisions may have on public safety, health and the environment.
- No single federal entity oversees the NED project as a whole. For example, the Federal Energy Regulatory Commission decides whether and where the NED is built. The Department of State decides whether the gas may be exported. The Pipeline and Hazardous Material Safety Administration governs pipeline safety. Each agency pleads lack of jurisdiction to review or do anything that could be seen as falling within the jurisdiction of another agency. Oversight of the project is therefore segmented, hindering the public's ability to effectively review and voice concerns about the NED.
- We should be investing in renewable energy and associated technology to avoid being economically eclipsed by countries that are investing in green energy. Fracked gas is methane, a dirty 20th century fuel. America and American businesses such as Kinder Morgan should be investing in energy solutions that do not contribute in any way to global warming by producing beginning or end stages greenhouse gases.

### **20150828-5289**

Nancy Goldsmith, New Ipswich, NH.

We are writing to vehemently oppose the Northeast Energy Direct Project, Docket No. PF14-22-000.

We live in New Ipswich, NH and our property abuts the proposed pipeline route. Our home is located less than 200 feet from this route. As such, our well is in serious danger of being compromised by the blasting process and/or pipeline leakage. If this happens our home would become worthless, and as such, represent

a true disaster. This is a very real possibility based on past results from pipeline construction. Since a large percentage of homeowners in this area (ourselves included) are totally dependent on private wells, hundreds of families could potentially be affected. Furthermore, a 40,000 horsepower compression station is slated for New Ipswich. The resulting air, noise and light pollution would be devastating to this pristine region, undoing all the many years of hard work to protect our forests, rivers, water and wildlife for ourselves and future generations by land conservation and by preventing heavy industry.

On March 23, 2015 the Boston Globe reported that Greg Cunningham, director of the clean energy program at the Conservation Law Foundation stated that LNG imports can meet peak demand. He further stated that LNG prices plunged by about 50% earlier this year and that the prices should stay low for years because of the vast increase in global supplies.

On March 29, 2015 the Boston Globe reported that Ann Berwick, Undersecretary for Energy and head of the Department of Public Utilities under the Patrick administration in Massachusetts, urged enlarging existing pipelines and using existing pipeline routes rather than building new ones in pristine territory. She stated that experts disagree about whether natural gas is actually cleaner overall than coal. This is due to the fact that methane, which seeps from pipelines and distribution lines, is a far more potent greenhouse gas than carbon dioxide.

On April 24, 2015 The Boston Globe reported that Governor Baker of Massachusetts indicated at an energy summit in Hartford with other New England governors that he favors a plan led by Spectra Energy Corp to expand the existing Algonquin pipeline.

On July 6, 2015 the Boston Globe reported that Attorney General Healey of Massachusetts is heading a study on the region's electricity supply, due to be completed in October of 2015. This has prompted AG Healey to ask the DPU to rigorously study natural gas capacity needs before making decisions regarding pipelines. Furthermore, she has asked the DPU to stay its approval of certain local gas distribution companies proposed contracts to purchase gas on the Kinder Morgan pipeline.

On August 16, 2015 the NH Sunday News reported that Governor Hassan of New Hampshire urged the FERC to fully investigate alternative pipeline routes. She has concerns that the project is not needed in New Hampshire and that any regional benefits won't outweigh the impact on the 17 towns along the proposed route.

On August 21, 2015 the Boston Globe reported that due to a new state law in Massachusetts requiring utility companies to report the location and age of all known gas leaks, it has been revealed that approximately 20,000 potentially dangerous and environmentally damaging leaks exist. In January of this year scientists from Harvard reported that leaked gas in the Boston area is enough to heat approximately 200,000 homes per year and is valued at \$90 million per year. Methane in natural gas is 25 times more impactful than carbon dioxide to global warming. Hence, the Obama administration recently released a plan to cut methane emissions by nearly half nationwide over the next decade.

On August 26, 2015 the Boston Globe reported that Joel Wool of Clean Water Action in Boston stated that serious evaluation should be given to any proposals to expand natural gas infrastructure without first addressing the much-needed repairs and clean energy opportunities before us.

The above comments are only a handful of the reasons why we urge you to deny, or at least delay, a permit for this proposal.

Sincerely,

Gary & Nancy Goldsmith  
162 Timbertop Rd.  
New Ipswich, NH 03071

**20150828-0030**

**TOWN OF DEERFIELD**

Office of the Town Administrator  
8 Conway Street  
South Deerfield MA 01373  
Voice: 413-665-1400 ext. 105  
Facsimile: 413-665-1411  
Website: www.deerfieldma.us

August 27, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

RE: Docket No. PF14-22-000

Dear Ms. Bose,

Enclosed, please find a response statement from the Board of Selectmen for the Town of Deerfield, in response to the proposed Northeast Energy Direct Project (Project) involving construction and operation of facilities by Tennessee Gas Pipeline Company, L.L.C. (Tennessee Gas) in Pennsylvania, New York, Massachusetts, New Hampshire, and Connecticut.

The focus of this response is broad, but docs in a great measure address environmental concerns, including the proposed path of this project as it crosses through two rivers, several delineated wetlands, and other ecologically sensitive areas.

Thank you for your attention to this response.

Cordially,

Douglas C. Finn  
Executive Assistant  
Town of Deerfield

Encl: "Report to the Federal Energy Regulatory Commission, August 2015"

*{ for enclosure see 20150827-5058 above, Full 194 page report from Deerfield, MA, }*  
*{ "20150827-5058(30841984).pdf" can be downloaded from: }*  
*{ <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=13969284> }*

**20150828-0031**

United States of America  
Federal Energy Regulatory Commission:  
Kimberly D. Bose, Secretary:  
888 First Street NE, Room 1A,  
Washington, DC 20426

Tennessee Gas Pipeline Company, LLC.  
Docket No. PF14-22-000,  
Northeast Energy Direct Project,  
August 24, 2015

Pipeline Impact On Archaeology  
In The Town Of Deerfield, Massachusetts

Written by  
Bud Driver, Commissioner  
Deerfield Historical Commission

With  
Philip Zea, President  
Historic Deerfield, Inc.

Supported by  
Timothy Carter Neumann, Executive Director  
Pocumtuck Valley Memorial Association

PIPELINE IMPACT ON ARCHAEOLOGY  
IN THE TOWN OF DEERFIELD, MASSACHUSETTS

August 18, 2015

written by  
Bud Driver, Commissioner  
Deerfield Historical Commission  
with  
Philip Zea, President  
Historic Deerfield, Inc.

Lake Hitchcock was “dammed” in the Connecticut River Valley about 17,000 years ago from glacial deposits left behind just south of today’s Middletown, Connecticut. The lake flooded northward to Newbury, Vermont. It drained 4,000 years later entering Long Island Sound at Old Saybrook rather than its ancient entry point at New Haven, Connecticut. Paleo hunters traveled to Deerfield 12,400 years ago leaving behind many campsites on the floor of the empty lake for accurate carbon dating. The lush Connecticut River Valley and its watershed attracted game including great herds of migrating caribou, waterfowl, and fish--a Paradise.

During the following millennia, significant changes occurred with New England’s climate, the landscape and game availability for hunting and trapping. New peoples moved into the area; local resources were intensively exploited and long-distance trade at times brought materials from as far away as Labrador, upper Michigan peninsula and the Gulf of Mexico. Entire cultural systems evolved. Corn Horticulture was established in the Deerfield area by roughly A.D. 500. This stable food supply allowed communities to develop a more sedentary way of life. Large scale fishing in the spring around water falls and geological shale beds that extended into the Connecticut River acted as sluice-ways for spearing and netting the migrating fish. Hunting and trapping in the high country to the west in autumn season remained parts of their annual life cycle.

One of the areas to be intensively used was Pine Hill, located in the North Meadows--a distinct geologic feature of elevated land that served as their granary and related corn storage above the annual spring floods. Proof of the size of their crops of maize, beans and squash is recorded by the sale of 500 bushels of corn to starving English settlers of Springfield in the spring of 1637 without sacrifice to themselves. Planting fields and encampments surrounding Pine Hill were used for centuries, forming what archaeologists call “multi-component” sites that date back to the Archaic and Woodland (Ceramic) time periods. Native cemeteries reflect the sedentary lifestyle of the local Pocumtuck Indian communities. Artifacts and cultural features have accumulated at such sites over the past 9,000 years.

Throughout this time, glacial landforms, such as moraines, lacustrine deltas and till-covered hillsides, have been modified by Lake Hitchcock draining and by the Deerfield River as it meandered across the valley leaving higher landscape features and valley edge terraces in its wake. These landforms above the broad alluvial floodplains and wetlands are saturated with cultural debris left behind during various Native American occupations. An artifact collection of 13,000 objects from Pine Hill alone was recently inventoried and is accessible at the Department of Anthropology, University of Massachusetts. The artifacts, relics and tribal gravesites are tangible proof of a longstanding and complex society based here in the Deerfield Valley. These sites are a significant part of our region’s cultural legacy and a resource that cannot be replaced once disturbed.

David Costello, a retired road engineer, has created an accurate map of Deerfield depicting the Contact Period (1600s) co-existence of Natives with the newcomer English beginning in the 17th century. His research is used by scholars to promote more accuracy in determining the evolution of human occupation here in Deerfield, a place of remarkable preservation in the Northeast where so much has otherwise been destroyed. The two-volume History of Deerfield, written by George Sheldon (1895-96) remains a valuable source for understanding Native and English interaction on the Deerfield landscape.

The Massachusetts archaeological permitting process mandates due diligence in site reports and thorough investigation by professionals into legal documents pertaining to the cultural history of the towns affected by the projected pipeline. Section 106 of the National Historic Preservation Act also requires federal licensing agency to take into consideration significant historic properties and to avoid or mitigate any adverse effects that may be caused by a project. Deerfield, as “the best documented small town in America,” is a valuable national case study in this regard. On the archaeological front alone, UMASS archaeologists began professional excavations in Deerfield a half century ago and curate reports reflecting the findings of at least 43 excavations as recorded by the Massachusetts Historical Commission Site Files and State Inventory List. This layered research and analysis “strongly support the following point”: The Town of Deerfield possesses a rich and complex Native presence that spans 12,400 years and after millennia is now threatened by the proposed natural gas pipeline through burial sites, Native villages, battlefields and forts east and west of Pine Hill, the 1704 English, French and Native battlefields just west of Pine Hill, as well as ancient paths and trade routes through the flanking mountain escarpments around the Deerfield Valley.

Because of the negative impact it is likely to have on our ability to understand and preserve our anthropological, historical and geological past; our recommendation is not to allow the Pipeline through our Town of Deerfield. The cultural crossroads beneath today’s Deerfield is simply too significant to lose through either construction or calamity now or in the future.

Questions:

- 1). Would you please clarify in writing how does F.E.R.C.Pipeline archaeological permit allows the “taking” of private land-owners personal property such as artifacts found during the 1/4 mile-wide foot print archaeological survey of the proposed pipeline route through private land in the Town of Deerfield?
- 2). Can the private land owner continue private archaeological excavations on private land within this Y4 mile-wide footprint without interferences by government agencies?
- 3). Is their any legal attachments and or encumbrances within the Y4 wide footprint that will change the usage of land that is private property’
- 4). Will the proposed pipeline route that runs along “Pine Hill” affect the value of the only existing house and building lots located at the south end of this hill?
- 5). Will the pipeline compensate the private landowner whose real estate sale of his home and land was lost because of this proposed pipeline route?
- 6). Can house development continue within the pipeline Y4 mile wide footprint?

Exhibit’s

- A). Three (colored) archaeological sensitivity maps showing proposed pipeline route through archaeological sites in Deerfield.
- B).One transparent overlay showing historical events that will be negatively impacted within the proposed pipeline route in Deerfield.
- C). One (black and white) copy of a map section from a Mohawk Trail historical map book depicting pre-historic and historic events within the footprint of the proposed pipeline in Deerfield.
- D). The Town of Deerfield’s Archaeological Accountability Policy promoting transparency and the protection of the private land-owner and their property rights.

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*{exhibits omitted in FERC PDF file}*

**20150828-0037**

**OUR LADY OF HOPE RETREAT HOUSE**

400 Temple Road  
 New Ipswich, NH 03071

Mr. Norman C. Bay, Chairman  
 Federal Energy Regulatory Commission  
 888 First Street NE  
 Washington, DC 20426

RE: Docket No. PF14-22-000

Dear Chairman Bay:

I respectfully request that the Federal Energy Regulatory Commission REJECT Tennessee Gas Pipeline Company's proposed Northeast Energy Direct (NED) Project. I base this request upon the following:

1. The pipeline, which will abut our complex if it follows the pipeline project, and the compressor station are located too close to Our Lady of Hope, our religious retreat facility. This high-pressure, high-capacity station will bring significant human safety risks to our Sisters living there and our guests.
2. The pipeline and compressor would also be in close proximity to Lukas Community which is a residential facility for disadvantaged adults.
3. The pipeline and compressor station are located too close to the Temple School whose heating system uses outside air to heat the facility. The high-pressure, high-capacity station will bring significant human safety risks to the teachers and children attending the school.
4. The pipeline and compressor station are located too close to a farm containing Newfoundland ponies, an endangered animal. There are only 250 left on earth.
5. The pipeline and compressor station are located too close to an annual migration path of thousands of raptors. The high-pressure, high-capacity station's exhaust plumes of heated gases will bring significant safety risks to these birds.
6. The pipeline and compressor station are located too close to our water supplies; the towns do not supply town water and all homes must have wells. The pipeline and compressor station are too close to parks and conserved land and will bring significant environmental hazards.
7. FERC has already approved another pipeline to satisfy New England's natural gas-fired electric generation needs on the coldest days of winter. We do not appreciate the need to add more supply especially since, for the most part, the pipeline supply will be shipped to Europe and Asia. **OF WHAT FINANCIAL BENEFIT WILL THIS PIPELINE AND COMPRESSOR STATION BE FOR NEW HAMPSHIRE?** Add to these negative impacts is the devaluation of property for all homeowners in the affected areas.
8. The towns have volunteer fire departments, limited budgets for police and first responders and emergency management. Who can adequately respond to explosions and fires and who foots these bills in case of explosions and fires? Town taxes will increase and add additional financial burdens to residents.
9. The gas that would be carried in the proposed pipeline is likely to be particularly high in toxins and radiation and the health impact upon our families, animals and plants must be avoided.
10. The proposed pipeline route requires a new right-of-way that would cut through many miles of environmentally sensitive areas and take permanently protected land out of that protection.
11. Some "fracking" compounds and chemicals negatively impact the skin, eyes, sensory organs, the respiratory system, the gastrointestinal system, the liver, the nervous system and are endocrine-disrupting chemicals. Endocrine-disrupting chemicals (EDCs) present unique hazards, particularly during fetal and early childhood growth and development. We do not want to be exposed to any of these chemicals.

I urge you to take all these comments into consideration when making decisions relative to the pipeline and compressor station project.

Thank you.

Respectfully submitted,

Sister Lorraine Trottier

Sister of the Presentation of Mary

400 Temple Road

New Ipswich, NH 03071

**20150831-0007**

*{same text as 20150828-0037 except signed by: }*

Annette Mardella, 50 Pleasant Rd, Peterborough, NH

**20150831-0008**

*{same text as 20150828-0037 except signed by: }*

Grace Wirein, 34 Forbush Rd, Dublin, NH 03444

**20150831-0009**

*{same text as 20150828-0037 except signed by: }*

Peter S. Barry, 35 Holly View Drive, New Ipswich, NH 03071

**20150831-0010**

*{same text as 20150828-0037 except signed by: }*

Rory Hurley, PO Box 178, Frankestown, NH 03043

**20150831-0011**

Linda Stonehill

• 111 Crestview Drive, Jaffrey, NH

• Re: The proposed Tennessee Gas Pipeline Company I Kinder Morgan NED Project Docket # PF14-22-000  
August 22, 2015

Chairman Norman C. Bay  
Commissioner Tony Clark  
Commissioner Colette D. Honorable  
Commissioner Cheryl A. LaFleur  
Commissioner Philip D. Moeller  
Mr. Eric Tomasi, Project Manager  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

Dear Chairman Bay and Commissioners Clark, Honorable, LaFleur and Moeller, and Mr. Tomasi:

Thank you for considering the thoughts of U.S. citizens in preparing your upcoming decision to either authorize or disallow the Northeast Energy Direct (NED) project proposed by Tennessee Gas Pipeline I Kinder Morgan.

With the responsibility for making this critical decision, you hold tremendous power over thousands of people's lives and futures, homes, and regional economies, as well as miles of wildlife corridors and aquifers, and the quality of the air borne on the wind into our ears and lungs for years to come.

You've likely heard these thoughts in many forms by now. Many of these concerns were expressed at the July 29th scoping session in Nashua, NH that I and many others attended, and I appreciate Mr. Tomasi's forbearance with the volume and intensity of the comments set forth that night. People know what's riding on this. Our backs are to the wall and our only hope is you.

NED isn't just a Southern New Hampshire issue or one confined to five regions of the United States. The ruling made on this pipeline will have profound implications beyond our borders. It will show the world what we as Americans believe is proper to do, what our priorities are, and what we have created with democracy.

It may inform countries wondering whether freedom is worth fighting for what the end game of that freedom

is.

We send sons and daughters across the world to fight for freedom and convince others that free enterprise is best-but if this project is authorized, more than a few soldiers will return to nothing, finding their home taken by a corporate entity designed by the very system they risked their lives for.

Despite the threats posed by the proposed pipeline, New Hampshire's Governor has been fairly silent on this matter, and the word is that she is obliged to Kinder Morgan. I do not want to believe that our Governor would abandon her responsibility to protect the state's residents and natural resources for material or personal gain. So we are driven to thoughtfulness by her silence.

Money talks, of course. Does it really need to be said that it would be unethical of Kinder Morgan to use its corporate wealth to bribe and/or influence government entities to pass down decisions that would further its insular self-interests at the expense of thousands of U.S. citizens?

There are far more stakeholders of the United States of America (we, the voters and taxpayers, i.e., the shareholders of this nation) than there are shareholders of TGP and KM combined. So our views should be weighed in proportion to theirs.

And there are so many more risks than benefits to citizens with this proposed pipeline that it shouldn't even be under consideration: The NED project will unequivocally rape our environment, take homes by eminent domain, decrease surrounding housing values, create an exodus of area residents and drain our fragile economy, bring little or no natural gas here, increase electric rate tariffs, contaminate our air with noise and hazardous chemicals, possibly contaminate well-dependent water supplies, put us in harm's way of a catastrophic leak or explosion near electrical power lines that small towns have no means to cope with, deplete America's limited fossil fuel resources in general while exporting finite natural gas out of the country, and endanger the health of populations for generations.

The entire pipeline route and environs would suffer these ill effects, risks, and dangers in perpetuity all the while TGP/KM protects itself with lawyers, money, legal language, and "limited liability .....

Do we, as a democratic country, think it wise to grant one corporation so much power? Has the pursuit of wealth in America, once considered the American Dream, devolved to destroying the people who espoused it? What should take precedence and which is more important-a corporation's plans to further its already healthy bottom line profits-or the lives of American citizens and natural resources that its plans will devastate? Will we Americans decide of our own free will to enslave ourselves, our heirs, and our resources to the corporate engines we have made? What is the message about what this country stands for, and what we have become, that we want to give our own people as well as other countries considering democracy? We have a great country and there is hope, but someone has to take a stand for it to live.

The Federal Energy Regulatory Commission has a critical responsibility now. Your decision will answer these questions, and I believe that not only five U.S. states but the rest of the world will be watching.

Very truly yours,

Linda Stonehill

**20150831-0052**

Mark Salisbury  
Temple Mountain Beef  
877 N.H. Rt. 45  
Temple, NH 03084

August 25, 2015

Ms. Kimberly D. Bose,  
Secretary Federal Energy Regulatory Commission  
888 First Street NE  
Washington, DC 20426

Docket No. PF14-22-000

Dear Secretary Bose,

My name is Mark Salisbury and I live in Temple, New Hampshire. I own and operate a grass fed beef cattle farm that has been in my family since 1941. This is my family's home and place of business. My property abuts the land where the proposed compressor station is to be built in New Ipswich, NH.

I have received documentation from the New Hampshire Department of Environmental Health Services stating that there will be 50+ chemical emissions from the compressor station as noted in the attached document (Southwest Pennsylvania and Compressor Stations Environmental Health Impact Project - Summary on Compressor Stations and Health Impacts - February 24, 2015).

My cattle will be grazing within 500 feet of this proposed site and I have concerns that I would like to bring to your attention:

What will the emissions do to my cattle?

What kind of chemicals will be released - not just in the air, but in the soil as well? What will these emissions do to my cattle?

How will they affect the people that eat the beef and the people that live around here?

In the other attached document please find the results from research into these questions. This report (Impacts of Gas Drilling on Human and Animal Health) details the known effects of the emissions and pollution from compressor stations on both people and livestock. In other words - my family and my livelihood. My customers have already stated that if this proposal goes through, they will no longer buy my cattle or my hay. If this happens, I will suffer complete financial ruin, being as this farm and my cattle are my only source of income.

This will be largest compressor station on the pipeline. With all the noise and the emissions coming from the compressor station, this will have an extreme negative effect on the children that attend the elementary school across the street as well as my cows.

The school is downwind of the proposed compressor station and will be directly in line with the exhaust plume from the general running of the station and the expelled gases during -blow downs.

Also, the school gets its water supply from a reservoir that is fed by a stream originating on the site of the proposed compressor. As the construction site is intended to be placed on a brownfield site, heavily polluted with lead, the disturbance of the topsoil involved in the construction phase, will leach lead directly into this stream and consequently into the school's water supply. It should be noted that the same reservoir is also the water supply for the nearby town of Greenville.

The prospect of an industrial size compressor in our quiet, agricultural surroundings, running 24/7 is appalling. This will totally destroy the peace we have come to regard as the natural state of our small community.

So - to summarize- we are faced with noise, chemical emissions, a threat to the water supply of our farm, the school, and the next town all for the profit of a remote, huge corporation with a known record of poor maintenance to its pipelines and compressors. In addition to all this it would seem most likely I would lose both my cattle and farm and the land would be ruined for all future agricultural use.

Can you imagine living next to a compressor station that is running 24/7?

All I ask is that you please take the time to read the attached documents. I know they are not an exciting read, but there is a lot of relevant information there about what can and will happen to the surrounding area if this pipeline is approved.

Thank you for your time and consideration.

Mark Salisbury

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**SOUTHWEST PENNSYLVANIA ENVIRONMENTAL HEALTH PROJECT**

Summary on Compressor Stations and Health Impacts

February 24, 2015

*{for copy of report see 20150803-0013*

*jump to report in 20150803-0013}*

NEW SOLUTIONS, Vol. 22(1) 51-77, 2012

Scientific Solutions

**IMPACTS OF GAS DRILLING ON HUMAN AND ANIMAL HEALTH**

MICHELLE BAMBERGER

ROBERT E. OSWALD

ABSTRACT

Environmental concerns surrounding drilling for gas are intense due to expansion of shale gas drilling operations. Controversy surrounding the impact of drilling on air and water quality has pitted industry and lease - holders against individuals and groups concerned with environmental protection and public health. Because animals often are exposed continually to air, soil, and groundwater and have more frequent reproductive cycles, animals can be used as sentinels to monitor impacts to human health. This study involved interviews with animal owners who live near gas drilling operations. The findings illustrate which aspects of the drilling process may lead to health problems and suggest modifications that would lessen but not eliminate impacts. Complete evidence regarding health impacts of gas drilling cannot be obtained due to incomplete testing and disclosure of chemicals, and nondisclosure agreements. Without rigorous scientific studies, the gas drilling boom sweeping the world will remain an uncontrolled health experiment on an enormous scale.

Keywords: hydraulic fracturing, shale gas drilling, veterinary medicine, environmental toxicology

*{full report not included here but can be downloaded from: }*

*{ [http://psehealthyenergy.org/data/Bamberger\\_Oswald\\_NS22\\_in\\_press.pdf](http://psehealthyenergy.org/data/Bamberger_Oswald_NS22_in_press.pdf) }*

**20150831-0053**

*{note: poor quality (200 dpi) scan prevents effective OCR conversion}*

Project docket number PF14-22-000

Natural Gas (methane) pipeline expansion, aka NED Project

The following are comments on the proposed NED pipeline expansion.

The Northeast Energy Direct (NED) pipeline expansion is not in the best interest of the public, the environment or rate payers. I'm writing these comments in the facade of democracy. Below are many of the categories under which the NED project should not go through.

Environment:

“Under NEPA: An EIS is: Environmental consequences: A discussion of the environmental impacts (direct, indirect, and cumulative impacts) of the alternatives including the proposed action, any adverse environmental effects that cannot be avoided, and the means to mitigate adverse environmental impacts.” A complete EIS on the NED project would reveal “direct, indirect, and cumulative” local and global adverse environmental impacts.

Under the environmental criteria used by FERC to approve/disapprove gas/oil infrastructure projects, the NED pipeline CANNOT be approved. Using all environmental criteria, natural gas (methane) pipelines are a disaster for the environment, both locally and globally. Methane is a local air pollutant (compressor stations and pipelines) and is 86 times more potent as a heat trapping gas than CO2. Methane leaks along all phases of production have been well documented.

*Office of Fossil Energy, U.S. Department of Energy*

*Under the Natural Gas Act of 1938, as amended, the DOE has jurisdiction over this natural gas export approval. The significant environmental consequences of the induced gas production in Pennsylvania 'Iru the significant environmental consequences resulting from the pipeline construction and operation of natural gas transmission pipeline infrastructure in Pennsylvania, New York, Massachusetts and New Hampshire is a direct effect of this project. The significant environmental consequences of this export application are due to green house gas emissions which result from drilling, transmission, liquefaction and consumption.*

*James Carvalho*

So if you approve this pipeline (and others) over increasing clean renewable energy, the viable alternative, you are not following your own rules. That would beg the question: why is FERC in existence?

Public need:

The gas not needed here, it's for export. 56% of all gas through these pipelines is going to Goldboro NS or Dracut Massachusetts for export so it can be sold to European and Asian markets for 2 to 4 times the profit. Connecticut actually has to use rate payer funds to pay for incentive subsidies so people will convert to natural gas heating as a way to justify these pipeline expansions. (CES has provided estimates for New England future gas needs. How did they arrive at these estimates? Who funds CES?)

Public health: If you won't take environmental concerns into consideration, maybe public health is a strong enough criterion. Compressor stations have been proven to be a public health hazard because of the local air pollution they cause with intended and unintended methane leaks and noise.

Rate payers With all the complaints about high electricity costs during the recent scoping meeting in Connecticut, you would think they would be against a pipeline in which the construction and operation costs will be passed on to all electric rate payers whether they use electricity from a gas plant or not. I realize there is a mix of fuels in the ISO New England grid but this is like asking all drivers to pay a premium at the pump which would go to a car manufacturer who wants to build a new plant.

Jobs: Yes, let them play the "jobs" card again. What guarantee says the jobs will go to Connecticut residents? Is there a law that says Kinder Morgan (or anyone) has to hire union Connecticut residents? There are more good paying, longer lasting jobs to be had in renewables but are the pipefitters only interested in these pipelines because they feel they can't do anything else?

So they can stop with the "we have to feed our families" line; it's embarrassing. It's a simple question: if it could be proven, to your satisfaction, that your job was actually hurting your family, would you still do it? It's not actually such a silly question. Remember how they sold gas guzzling SUV's? ("you want your kids to be safe, don't you?") Who would say no to that? But it was a distracting question meant to elicit emotions not reason. When faced with a decision, the brain will choose emotion over logic almost every time.

{text + graphic not OCR convertible, omitted}

The danger of explosions could come from weather, construction accident, local digging, corrosion of the pipes, age of the pipes, even malicious intent. U.S. infrastructure. which includes but is not limited to pipelines (oil/gas), sewage treatment plants, bridges, was hacked 79 times in 2014 alone. With the exception of the "Smart Grid," it's very difficult to hack into a solar panel. (ps beware of anything with the word "smart" in it. Smart phone, smart grid, smart bomb. etc)

Lack of consideration of the public interest:

I have, reluctantly, gone through hearings over the last year, This is difficult to do because I feel it may be as futile as playing tic-tac-toe. During this time I have also researched the history of FERC. Through all this my level of trust and faith in PERC and the system couldn't be much lower. The reason for this is the "rubber stamp" pattern of permits for oil and natural gas projects. According to your own website you're supposed to acknowledge and find resolutions to stakeholders' concerns.

**(<http://www.ferc.gov/industries/gasiindust-actipipelines.asp>) ..... to engage stakeholders in the identification and resolution of stakeholder concerns prior to the filing of a certificate application with the Commission.”**

Other people feel the same way. This is from bipartisan members of the New Hampshire House:

“Our constituents have expressed frustration about the lack of information from FERC [Federal Energy Regulatory Commission] and the limited extent that public input is considered in the Commission’s review and approval process for energy infrastructure projects,” Granite State senators and House members told U.S.

Department of Energy Inspector General Gregory Friedman in a recently released July IS letter.” .

This is from a member of the public in a comment period from last year:

In FERC’s history; they have NEVER denied a permit for any oil and gas infrastructure project unless the operator withdrew the application. The FERC regulatory/permitting process is designed and orchestrated to render public opinion meaningless, ineffective, and destined to fail. (John Trallo)

Here ends my feeble attempt to point out all the reasons the NED pipeline expansion should not be permitted to take place.

John D. Calandrelli  
Enfield CT

#### **20150831-0056**

Hand written letter, William P. Ryan, 989 Apple Valley Road, Ashfield, MA 01330: opposing

#### **20150831-0059**

##### **The Metropolitan District**

water supply • environmental services • geographic information

August 28, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, D.C. 20426

Re: Comments on Tennessee Gas Pipeline - Northeast Energy Direct Pipeline Project  
FERC Docket # PF14-22-000

Dear Secretary Bose:

The Metropolitan District (the eMDC” or the eDistrictn) is extremely concerned about the Northeast Energy Direct Project (NED Project) gas transmission line proposed by the Tennessee Gas Pipeline Company, L.L.C. and Kinder Morgan. This project has the potential to directly impact the District’s critical public water supply watershed lands and drinking water reservoirs at its West Harford and Reservoir 16 facilities. These facilities include, among other things, dams, water transmission pipelines, and underground tunnels.

The MDC provides potable water services to over 400,000 people in the greater Harford area. The MDC is a public, non-profit, municipal corporation consisting of eight member towns, which include Hartford and the seven adjacent towns. Protecting the health and integrity of our public water supply reservoirs and watershed lands is our highest priority.

The Tennessee Gas Company’s NED Project — Proposed 24” Pipeline Segment S 300 Line CT Loop, as we understand, would be constructed through public water supply watershed lands in Farmington, West Harford and Bloomfield, spanning a distance of over 6 miles running north-south. It would pass directly through the watersheds of MDC-owned Reservoirs 12,3, 5 & 6. The majority of this watershed property (over 2,000 acres) is owned by the MDC.

Given the proximity of MDC property to these water resources, this property is classified in Connecticut as Class I or Class II watershed property, all of which is highly and closely regulated by the State of Connecticut Department of Public Health (DPH). Unfortunately, the Tennessee Gas Company's second draft Resource Reports (issued 7-24-15) do not address or consider this important designation, nor do they address or evaluate the potential long and short term impacts to NIDC's public drinking water reservoirs or water supply watersheds. Only brief reference is made in Resource Report 2 (Section 2.2.6.1.5) stating, "Tennessee will consult with the MDC to avoid, minimize or mitigate impacts to these watersheds."

Given the fact that state regulated public water supply watershed lands were not considered in Tennessee's July 24, 2015 Environmental Reports, it therefore follows that Tennessee's comments pertaining to the environmental impacts of the proposed 300 Line CT Loop pipeline are incomplete. In addition, the project details provided by Tennessee are also incomplete and are not site-specific with regard to construction plans and mitigation measures that will be implemented for the installation of the 300 Line CT Loop across these important public water supply watershed lands.

The protection of drinking water supplies is critically important to our state and to our citizens. Given the lack of information made available to the MDC, the MDC must express the concern that the proposed project may conflict with Connecticut's drinking water protection goals. Absent adequate protections, the project could have significant ramifications both, during and after construction activities. The MDC suspects that a significant amount of watershed land area would be required for the actual work on the pipeline and for temporary work space, pipe and equipment storage yards, as well as the construction of temporary and permanent access roads for contractors and equipment to reach the 6-mile long stretch of pipeline.

Construction of the pipeline will potentially disturb surface and ground water flows along the 6-mile stretch, and may alter drainage patterns, which could impact the watersheds' quantity and quality of water reaching our drinking water reservoirs. Associated concerns include soil erosion and runoff, fuel and other hazardous material spills, spread of invasive plants, increased use of chemicals such as fertilizers and herbicides, and other matters of potential concern to public health and safety. In addition, the proposed project occurs on watershed lands that are open to public recreation throughout the year, and, therefore, ensuring the health and safety of our visitors is also a vital concern.

In view of the above, the MDC requests that the Tennessee Gas Company be required to publically address, in a forum setting, the following concerns, and that the MDC and its member towns be given the opportunity to review and comment on Tennessee's responses prior to the formal filing of the final Resource Reports and the issuance of a FERC certificate of public convenience and necessity:

1. Tennessee Gas Company's numerous Resource Reports only consider resources and impacts within a narrow corridor of land where the pipeline is proposed to be built. These reports do not identify, nor do they address, potential impacts to drinking water supply watershed areas or MDC's public water supply reservoirs. The Resource Reports are not site-specific and detailed enough to fully evaluate potential impacts to MDC watershed lands and water supplies.

We therefore request that watershed drainage areas be identified, mapped (illustrating the water supply protection area and the source location) and evaluated to determine potential construction impacts on public health, safety and water quality. This information must be site specific to MDC lands, including the location and description of the 24 streams and other wetlands that are proposed to be crossed as part of the project. The alternative route options examined should be explained as to why they were not selected.

We request that detailed construction plans, procedures, environmental controls and mitigation measures, as well as restoration methods be identified by drainage area for each of the 24 proposed stream crossings and any additional wetlands crossings that are proposed for MDC's public water supply watershed lands. The specific methodology to be used for each stream crossing must be addressed; and

2. We request that detailed construction plans, procedures, environmental controls, mitigation and restoration measures, as well as post construction monitoring procedures and maintenance protocols, be developed

that are site specific and customized to address existing conditions on our watershed lands and also reflect the necessity of protecting MDC's drinking water supplies for the future. Overall, the following basic information is requested for evaluation:

- a. Detailed plans showing the proposed location, width and depth of the new pipeline with the level of specificity which will allow the MDC and State regulatory agencies the opportunity to conduct a meaningful review;
- b. Such plans should include, but not be limited to, the type and grade of pipe to be used, back fill material and the depth to which it will be buried and the height to which it will be filled for each specific site along the route, with special consideration for planning future vehicular access across the pipeline;
- c. The size and specific locations of the existing permanent easements, proposed permanent easements, temporary work spaces and any additional temporary workspaces that will be needed. This includes all construction work areas: staging areas; pipe and equipment storage yards; contractor yards; storage locations for hazardous materials, including chemicals, fuels, lubricating oils; timber yarding and log storage areas; borrow and disposal areas for woody debris and other unwanted vegetation, etc.;
- d. The types of hazardous materials, herbicides and other chemicals, fuels, lubricating oils, explosives, etc., to be used on-site during construction, and their specific locations and storage methods. The plans for treatment of wastewater discharges and disposal of construction waste, dredge spoil, and other materials must also be addressed;
- e. The specific spill prevention and emergency response plan to be used on-site, including the protocols for reporting spills, leaks (and other emergencies) to the Connecticut Department of Energy and Environmental Protection ("DEEP"), the Connecticut DPH and the MDC, as well as local fire departments;
- f. The extent to which blasting will be required and its impact on hydrography and water supplies. Areas of geotechnical concern also must be identified;
- g. The site specific plans to be implemented for erosion and sediment control, and stormwater runoff, including site specific erosion and sediment control practices that will be used before, during and after construction activities to reduce runoff and the pollutants in runoff;
- h. The mapped location and extent of proposed tree clearing (including an estimation of board foot volumes by species) and other vegetation planned for removal as part of all construction activities, and the location of access points where logging equipment, emergency vehicles and other heavy equipment could safely cross the pipeline after completion of construction;
- i. The plans for accessing the construction site and a map showing the location of any proposed new roads and any existing roads. The MDC's current position is that access for construction and maintenance activities should be restricted to the existing easement area granted to Tennessee Gas by the MDC in 1952, long before enactment of the Federal Clean Water Act and state statutes and regulations regarding classification and regulation of watershed lands;
- j. The location and extent of any recreational trails crossed or impacted by the project's construction activities, including any of MDC's roadways or trails, and any areas of the National Scenic Trail System (Metacomet Trail);
- k. The site specific plan for invasive species management for MDC water supply lands and surface waters. The plan should document the BMPs that will be used to prevent the spread of invasive species between work sites, including the potential transport from withdrawal water sources to the receiving waterbody during hydrostatic testing. Preventing the spread of invasive species is crucial to health of watershed lands;
- l. The proposed sources of hydrostatic test water, the quantity required the methods for withdrawal, the type of contaminants contained in the discharge water, proposed treatment methods and locations of discharges and any waste products generated. The MDC submits that MDC water resources will not be available for such uses. In addition, any such use and/or discharge would be subject to the DEEP and

DPH review and permitting process;

m. The long-term right-of-way maintenance techniques planned for the project and how they will impact watershed lands; including gates, fencing and other security measures; vegetation management techniques; and long-term maintenance of water runoff and soil erosion issues on steeply sloping pipeline corridors or those impacted by heavy recreational use; and

n. An examination of alternative gas pipeline routes, including the existing gas pipeline corridor as well other existing public utility rights-of-way, which may be utilized to accommodate the proposed project that may minimize potential environmental impacts.

3. In addition, the MDC requests that water sampling and testing be undertaken in key locations as determined by MDC to establish baselines for water quality and existing flow rates in its water supply watersheds. In addition, MDC requests that water quality monitoring be continued through the duration of the project to assess potential contaminants associated with the pipeline construction and operation. In the event of water supply contamination, Tennessee Gas should identify the procedures that will be implemented to remediate the situation and indemnify the District from any direct or indirect consequences resulting from such contamination.

4. Based on rough calculations, the MDC believes that the new gas pipeline may disturb up to 250 acres of its watershed property, all of which is closely regulated by the CT DPH. Specifically, Conn. Gen. Stat. §25-37c provides that there are three classes of property owned by water companies: i) Class I property which is within 250 feet of a reservoir (heavily regulated); ii) Class II property which is watershed property that is not Class I property (closely regulated); or iii) Class III property which is property that is off the watershed (minor regulation). Based on maps the MDC has seen, it appears that all of the proposed activity will occur on either Class I or Class II watershed land.

The regulations promulgated by DPH (Conn Reg. Sec. 25-37d-1 et seq.) provide that a water company shall NOT "...sell, lease, assign or otherwise dispose of or change the use of any watershed lands, and any off-watershed Class II lands ...without a written permit from the Commissioner of Public Health." The grant of an easement for these purposes falls within these parameters. The regulations further provide that only a water company may apply for the permit; it is questionable whether a third party such as Tennessee Gas could apply on its own behalf. Any application filed is reviewed by a team of experts consisting of representatives from DPH, the Department of Energy and Environmental Protection, the GFice of Policy and Management, and, if warranted, outside consultants. These experts would advise the DPH Commissioner on whether there is a significant adverse impact resulting from the proposed activities.

If an application to allow for a change in use of this property were filed, the Commissioner's consideration is focused on the potential impact on the water source and whether the activity would disturb ground vegetation which is important to support the Class I water source. Whether a public hearing is held is a factor of whether there is a finding by the Commissioner of significant adverse impact by the proposed activities. This ultimately is a judgment of the DPH. In addition, as noted above, depending on the specific proposed construction and associated activities, it is possible that CT DEEP review and approval may be necessary.

In summary, the MDC lacks the fundamental information that will enable MDC policymakers to make informed decisions. It is absolutely essential that the MDC be provided accurate and complete information. In addition, given the obligations the MDC has to the CT DPH and DEEP, these agencies must also be provided this information. As a practical matter, the information would be fundamental to any application that would be filed pursuant to applicable state statutes and regulations.

5. Finally, Tennessee Gas has made several requests to the MDC for a temporary easement in the general vicinity of the proposed pipeline for purposes of survey. The MDC will not consider granting this survey easement unless and until Tennessee Gas holds a well-advertised public forum in a MDC-member town where Tennessee Gas or its representatives give a formal public presentation about the details of this project as they apply to our public water supply watershed lands. Although Tennessee Gas has hosted various "open

houses,” the methods in which these meetings have been conducted have failed to provide an adequate opportunity for the general public to become familiar with this project. This request was reiterated in correspondence to Tennessee Gas on August 19, 2016.

We look forward to receiving insightful answers to our questions and concerns. Thank you for your attention, and do not hesitate to contact me if you have any questions.

Sincerely,

THE METROPOLITAN DISTRICT

R. Bartley Halloran

District Counsel

Cc: Mr. William DiBella —Chairman, Board of Commissioners

Mr. Tim Curtis —Chair, Water Bureau

Mr. Scott Jellison —CEO

Commissioner Rob Klee - DEEP

Ms. Lori Mathieu —DPH

**20150831-0060**

Spectra Energy Corporation

34 Morgan Drive

Norwood, MA 02062

Date: 8/25/15

Mailed via Certified Mail, Return Receipt Requested

Re: Rescinding property access

Spectra Access Northeast

As the owner of the property located at:

9 Copperfield Lane

Franklin, MA 02038

I am rescinding permission previously granted to the Spectra Energy Corporation, its representatives, contractors, sub-contractors, or associates to enter my land or to perform surveys, or for any other purpose in furtherance of a pipeline infrastructure project. Any such physical entry onto my property from the date of this letter forward will be considered unauthorized, and treated as trespass.

Beth O’Rielly

Copy to FERC:

Kimberly D. Bose, Secretary

Federal Energy Regulatory Commission

888 First Street NE; Room 1A

Washington, DC 20426

**20150831-0062**

Hello,

I am a proud resident of New Hampshire. I have until recently remained open minded to the proposed NED Kinder Morgan Pipeline Project. After much research, both pros and cons, I have come to the only possible conclusion. This project brings zero value to the state of New Hampshire.

In fact I firmly believe it will have devastatingly negative impacts on many aspects. This pipeline is intended for export, it does not benefn New Hampshire home owners. We will actually be burdened with a tariff on our electric rates to fund the cost to build this pipeline. Allowing Kinder Morgan, a privately owned company, zero costs and accountability.

I am extremely concerned for the environmental damage, effects on wells and aquifers, disruption and elimination of wildlife (falcons in particular) loss of property/adverse property value with no compensation or accountability for voe pollutants, excessive noise levels, elimination of “night skY”, and most importantly our health and safety. Kinder Morgan historically has a poor safety record. This project would also take away from important National and State goals for renewable energy. Let’s not take a step backwards!

I am also very concerned that Eminent Domain is being considered. Without a need from New Hampshire residents how can this process be legally acceptable?

All towns affected would be forced to bare the added burden of funding addition safety needs, fire, police, safety, and evacuation requirements that need to be implemented for accident preparations. This will be an enormous financial burden for all our New Hampshire residents.

After taking all things into consideration I strongly feel this is greed, not a need.

I oppose the NED Kinder Morgan Pipeline Project!

Regards,

Rebecca Belanger

**20150831-0063**

Hand written FERC Comment form: Theresa Garcia, PO Box 453, 175 Collins Pond Rd, Fitzwilliam, NH 03447: opposing

**20150831-0064**

Dear Kimberly,

I’m writing to voice my concerns about project docket number pF14-22-000 and the acquisition of yet another potential easement on my property. My husband and I purchased this property as a retirement home knowing that the Constitution Pipeline is scheduled to come through the property. It was a hard decision to make because of that possibility. We have concerns about the project affecting our water table, the loss of trees and wildlife habitat. We received no compensation. No sooner did we sign the sale papers for the property when the Tennessee Pipeline packet shows up in our mailbox. Our concerns have now doubled. This new pipeline will supposedly be put in right next to the Constitution one. Our property sets on a rocky hillside. More blasting, potential displacement of our water supply and more loss of large trees and wildlife habitat. We already have a telephone line easement running parallel to these potential pipelines. This latest pipeline would be three easements. We also have concerns about a natural spring and small slate quarry on the property. A family of porcupines live by the quarry. Two pipelines will just about destroy much of our wildlife habitats.

It is our opinon that this pipeline is not in the public convenience and necessity. It surely won’t be a convenience for us. It fills us with dread. We hope you and the commission will decide against this project or find an alternate course.

Sincerely,

Donald and Kathy Bessler

**20150831-0065**

Kimberly D. Bose, Secretary  
Federal Energy Regulatroy Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426

Re: docket Number PF14-22

I am sure that you have received extensive data questioning the actual need for the proposed pipeline from

Wright, Ny to Draco. I have endorsed some of the concerns that I have read regarding the need for additional lines and some proposah for alternafive energy .I question why the Federal Government would want to agow a private company to finandagy benefit from a plan to sell fuel overseas while putting the local population at risk There seems so be a spin put on the information that promotes gas as an environmental fuel source and that more pipe lines are needed.

There have been some documented studies showing that formaldehyde and benzene are being released at Compressor sites. There is no requirement to study and monitor air around these and proposed Compressor sites. Who will be responsible for the health or the surrounding population of up to a mile down wind from the site. I have also read that the Methane released from the Compressor Stations and from leaking pipes is overag more dangerous to global warming that the pollution of oil or coal.

As an effected landowner I am also very concerned about my famgy's safety. A high pressure gas line ex-plodon would damage everything within 1,000feet That would be most of my property including my house. While we have received requests to survey our property from Kinder Morgan, no one has acknowledged that placing a high pressure gas line so dose to my home is Dangerousl No one has acknowledged the financial damage that we will sustain because of decreased property value. How many other homeowners will have to worry and have sleepless nights because they cannot afford to move.

My home is a passive solar home with solar panels. For thirty years we have been conserving energy and only using renewable resources to heat such as solar and wood. The federal government should not allow Kinder Morgan to build new gas lines. They are not needed and they are not safe. Please put more eil'ort into supporting renewable resources and protect our people and planet for years to come.

Sincerely,

Patrick Timme  
61 Gerry Lane  
East Berne, NY 12059

## 20150831-0066

August 22, 2015

Kimberly D Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1 A  
Washington, DC 20426

Subject Northeast Energy Direct Project —New Hampshire Impact

Please consider this notice of my opposition to the Tennessee Gas Pipeline Company's plan on constructing a natural gas pipeline in southern New Hampshire. I am against this proposal due to the following reasons:

- ~ Impact on forests, lakes, rivers and homes. This project will scar the scenic landscape that New Hampshire is known for and am also concerned this will impact the tourist industry.
- ~ Safety Record Concerns —from 2003 - 2013 Kinder Morgan experienced 36 signIcant incidents of explosions and spills. I really believe this is putting the NH residents at a very serious health risk.
- ~ Gas production will not benefit New Hampshire. This project is putting the NH residents at risk so Kinder Morgan is able to increase profits.
- ~ Eminent Domain. Really feel it is a crime that people will be forced to have this pipeline forced on their property. This seriously impacts the value of their homes as well as their safety.
- ~ This pipeline will be carrying highly flammable gas throughout residential and non-residential aieas across Southern New Hampshire.
- ~ The claim has been made that this will increase employment opportunities, however only 3 permanent jobs will be created.

Thank you for consideration.

Jeanne Bennett  
New Hampshire Resident

**20150831-0068**

Hand written letter, 2 pages, Joe Pelletier, 18 Howard Street, C?, MA 0213?: opposing

**20150831-0069**

35 Old Country Road  
New Ipswich, NH 03071

August 24, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulation Commission  
888 First St. NE, Rm. 1A  
Washington, DC 20426

Dear Ms. Bose,

This letter is in regard to Docket PF14-22.

My concern is that our well water could very well be contaminated by the blasting and use of chemicals on the NED project. This has happened in other pipeline projects. We are dependent on our wells, and Kinder Morgan has not been cooperative when they have ruined people's wells in the past.

Home insurances do not cover damage from pipeline projects, so homeowners are left with no recourse, and with a home that is essentially without value. Since Kinder Morgan will make millions of dollars on this project, they should be made to at least protect the citizens and their property as much as possible,

They should at the very least be made to do the following:

1. Test our wells before the project begins and afterwards at specified intervals. These tests should include VOC testing.
2. Since this company has proven itself unreliable in reimbursing people for damage to their property, they should be made to set up a fund before construction begins. This fund should be overseen independent of Kinder Morgan.

We have worked our whole lives to have a decent home and community. If the pipeline does go through, Kinder Morgan and our government should at least treat us as fairly as possible.

Sincerely,

Kathryn Walters

**20150831-0070**

Debbie J. Drumm  
1005 High St. Hill Rd.  
Windsor, MA 01270

August 24, 2015

RE: Northeast Energy, Direct Docket 1PF14-22

Dear Ms. Bose,

Please help us to maintain our beautiful town land by not allowing Kinder Morgan to run its pipeline through our back yards and add a horrific compressor station that is so huge it will pollute our air that we breathe and our land that we so treasure. Never mind the noise it will create and the dangers of it all.

This is just wrong!

The gas from this pipeline does not even benefit anyone in the area or our country as it is proposed to be shipped overseas.

But you know all of this already. Please help us to preserve our lands. We should at least have a choice. This is America right? Yes, I know that is na'Ive, but I am a regular person that is going to see the land tom to pieces that I love and a huge pipe put in place that puts us all in danger if it leaks or explodes.

Please hear our cry for help in putting a stop to this powerful company.

Sincerely,

Debbie J. Drumm

**20150831-0073**

Tennessee Gas Pipeline Company, LLC  
1615 Suffield Street  
Agawam, MA 01001

Date: 8/24/15

Via Certified Mail, Return Receipt Requested

Re: Denying Property Access RE NORTHEAST ENERGY DIRECT DOCKET #PF14-22

As the owner of the property located at:

20 NORTH HILL DRIVE  
LYNNFIELD, MA 01940

I am denying permission to the Tennessee Gas Pipeline Company, LLC (a Kinder Morgan Company), its representatives, contractors, sub-contractors, or associates to enter my land or to perform surveys, or for any purpose in furtherance of a pipeline infrastructure project. Any such physical entry onto my property from the date of this letter fonvard will be considered unauthorized, and treated as trespass.

Joy E. Stevens

**20150831-0074**

Hand written FERC Comment form: Stella & Cheves Walling, 120 Sunridge Rd, Rindge, NH 03461: object-ing

**20150831-0075**

Hand written FERC Comment form: John D. Wyndham, 36 Union Street, Peterborough, NH 03458: oppos-ing.

*{2 pages of newspaper clippings omitted}*

**20150831-0076**

Hello,

I am a proud resident of New Hampshire. I have until recently remained open minded to the proposed NED Kinder Morgan Pipeline Project. After much research, both pros and cons, I have come to the only possible conclusion. This project brings zero value to the state of New Hampshire.

In fact I firmly believe it will have devastatingly negative impacts on many aspects. This pipeline is in-tended for export, it does not benefn New Hampshire home owners. We will actually be burdened with a tariff on our electric rates to fund the cost to build this pipeline. Allowing Kinder Morgan, a privately owned company, zero costs and accountability.

I am extremely concerned for the environmental damage, effects on wells and aquifers, disruption and elimi-nation of wildlife (falcons in particular) loss of property/adverse property value with no compensation or ac-

countability for voe pollutants, excessive noise levels, elimination of “night skY”, and most importantly our health and safety. Kinder Morgan historically has a poor safety record. This project would also take away from important National and State goals for renewable energy. Let’s not take a step backwards!

I am also very concerned that Eminent Domain is being considered. Without a need from New Hampshire residents how can this process be legally acceptable?

All towns affected would be forced to bare the added burden of funding addition safety needs, fire, police, safety, and evacuation requirements that need to be implemented for accident preparations. This will be an enormous financial burden for all our New Hampshire residents.

After taking all things into consideration I strongly feel this is greed, not a need.

I oppose the NED Kinder Morgan Pipeline Project!

Regards,  
Rachel E. Moorman

**20150831-0077**

**The Commonwealth of Massachusetts**  
**House of Representatives**  
State House, Boston 02133-1020

LINDA DEAN CAMPBELL  
STATE REPRESENTATIVE  
15th ESSEX DISTRICT

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE Room IA  
Washington, DC 20426

Docket Number: PF14-22-000

Dear Secretary Bose,

I am writing today to convey the concerns that have been raised by many of my constituents in the 15<sup>th</sup> Essex district, particularly those in the city of Methuen who will be directly impacted by the proposed North-east Energy Direct (NED) Pipeline.

First and foremost, I have yet to see definitive proof that the Commonwealth is currently facing a natural gas shortage and that a significant increase in natural gas supply brought about by a new pipeline will truly result in lower prices for my constituents.

The extent to which Massachusetts and New England has faced high energy prices in recent years largely seems to be due to a combination of mismanagement on the part of suppliers. In fact, the most recent winter of 2014-2015 actually featured lower prices than 2013-2014 despite being colder on average.

Kinder Morgan has also repeatedly changed the proposed size and distribution routes of the NED pipeline, suggesting that they do not have an accurate projection of natural gas demand for the region and that their main objective is to expand the pipeline to take advantage of export opportunities. (In my district, meeting times for constituent questions/feedback also changed repeatedly.)

This is a significant problem for a number of reasons:

The price of natural gas is highly volatile and an increase in our region’s dependence on natural gas will make ratepayers vulnerable to price spikes.

Energy consumption actually appears to be decreasing in our region due to efficiency improvements and this only increases the likelihood that this expansion will be used to serve as an enhancement for export across the Atlantic.

Given these issues, I do not accept the premise that we can do and should do nothing in Government to en-

sure that this expansion benefits New England and Massachusetts whose ratepayers will likely bear the cost of this pipeline's construction.

With that in mind I ask that you also review the potentially significant local impacts that this pipeline could have on the property and safety of constituents in my district.

In Methuen, this pipeline is very dangerously close to homes, (within a few yards in some cases) and it transverses neighborhoods and driveways and through many wetlands.

Residents have legitimate concerns regarding investments in mature landscaping that will be removed by this expansion, particularly, mature trees that add considerably to their property value.

I also ask that you review the impair that this project will have on the Merrimack River which is the source of drinking water for the City of Methuen and vital to the safety and wellbeing on the region.

Thank you for receiving my comment on the proposed NED pipeline and allowing me to echo the concerns of experts, families, and property owners in my district. I hope that you will demand detailed evidence demonstrating that this pipeline will benefit the New England and the Commonwealth of Massachusetts.

Most Sincerely,

Linda Dean Campbell  
State Representative  
15<sup>th</sup> Essex District

**20150831-0078**

Hand written FERC Comment form: Robyn Hannett, 99 Old Coach Rd, Fitzwilliam, NH 03447: opposing

**20150831-0079**

Hand written FERC Comment form: Eric Hannett, 99 Old Coach Rd, Fitzwilliam, NH 03447: opposing

**20150831-0080**

**Board of Selectmen  
Town of Montague**  
Turners Falls, MA 01376

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

**Docket No. PF14-22-000- Public Scoping Comments, Response to Environmental Impact Statement**

Dear Ms. Bose,

Montague, Massachusetts is community of 8,500 along the Connecticut River in Franklin County. The proposed Kinder Morgan pipeline's 4.7 mile reach through Montague will bisect the Town where it will pass through environmentally sensitive areas, areas protected for open space by the Commonwealth, and land that is designated or regulated for public water supply protection. The community is very concerned about the environmental impacts of the project.

To assure a complete and comprehensive review of the project we ask that the Federal Energy Regulatory Commission (FERC) mandate the project adhere to Mass Drinking Water Regulations, the Mass Environmental Policy Act (MEPA) process and the Wetlands Protection Act process. We also urge FERC to honor Article 97 and require Tennessee Gas Pipeline to obtain legislative approval to develop permanently protected land as a condition of any certificate.

The Town has compiled a list of community concerns and requests, drawing from municipal plans including the Montague Open Space and Recreation Plan, The Natural Hazard Mitigation Plan, and the Montague

Comprehensive Plan. We ask that FERC respect the community's goals identified in these documents.

Economic Impacts: There are approximately 15 homes within 500 feet of the proposed pipeline. The Town is concerned about reduction of home values, difficulties in refinancing, and difficulties in obtaining homeowners Insurance for these properties. There is also a concern about resident's rights to pass over pipeline right-of-way to access privately and publicly owned back lots. Lack of access to some affected lots could have an impact on forestry, recreation, and agriculture in Montague.

Water Resource Impacts: The pipeline bisects the Hannegan Brook Water Supply Protection Area that supplies water to over 5,000 households in the Turners Falls Water District and the route impacts at least two wetlands and crosses two major rivers in Montague: the Connecticut and the Millers. Because of these reasons, the Town is concerned about Contamination of public water supplies and damage to wetland and water bodies. We request that The Mass Wetland Protection Act and River&out Protection be applied to this project. The applicant's draft EIR suggests that the project will affect 0.02 acres of jurisdiction wetlands, which is suspiciously low, as no formal wetlands survey has been conducted for this part of the Commonwealth.

Open Space and Recreation Impacts: The Montague Plains are a unique and pristine natural pine barren ecosystem. The Plains are used extensively for recreation including hunting, and passive recreation like hiking, bird watching and cross country skiing. The proposed route includes approximately one (I) mile of new right-of-way over land held in public trust by Mass Dept of Fish and Wildlife. Thus the Town is concerned about the Change of use for one mile of Article 97 protected lands, as well as the Impact on hunting, recreational trail use, and habitat.

Public Safety Impacts: Montague's two independent Fire Districts do not have the manpower or equipment to address pipeline accidents. The Montague Plains are wildfire hazard area. Historically, there have been devastating wildfires on the Montague Plains, where such an occurrence happens naturally. Montague Natural Hazard Mitigation Plan identified wildfire on the Plains as one of the most significant hazard for Montague — as it would threaten the villages of Lake Pleasant, Millers Falls, and the Airport Industrial Park. A pipeline accident response will strain Montague's staff resources. To mitigate against the problem, a regional response plan should be prepared before construction begins.

Cultural Impacts: Montague, like surrounding towns is rich in Native American History. The project is in very close proximity to the Turners Falls Cultural Landscape District, designated by the National Park Service. We urge FERC to require a vigorous archeological survey and to work closely with affected Tribes.

Geological Impacts: The Pipeline is being constructed to bisect the Montague Sand Plains. We are concerned about the safety of pipelines in sandy soils. The Pipeline will also traverse areas with shallow bedrock between Route 63 and Millers River. Depth of pipe should be at a level to not prevent farming or recreation.

Construction Impacts: The Town is concerned that heavy equipment during construction will damage town roads. We are also concerned about proximity to the power lines. We feel that the critical nature of construction should mandate an independent 3 party construction monitor and certification.

To protect these interests The Montague Board of Selectmen has resolved to be in full support of all the specific study requests made by the Franklin Regional Council of Governments (FRCOG) on behalf of affected towns in Franklin County. These study requests made by FRCOG speak for the Town of Montague and they are individually listed below. Details about the study requests can be found in FRCOG's written comments.

~ Conduct a detailed Alternative Route Analysis to Avoid Permanently Protected Open Space, Federal and State Rare 4, Endangered Species Habitat, Water Resources, Forests, and Farmland

~ Conduct a Comprehensive Analysis of the Need for the KM NED Pipeline Capacity to meet Natural Gas Demand in New England

~ Conduct an Analysis of Air Quality Impacts and Greenhouse Gas Emissions Related to the Construction and Operation of the Pipeline

- ~ Conduct and Analysis of Archeological 4 Historic Resources Study of Pipeline Route
  - ~ Analysis of Private Property Real Estate Values, Homeowner and Municipal Insurance, and Municipal Tax Revenues
  - ~ Analysis of Potential Safety Impacts Including Identification of Hazard Zone(s) if Pipeline Fails
  - ~ Analysis of Training, Equipment and Facility Needs for Local Emergency Responders
  - ~ Analysis of Impact on Heritage 4 Recreational Tourism and Forestry
  - ~ Analysis of Impacts on Private 4 Public Water Supplies and Water Resources related to Construction (blasting th drilling), Pipeline Operation and Hazardous Materials Storage dt Use
  - ~ Analysis of Impacts on Rare 4 Endangered Species
  - ~ Analysis of Impacts of Construction and Equipment on Existing Infrastructure (Roads, Bridges, Culverts, Water, Sewer, etc.) and Impacts from new Access Roads and Staging Areas
  - ~ Quantification of Benefits of Reduced Natural Gas Prices as a Result of the NED Pipeline Capacity
  - ~ Analysis of Light 8I, Noise Impacts from Pipeline Construction th Operation and Compression Stations (to be provided)
  - ~ Analysis of Invasive Species Impacts during Construction th Operation of the Pipeline
- ~ Analysis of Impacts to Agricultural Lands and Economy

Thank you for your considering our requests.

Sincerely,

Michael Nelson, Chair    Christopher M. Boutwell    Richard Kuklewicz

**20150831-0081**

*{same text as 20150831-0076 above, except signed by: }*

Kait? B?  
New Ipswich, NH

**20150831-0082**

Hand written FERC Comment form: Catherine S. Waitt, 369 Page Hill Road, New Ipswich, NH 03071: opposing

**20150831-0083**

**charles river**

August 12, 2015

Ms. Kimbely Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

Re: Docket No: PF14-22-00 Proposed Tennessee Gas Pipeline Project

Dear Ms. Bose,

We are issuing a statement of concern with regard to the noise and building vibrations which will likely occur as a result of excavating for the pipeline. As we know from past excavations in the area, there are significant amounts of ledge which require blasting or high impact excavation. The resulting noise and vibrations are close to our laboratories. Our laboratories house research models used in the drug discovery process. Our research models are sensitive to noise and vibrations which affects their suitability for scientific research. We ask that the EIA committee include a reputable scientific advisor familiar with the drug discov-

ery process.

Should you wish to discuss this further, please do not hesitate to contact me at the number below.

Yours truly,

Ivan Kousidis  
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CC: Rushna Heneghan, CRL Deputy Legal Counsel  
Jason Burrill: CRL Assoc. Director, EHS

**20150831-0084**

August 24, 2015

Dear Senator Shaheen,

We are writing to oppose the Northeast Energy Direct (NED) pipeline proposed by Kinder Morgan. In looking over all the information we find no benefit to New Hampshire, however, it will bring much benefit to Kinder Morgan. Corporations have too much control over our government and we have no rights.

The pipeline will break conservation easements, bring an additional tariff on our electric rates to pay for this private project, bring financial burden for landowners who lose property value or increased insurance premiums, water quality will be affected.

This pipeline will not bring fuel directly to homes for heating —this is a distribution line. Pipelines require compressor stations and they are ginormous polluters. All pipelines leak! The pipeline companies have no obligation to fix them, only to identify, categorize and monitor.

Kinder Morgan hires locals to speak positively about the pipeline in our communities and to say we are overreacting! Are we?

After doing the research I am convinced the pipeline construction process will pollute our air, contaminate our aquifers, wells and other water resources. Families will lose their homes and it will destroy conservation lands. It will harm the tourist industry and rural character of New Hampshire.

Stand up and stop Kinder Morgan from trampling your people and our state!

Most Sincerely,

Roger & Joan Crooker

cc: FERC docket number PF14-22

**20150831-0085**

*{same text as 20150831-0084 above, except : }*

*addressed to: Governor Hassan*

*signed by: illegible signature*

**20150831-0086**

*{same text as 20150831-0084 above, except : }*

*addressed to: Senator Ayotte*

*signed by: illegible signature*

**20150831-0087**

*{11 pages}* skip to end of 20150831-0087

419 Totem Lodge Road

Averill Park, New York 12018

25 August 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE; Room 1 A  
Washington, DC 20426

Re Northeast Energy Direct project; PFI4-22-000

Dear Ms. Bose:

I offer the following comments on the contents of the proposed scoping document for FERC's review of the Northeast Energy Direct project, PFI4-22~ under NEPA.

Sincerely,

Charles E. Sullivan, Jr.

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### **Initial comment**

While Kinder Morgan Energy Partners, L.P., through its subsidiary, Tennessee Gas Pipeline Company, L.L.C., (collectively, "KM") recently "downsized" its proposal to design, construct, and operate the Northeast Energy Direct project - a pipeline system, intended to be operational in 2018, connecting Pennsylvania's high volume hydrofracked natural gas wells to Dracut, Massachusetts, that includes a compressor station proposed for the Town of Nassau in order to maintain the gas's pressure and speed, it remains a project presenting significant substantive environmental, public health, economic, and other issues in need of addressing before it may be even considered to be authorized to proceed. This "downsized" project will cause the same amount of environmental and economic upheaval and disruption to landowners during construction as a larger pipeline would, except, as discussed below, further disruption should be expected in coming years, with "compression expansions" either in the towns currently targeted for compressor stations, or new ones to be determined. Authorizing this "downsized" pipeline project paves the way for future expansion by means of larger pipes, higher operating pressures, and more system support structures, such as more, and larger, compressor stations.

FERC's NEPA analysis, and FERC's decisionmaking flowing from that analysis, must consider mitigative measures even for impacts that by themselves would not be considered "significant." 46 F. Reg. 18,026 (Q. 19a) (March 23, 1981). Thus, even individual or smaller harms to any component of the natural or manmade environment must be evaluated and mitigated.

FERC's NEPA analysis also must address how inconsistencies between the proposed project and any State or local law will be reconciled. 40 CFR 1506.2(d). Thus, FERC's NEPA analysis must examine the project's compliance with state laws, such as, but not limited to, the 2011 Town of Nassau, New York Zoning Law. Such a condition would be consistent with FERC's general expectation that natural gas companies will "comply with state and local requirements, to the extent that doing so does not interfere with actions that the Commission has determined are required by the public convenience and necessity." Letter from Cheryl A. LaFleur, Acting Chairman, FERC, to Rep. James P. McGovern (June 18, 2014).

### **More detailed Comments**

#### **1. Definition of "project" subject to NEPA review**

- a. Project can be for domestic gas supply only if eminent domain is to be considered

KM openly admits to having to "sell" the merits of its pipeline to exporters in order to get the pipeline's capacity full subscribed.' As a result, FERC may not have the authority to issue a Certificate of Public Convenience and Necessity since the pipeline's main purpose appears to be to transport natural gas to exporters, and Section 7(a) is couched in terms of domestic consumption of the transported natural gas. Flowing from

this is that KM will not be avail itself of the eminent domain authority and powers under the Natural Gas Act in order to get the pipeline path under its control since FERC's authority to issue a Certificate of Public Convenience and Necessity leading to the empowerment of the Certificate holder with the power of eminent domain appears to extend only to a project transporting natural gas exclusively for domestic consumption.

b. No "project" segmeatatioa

Extraction, transportation, and sale of natural gas are interdependent activities. Without a market, there is no need to extract; without extraction, there can be no market since no product to market; without a transportation mode, there can be no connection between extractor and purchaser. A pipeline project, then, has three interrelated components: a pipeline and the two sets of customers depending on it: extractors at one end of the pipeline and purchasers at the other.

In this case, the pipeline that KM seeks FERC permission to design, construct, and operate seeks to connect for the most part - whether presently or in the future -- the fracked gas fields of Pennsylvania and elsewhere to export terminals in the Northeast and Canada. This pipeline does not stand alone; its very reason for being and its financing depend upon the existence of long-term supply contracts between the gas extractors in those fracked gas fields and those consumers, be they domestic or foreign. Therefore, the "project" subject to NEPA review consists of the extraction, transportation, and fate of ftacked gas proposed to be carried in KM's pipeline.

The fact that FERC's jurisdiction extends only to the pipeline's necessity and not to natural gas extraction or sale does not change the legal requirement that FERC is the NEPA lead agency in this matter and so, must ensure that the NEPA document generated for this project properly, fully, and comprehensively analyzes all aspects of this project, from extraction to export.

## 2. Need for this project

Before approving this project, FERC must determine that it is "necessary or desirable in the public interest." 15 USC 717f (c): when the project's projected public benefits outweigh its potential adverse consequences. FERC Statement of Policy, "Certification of New Interstate Natural Gas Pipeline Facilities," 88 FERC (CCH) 61,227 (1999)~ orders clarifying policy, 90 FERC (CCH) 61,128 (Feb. 2000) and 92 FERC (CCH) 61,094 (July 2000).

"Need" has a number of components: need for this particular energy source among the many available; need for natural gas at the destination; need for natural gas in the quantity the pipeline will transport; need for the pipeline to travel the path proposed; etc. FERC's NEPA evaluation, then, must encompass all environmental impacts associated with all components of "need."

This comprehensive understanding of "need" is quite important to my family since we live along the proposed pipeline's path and not far from the compressor station proposed for the Town of Nassau, Rensselaer County, New York. Since I understand that the potential blast impact radius for the proposed 30 inch pipeline operated to transport 1.3 BCFD of natural gas will operate at pressures that will generate an approximately 800 foot blast radius, requiring that pipeline to transport only that amount of natural gas sufficient to address the current gas supply needs of New England and nowhere else will help to minimize the safety impacts upon my community.

### In terms of need for this particular energy source, consider:

- Energy conservation and renewable energy are the first priority for meeting future energy needs - green buildings, energy efficient appliances, flattening peak energy demand, wind generation, etc. and that more can be done to reduce reliance on fossil fuel sources. In fact, energy efficiency is decreasing the need for energy resources, fuel-free renewables are supplanting polluting power plants, and liquefied natural gas has become cost-competitive and available at times of peak need.
- ISO-New England has expressed concern about over-reliance on natural gas as the primary means of electricity generation.

In terms of need for the additional domestic gas supply, consider:

- KM has marketed this project as answering a New England-wide need for additional gas supply to, among other things, promote energy reliability. However, the report prepared by July 12, 2013 Synapse Energy Economics, Inc., “Avoided Energy Supply Costs in New England: 2013 Report,” which is one of KM’s cornerstone substantiations, projected a potential shortfall in future electricity generation capacity in Massachusetts only for peak demand on certain days of the year; and that report has been criticized for not adequately taking into account future benefits from improved energy efficiencies, as well as the growth of renewable sources.
- The analysis of need for additional domestic gas supply should encompass the study announced by MA AG Healey on electricity reliability needs, including natural gas capacity demands, in New England. A key focus of the study will be the question of whether more natural gas is needed in the region, and if so, how much more capacity is needed. Analysis Group, a Boston-based economic and financial consulting firm, will begin work on the study, which is slated to be completed by October 2015.
- In mid-July 2015, an independent consultant, London Economics International (LEI), hired by the Maine Public Utilities Commission (PUC) concluded that Maine should not enter into contracts to purchase gas pipeline capacity because the costs of doing so would outweigh the benefits to Mainers. Conservation Law Foundation: <http://www.clf.org/blog/clean-energy-climatechange/maine-doesnt-need-new-gas-pipelines/> “Experts Weigh In: Maine Doesn’t Need New Gas Pipelines”; Jul 17, 2015 by Ivy Frignoca
- As KM noted above, (see til. 1), KM is actively seeking exporters to provide demand for the pipeline’s capacity. Although KM proposes no new LNG storage facilities, the fact is that Pieridae Energy’s October 24, 2014 application to the Department of Energy seeks to export domestically produced natural gas out of Canada. The gas for this proposal would reach Canadian LNG export terminals via the Maritimes and Northeast pipeline that the Northeast Energy Direct pipeline, among others, would feed by reversing the flow of that pipeline to allow gas to reach Canada as part of the Northeast Energy Direct project. Thus, KM itself needs the extra capacity in its pipeline project not to provide domestic demand but to supply export markets.

In terms of whether there is a public need for the pipeline at all, consider a new study issued by Energyz Advisors LLC and commissioned by France-based GDF Suez, an LNG importer, that challenges the notion that new natural gas pipelines are needed for the New England market, contending that demand for the product is expected to decline and noting that the region will benefit from a diversification in power generation resources. The Energyz report concluded: “Even during extreme winter conditions, new pipeline capacity is not required to meet New England natural gas demand needs given existing infrastructure, current market conditions and policy initiatives.” See also ENE, “Pipeline Alternatives Assessment: Energy Resources to Meet New England’s Winter Needs” (June 2014), available at [http://academiccenter.org/wpcontent/uploads/2014/09/ENE\\_Pipelines\\_Alternatives\\_Assessment\\_14\\_0612\\_RF.pdf](http://academiccenter.org/wpcontent/uploads/2014/09/ENE_Pipelines_Alternatives_Assessment_14_0612_RF.pdf); and Feldstein, M. and Kessler K., “Burden of Proof: The Case Against the Proposed Northeast Energy Direct (NED) Fracked Gas Pipeline,” (Aug. 2014), available at [www.nofrackedgasinmass.org/wordpress/wpcontent/uploads/2014/09/BurdenOfProof.pdf](http://www.nofrackedgasinmass.org/wordpress/wpcontent/uploads/2014/09/BurdenOfProof.pdf).

In terms of whether there is a need to consume additional carbon-based energy resources, consider

- the long-term public health impacts of continued reliance upon carbon-based energy sources, especially when there already exist better alternatives. See, e.g., the wide-ranging and peer-reviewed report issued by the Lancet Commission on Health and Climate Change (The Lancet is a UK-based medical journal), Health and climate change: policy responses to protect public health, which declares that the negative impacts of human-caused global warming have put at risk some of the world’s most impressive health gains over the last half century; and that continued use of fossil fuels is leading humanity to a future in which infectious disease patterns, air pollution, food insecurity and malnutrition, involuntary migration, displacement, and violent conflict will all be made worse. When climate change is framed as a health issue, rather than purely as an environmental, economic, or technological challenge, it becomes

clear that we are facing a predicament that strikes at the heart of humanity . Health puts a human face on what can sometimes seem to be a distant threat

- the argument major economists and investors are making for divesting from fossil fuels such as natural gas. See, e.g., “Keep it in the ground; The argument for divesting from fossil fuels is becoming overwhelming” by Alan Rusbridger (Monday 16 March 2015 09:06 EDT), found at <http://www.theguardian.com/environment/2015/mar/16/argument-divesting-fossil-fuel-overwhelming-climate-change>: This is why the divestment movement has changed from being a fringe campaign to something every responsible fund manager can no longer ignore. How could they, when even the governor of the Bank of England, Mark Carney, has warned that the “vast majority of reserves are unburnable” and the bank itself is conducting an inquiry into the risk that inflated fossil fuel assets pose to the stability of the financial system? When the president of the World Bank, Jim Yong Kim, urges: “Be the first mover. Use smart due diligence. Rethink what fiduciary responsibility means in this changing world. It’s simple self-interest. Every company, investor and bank that screens new and existing investments for climate risk is simply being pragmatic”? When the Bank of England’s deputy head of supervision for banks and insurance companies, Paul Fisher, warns, as he did this month: “As the world increasingly limits carbon emissions, and moves to alternative energy sources, investments in fossil fuels - a growing financial market in recent decades \_ may take a huge hit”? Or listen to Hank Paulson, no bleeding liberal, but secretary of the Treasury under Bush and former CEO of Goldman Sachs: “Each of us must recognise that the risks are personal. We’ve seen and felt the costs of underestimating the financial bubble. Let’s not ignore the climate bubble.” President Obama puts it most pithily: “We’re not going to be able to burn it all.”
- The Administration’s current efforts to combat climate change, which, among other things, seek to incentivize building renewable energy infrastructure and not new fossil fuel infrastructure.

In terms of the necessity for the proposed route, the NEPA assessment should encompass analysis of alternative routing and the rationale for the proposed route, which consumes so much “greenfield,” when it already has a path more its control sufficient to run the pipeline.

All the above, of course, raises the question, whether it is in the public interest to foster continued construction of carbon-fuel infrastructure such as this project, which will delay the changeover to more public-health and environmentally friendly alternatives.

### **3. Impacts on natural environment**

#### **a. Path on CERCLA site(s) of contaminated water**

KM needs to address its project’s impacts on the proper investigation and remediation of contaminated sites along the pipeline pathway. I raise this because of the following:

- I understand that KM proposes to draw water from the Dewey Loeffel federal Superfund site that is under active remediation, in order to use the water for pipeline integrity testing. Aside from the fact that doing so will result in KM’s possibly becoming a Potentially Responsible Party for the site and its pipeline becoming part of that site, there is no description of how much water will be used and its fate once testing is complete \_ water that not only contains contaminants from the Dewey Loeffel site itself but contaminants within the pipeline.
- the pipeline project must cross the Hudson River, a federal Superfund site. Disturbing the riverbed, the river’s sediment, or the soil in the river’s floodplain invites PRP status. Since KM presently is not a PRP for the site and since state water quality requirements prohibit the introduction of PCB into the Hudson River and since any disturbance will result in introduction of at least a small amount of PCB into the water column, it does not appear that the New York State Department of Environmental Conservation will be in a position to issue a certification under the federal Clean Water Act. I intend to inform NYSDEC and the General Electric Company of my opinion on this matter to alert them to the possibility of KM’s attempt to cross the river.

#### **b. Water resource protection**

Implementing the Northeast Energy Direct Project proposal to dredge, horizontally drill, and blast a continuous excavation large enough to contain what is now proposed to be a 30-inch diameter pipe will perforate and hydraulically connect scores of miles of north-south trending aquifers, aquitards, streams, wetlands, and water-yielding bedrock strata through New York, Massachusetts, and New Hampshire, creating an extremely large manmade preferential groundwater contaminant transport pathway crossing state lines. This has the significant potential to cause a foreseeable harmful impact to drinking water and human health and needs careful comprehensive study and analysis.

Private drinking water supply protection is absolutely vital to sustain a viable rural residential existence. Residents of the Town of Nassau obtain their drinking water exclusively from private wells and are not alone in this regard: certainly this is the case throughout Schoharie, Albany, and Rensselaer Counties in New York and, as I expect throughout the rural portions of Massachusetts and New Hampshire along the pipeline's pathway.

The NEPA analysis must assess protection of those supplies from contamination emanating from this project's design, construction, operation, and closure. Of course, the first step must be to obtain a complete list of chemicals to be used during design, construction, operation, and closure of the pipeline system, as well as the chemicals passing through the pipeline – not only the natural gas but the chemicals contained in that gas coming from the gas extraction process. Post-construction water runoff characteristics will differ from preconstruction conditions, as will land contours, vegetation, water retention capacity, etc.. The analysis must include assessment and identification of measures to be taken to prevent petroleum contamination during design, construction, operation, and closure and to prevent pesticide contamination (and in this regard, integrated pest management as an alternative to chemical control should be assessed).

PERC's NEPA analysis should encompass such matters as: where will the waters used for testing come from, and where will they be taken for disposal; and what contaminants will they contain and how will those contaminants be addressed to ensure that they do not enter the environment?

#### **c, Air resources protection**

Air quality, environmental, and human health impacts of planned and unplanned blowdowns and main line valve releases are significant substantive concerns. The proposed path through the Town of Nassau is surrounded by hills. Depressurized natural gas released from the pipeline is expected to be significantly colder than the surrounding air; and this denser natural gas-contaminated air contains compounds left over from the high volume hydrofracturing process used to produce that gas within the pipeline. With prevailing winds, those gases will travel to neighboring residences resulting in potential health and safety issues and potential contamination of organic farms that already operate along the pipeline's proposed path within the Town.

#### **d. Critical habitat areas and threatened and endangered species protection**

As currently proposed, the NED project crosses miles of pristine land that has been protected, or whose merits have been studied or have been touted, using state and federal dollars. One such land area is the Rensselaer Plateau. The NEPA review must encompass the need to run a pipeline directly through land within the Plateau and through other lands in Massachusetts and New Hampshire.

#### **e. Noise impact minimization**

The pipeline project lies within the Town's Rural Residential District. To ensure that this project, which is otherwise incompatible with the objectives of that district, does not disturb that district's allowed uses, FERC NEPA analysis should consider not only evaluation of project noise using the dBA scale for ambient noise but also using the dBC scale to evaluate the sharp noises inherent in compressor station operations. Further, the NEPA analysis should analyze the implementation of a requirement that there should be no gain of ambient noise at the boundaries of the easement, or other property subject to the control of KM, from the perspective of both the dB(A) and the dB(C) scales.

Pre-construction sampling and operational monitoring of ambient noise using such scales should be required as part of the environmental controls on the project, as well as should be allowing local governments to

enforce the requirements directly.

#### **f. Visual impacts**

The Town of Nassau is a rural location noted for its scenic beauty. Scenic tourism contributes to the local economy. The pipeline pathway passes through other areas of rural beauty as it goes from Wright to Dracut. The NEPA assessment needs to encompass an analysis of the impacts on the scenic viewshed that this project will cause during all its phases - siting, design, construction, operation, and closure.

#### **4. Impacts upon manmade environment**

##### **a. Local infrastructure protected (roads, bridges, culverts, electric transmission lines, etc.)**

As a taxpayer, I am concerned that the equipment used to lay and to maintain the pipeline and to build and operate the compressor station proposed to be located near my home will ruin our town's roadways, most of which are unpaved; and that my tax dollars will be spent either repairing them or upgrading them, all to benefit a private enterprise that burdens me with the risk of damage or loss without any compensation whatsoever. KM needs to develop an in-depth analysis of the Town's roadway/bridge/culvert infrastructure to determine and to minimize the project's impact on same and to evaluate the best financial mechanism to ensure that it has the money to upgrade the roads it seeks to use and to maintain them during all phases of the project's life, until the pipeline system stops operating and the pipeline and pipeline infrastructure is dismantled ..

##### **b. This project as an economic disamenity**

Pipelines, once constructed and buried, are out-of-sight and perhaps out of thought - at least until an explosion or other incident brings to mind the reasons for having opposed its construction in the first place. However, compressor stations, with their associated noise, lighting, gas release, and accidents, cannot be out-of-sight or out-of-mind. They are economic disamenities whose presence suppresses real estate sales prices and lengthens the time needed to sell a property.

FERC's NEPA analysis needs to evaluate the project's impacts on local real estate sales and marketing and what can be done to eliminate those impacts.

##### **c. Business development protection**

The construction and operation of the pipeline and its compressor station in the Town of Nassau could create significant impacts on farming and other agricultural activities, resulting in significant loss of revenue for established farms. The Town has at least one organic farm near the proposed compressor station. Emissions from that station, especially from blowdowns, could affect the organic certification, to the detriment of that family-owned small business to continue in operation.

Loss of revenue for commercial business along the pipeline's path and near the proposed compressor station and other infrastructure needs close examination, especially since loss of revenue for the businesses translates also to loss of taxes \_ taxes that I and other landowners will have to assume in order for my Town to remain financially viable \_ and to relocation of businesses, leading to further loss of taxes that I shall have to assume.

##### **d. Government revenue protection (taxation; orderly development; etc.)**

The Town of Nassau is a rural residential community. Its revenue structure depends heavily upon land tax receipts.

As noted above, this project, if implemented, may result in the creation of a significant economic disamenity in the northern part of the Town, with this disamenity pathway actually running from Wright to Dracut. Thus, the fiscal impacts upon the Town of Nassau's tax base are not inconsiderable and are not unique to it.

KM asserts that that the project will generate taxes. However, to evaluate whether the project will actually benefit this Town and the other municipalities in the project's pathway, FERC's NEPA analysis should encompass, among other things, a comparison of anticipated revenue from the pipeline over its entire life and loss of non-pipeline tax revenue over that life.

### **e. Public safety protection/emergency response**

A pipeline is critical infrastructure. A high tension electric transmission line also is critical infrastructure. Both are prime targets for a terrorist target, which could be a considerable threat to nearby residents and visitors.

This project calls for a close paralleling of the pipeline with a high tension electric transmission line.

None of the towns along the pipeline's pathway, from Wright to Dracut, has the resources needed to secure the pipeline from attack. In any event, none of them should be burdened with that expense, both during construction and during operation.

FERC's NEPA analysis should evaluate the consequences of damage to, or loss of, pipeline system infrastructure (pipeline, compressor station, etc.) occasioned by deliberate malicious acts and the measures KM must take in order to keep those along the pathway, and their property, safe from harm. All forms of attack, not just from explosives or rifle shots, should be assessed in this evaluation?

Third party excavation activity is a significant cause of pipeline ruptures; and roads that cross the pipeline are areas where excavation activities are more likely to occur and damage the pipeline. The NEPA assessment should analyze this issue (in the Town of Nassau, for example, the pipeline path is expected to cross State Route 66 near a high tension electric transmission line. A rupture there could trigger not only a fire and blast but also loss of electrical supply to western New England's grid) and determine measures to eliminate a rupture from occurring ..

Additionally, PL 112-90 obligates PHMSA to carry out scores of actions aimed at further ensuring that interstate natural gas pipeline transportation is conducted in a safe and environmentally protective manner. PHMSA yet to comply fully with that law, which is to sunset in September. FERC's NEPA analysis should address the project's compliance with the requirements of that act so that compliance will be assured once the law is reauthorized; or the project should be delayed until the law's requirements are reauthorized.

As previously noted, the potential blast impact radius for the proposed 30 inch pipeline operated to transport 1.3 BCFD of natural gas will operate at pressures that will generate an 800 foot blast radius. Requiring that pipeline to transport only that amount of natural gas sufficient to address the current needs of New England and nowhere else will help to minimize the safety impacts upon my community. Further, in view of the blast radius' size, KM needs to provide a detailed emergency response plan covering, at a minimum, the thermal, concussive, shrapnel, downwind, and emergency access aspects of an incident. Part of that response plan should be KM's equipping and training at its expense of the emergency response personnel of all emergency response entities along the pipeline's pathway. Simply put, it is not enough simply for KM to say \_ as it has done so far -- that when an incident occurs, local emergency responders should contact KM, evacuate local residents, and let the fire burn out.

### **5. Cumulative effects**

As with all other aspects of this project, all assessment and resulting mitigative measures and plans must be location/municipality-specific. This is so to ensure that the analysis covers not only the unique characteristics of each location in the pipeline pathway but also to disclose the full extent of the cumulative effect of this project along its entire pathway. Thus, while I may discuss impacts to my Town, the Town of Nassau in Rensselaer County, New York, the NEPA analysis must discuss all the specific impacts \_ major and minor \_ to all locations, from Wright to Dracut.

The NEPA cumulative analysis for this project also should encompass the cumulative effects associated with the multiple pipeline projects presently under FERC review that purportedly seek to provide the same region with additional natural gas supply. "[P]roposals for ... actions that will have cumulative or synergistic environmental impact upon a region ... pending concurrently before an agency ... must be considered together. Only through comprehensive consideration of pending proposals can the agency evaluate different courses of action." *Kleppe v. Sierra Club*, 427 U.S. 390,410 (1976). The fact that these various projects may have different timeframes does not necessarily allow FERC to evade its cumulative effects assessment responsi-

bility. For example, in *Riverkeeper Network v. Federal Energy Regulatory Commission*, 753 F.3d 1304 (DC, 2014), the projects that the Court ruled should be measured cumulatively were constructed over a three year period. Additionally, NEPA requires FERC to consider connected, cumulative, and similar actions.<sup>3</sup>

I am not the only individual to raise this issue. For example, on June 30, 2015, New York State Senator Jim Seward urged FERC to reject this project on cumulative impact grounds, noting that the project, coming on the heels of the proposed Constitution Pipeline, would make the region a natural gas pipeline “highway” that is “not in harmony with what residents want or support.” “The cumulative effect of multiple pipelines through portions of [New York’s] Delaware and Schoharie Counties should be reviewed by FERC. It is not unreasonable to project that multiple pipelines would place arithmetically higher pressure on public infrastructure and public services, land values and the environment This ‘multiplier’ effect should be evaluated carefully ... , [L]ong-term environmental and safety costs can also be anticipated. If the KinderMorgan project is given federal approval, none of these expenses should be the responsibility of local property taxpayers who are receiving absolutely no benefit and being forced to assume all of the risks associated with the unwanted pipeline.”

The U.S. Court of Appeals for the DC Circuit ruled in 2014 that FERC failed to provide a cumulative impact analysis for a series of upgrades to the Tennessee Gas Pipeline system. *Delaware Riverkeeper Network v. Federal Energy Regulatory Commission*, 753 F.3d 1304 (DC, 2014) (2014). The court has defined such an analysis in this way: “A meaningful cumulative impact analysis must identify (1) the area in which the effects of the proposed project will be felt; (2) the impacts that are expected in that area from the proposed project; (3) other actions—past, present, and proposed, and reasonably foreseeable—that have had or are expected to have impacts in the same area; (4) the impacts or expected impacts from these other actions; and (5) the overall impact that can be expected if the individual impacts are allowed to accumulate.”

## **6. Need for comprehensive health impact assessment**

While FERC’s natural gas pipeline system infrastructure project review process encompasses environmental impact analysis, it does not encompass a comprehensive health impact assessment.

It should.

In June 2015, the American Medical Association recognized this gap in critical information concerning the potential impact on human health associated with natural gas infrastructure; and it resolved to support legislation requiring comprehensive health impact assessments regarding the health risks that may be associated with natural gas pipelines as an integral part of the regulatory review of gas pipeline proposals,”

The typical regulatory agency approach estimates the total short-term and long-term emissions directly sent into air or water by the project under consideration. Estimated total emissions are then compared with Federal or State standards for “acceptable” emissions. If the estimated levels fall below critical thresholds, the project is assessed as having a non-significant health impact.

This approach is inadequate. For example, the following are but three examples of impacts that FERC, in applying this approach, presently does not include in its reviews:

- **Emission spikes.** Regulatory agencies measure emissions in terms of averages taken over numerous short (for example, one hour or less) or long-term intervals (for example one or more days). Recent studies have found that these averages do not reveal the occurrence of very high levels of “peak” emissions that may occur at irregular intervals. These peaks may have serious adverse health impacts that are not captured by averaging over longer periods of time. A comprehensive assessment performed according to public health professional standards would capture information on peak emissions and their consequent health implications.
- **Dynamic evolution of emissions.** Regulatory agencies take a very local and static view of toxic emissions, assessing them in isolation from each other and only at the time and place immediately adjacent to their source. Many if not most standards are based on single chemical emission, while under most

circumstances it is a mixture of different chemicals that are emitted. In addition, any single emission can disperse widely, evolve, and combine with other emissions and atmospheric conditions and become reabsorbed into distant water and soil. Only a comprehensive health assessment can properly evaluate the full range of emission impacts.

- Downstream and upstream impacts. Regulatory agencies restrict their assessment of impacts to the operations of the project in question. However, pipeline impacts extend far beyond pipeline operations. Pipelines are a “midstream” structure, placed between the start-point of gas well production sites and the endpoint of commercial or residential consumption. Adding a pipeline has the impact of expanding both production and consumption; and many studies have reported that the endpoint use of pipeline-provided gas in residential stoves has adverse impacts on respiratory function. Only a comprehensive health assessment would, correctly, view this as a pipeline impact.

These examples are not exhaustive. The issue of vulnerable sub-populations (such as people with pre-existing asthmatic conditions) is not routinely addressed by regulatory agencies, but is a key part of comprehensive health impact assessments.

PERC should include as part of its review process a more complete and informative look at environmental impacts from a human health perspective, as outlined as a set of research protocols by the centers for Disease Control and Prevention, and by the National Academy of Sciences.

## **7. Other matters**

### **a. Frost line**

There is a number of instances of pipeline fractures attributable to frost heaves.

The frost line in eastern New York is about four feet - and that is when the bedrock is deep enough to allow there to be frost-free soil above it. In many locations in Rensselaer County in the proposed pipeline’s path, the bedrock is less than four feet below the surface.

### **b. Design/construction matters**

FERC’s NEPA assessment needs to address pipeline construction effects, both surface and underground. I note above some of the analysis needed as, for example, groundwater diversion and contamination. However, the analysis should encompass the effects of the chemicals used during construction (as well as during other aspects of design, construction, operation, and closure) on humans, fish, and other organisms.

The assessment should cover the actual details of siting, design, construction, operation, and closure. It is not enough to discuss these phases of the project in general terms, such as “conformity with recognized procedures, etc. Lack of detail prevents citizens from responsibly commenting on the adequacy of design, operation, closure, etc.

Necessity for the proposed route: Why is there a need for “greenfield” locations when KM already has a path within its control?

The NEPA analysis should detail the methods and procedures used for blasting. It is not enough to state that blasting will be conducted by licensed blasters using accepted methods and procedures. Each method, each procedure, has its own set of circumstances, including chemicals used and released into the environment. Baseline testing of private and public wells should be included as a requirement of this project, as should post-blast testing of wells on a complaint-driven basis, with KM bearing all costs to sample, analyze, and report to the well owner.

The NEPA analysis needs to assess the environmental, safety, and engineering consequences of locating a pipeline, or a component of the pipeline infrastructure near high tension electric transmission lines, as KM proposes to do. Since material, weld, and equipment failure and corrosion are the leading causes of natural gas pipeline significant incidents, the analysis should encompass, at a minimum, analysis of risk of equipment failure, longevity of sacrificial cathodes in cathode beds, and evidence-based maintenance plans.

The NEPA analysis should assess the sufficiency of a pipeline design -construction - operation - maintenance

nance regulatory program applicable to this project that gives rural residents a lower level of protection, to such an extent as to treat them as second-class citizens in that regard. This is a critical environmental issue as it directly concerns the safety of this pipeline project. It comes from the basis for the regulatory program: natural gas transmission pipeline regulations establish pipe strength requirements based on population density near the pipeline. Locations along gas pipelines are divided into four “classes” by counting the number of dwellings within 660 feet of the pipeline for one mile (in the case of Classes 1 to 3) or by determining that four-story buildings are prevalent along the pipeline (Class 4). Pipelines in Class 1 locations - rural areas, which is the majority of the proposed pipeline corridor in New York as well as in Pennsylvania, Massachusetts, and New Hampshire \_ are allowed to have greater allowable pipe stresses, as a percentage of specified minimum yield strength (SMYS), than are allowed for pipelines in Class 2, 3, or 4 locations. Design factors, which are used in the formula to determine the design pressure for steel pipe and which generally reflect the maximum allowable percentage of SMYS, are 0.72 for Class 1, 0.60 for Class 2, 0.50 for Class 3, and 0.40 for Class 4.5 Thus, the possibility of greater personal and property loss in densely populated areas and consequent greater insurance industry payouts, as compared. against those in rural areas, drive the pipeline safety regulations of the Pipeline and Hazardous Materials Safety Administration.<sup>6</sup> In actual fact, then, rural residents and their property get a lower level of protection and so, are treated as citizens less worthy of protection through no fault of their own other than to have chosen to live in a rural environment. For example:

- sectionaiizing block valves (used to seal off sections of pipe in the event of an emergency, among other things) can be ten miles apart in rural areas, as opposed to 2-112 miles in more densely populated areas<sup>7</sup>
- pipe used to transit rural areas can operate at pressures higher than is allowed in more densely populated areas<sup>8</sup>
- plastic pipe can be used for higher pressured gas in rural areas than is allowed in more densely populated areas<sup>9</sup>
- nondestructive testing of ten percent of each day’s field butt welds must be undertaken in rural areas but such testing of all such welds must be undertaken in more densely populated areas”
- soil cover of the pipe is less in rural areas (30 inches) than in more densely populated areas (36 inches).
- on steel pipe manufactured before November 12, 1970, with welded seams, the pipe must be tested to at least 1.25 times the maximum allowable operating pressure if it is to be installed in a rural location but to at least 1.5 times such pressure if installed in a more densely populated area. II

Further, it does not appear that present-day federal regulation provides for many common-sense requirements that should have been put into place years ago had public safety been the key driver of pipeline safety requirements. Examples of such common-sense requirements include: <sup>12</sup>

- Nondestructive testing of all girth welds at the time of construction, nomatter the class location
- Close interval surveys
- Ensuring that pipe in a cased crossing can be assessed for metallic and electrolytic shorts
- Coating surveys (for example, to assess whether pipe coatings on the pipeline and girth weld joints are, and remain, non-shielding to cathodic protection) and remediation
- Stress corrosion cracking surveys (SCC) and segment replacement (if a sec threat is found and not remediated)
- An ongoing monitoring program for DC currents and induced AC currents in highvoltage power transmission line corridors (including proper remediation plans) \_ this is an especially important matter here since the pipeline is proposed to follow a high voltage transmission line’s right-of-way
- In-line tool inspections (ILI) to inspect for pipe metal loss (corrosion), cracks, hard spots, weld seams, and other integrity threats in steel pipe (ILI tool evaluations for metal loss must use specified-or-greater interaction criteria to ensure defects meet a minimum integrity criterion)
- Repairs to defects within a periodic time interval that is based on maintaining the pipeline design

safety factor with a maximum pipe wall loss

- Pipe surveys of the depth of cover over buried pipelines
- Data integration of all surveys, excavations, remediation, and other integrity threats
- Pipeline remediation based on assessment and data integration findings (for example, assess pipe seam quality issues and remove from service those pipes with quality or integrity concerns)
- Performance of monthly ground or aerial right-of-way patrols
- Conducting a root cause analysis to determine the cause of aU in-service and hydrostatic test failures or leaks
- Requiring all sectionalizing block valves to be remotely and automatically activated upon occurrence of a pipeline leak or rupture

FERC cannot dodge its responsibility to address this issue by simply stating that pipeline design/construction/operation matters do not fall within its area of responsibility or that the pipeline will be designed, constructed, and operated in accordance with applicable legal requirements. FERC as lead agency has the responsibility to ensure that the project can proceed safely; and authorizing a project to proceed that allows a lower level of safety to rural residents than that required to be given for urban residents is unsatisfactory. Thus, it has the requisite authority to require standards more stringent than that required under regulation when the circumstances so require. This is one of those circumstances.

### **c. Operations matters**

FERC's NEPA analysis should identify all chemicals that will be encountered during the course of operation: those used in normal maintenance, those encountered in the gas itself, those needed to address emergency situations, etc. The analysis should then evaluate whether there are any less harmful chemicals that could be used to achieve the same operational or emergency response objectives.

The NEPA analysis should encompass the evaluation of the leakage potential of the pipeline system and the determination of methods to employ during design, construction, and operation to eliminate them and, that failing, to respond quickly to eliminate a leak should one occur.

Since a pipeline easement can cut across a parcel, the NEPA assessment should include a discussion of the maximum equipment weight, speed, and angle that is safe to drive over the pipeline. These are important considerations in my Town, which has many people engaged in forestry occupations.

Since blowdowns are seen as a normal component of pipeline operations, the NEPA assessment should analyze and decide upon the best course of action to eliminate blowdowns to the maximum extent practicable and to minimize the migration of blown-off gases. In line with this, the analysis should provide an accurate estimate of the quantity of gas released each quarter at each location along the pipeline project's pathway where blowdowns and other authorized releases occur (for example, at compressor stations), at STP.

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I FROM: <http://seekingalpha.com/article/3329175-kinder-morgans-kmi-ceo-steve-kean-on-q2-2015-earnings-call-transcript?part=sinile> "Kinder Morgan's (KMI) CEO Steve Kean on Q2 2015 Results - Earnings Call Transcript; Jul. 15, 2015 11:53 PM ET":

Becca Followill- U.S. Capital Advisors: [W]idit capacity of 1.3 BCF a day, contacted 550, I know you said you're comfortable; it's picking up volumes, maybe, especially in the winter. But how do you phase this in? If you don't get any additional contracts do you go forward with the full 1.3 assuming it's only 42% contracted? Or do you - how do you phase it in so that you can maybe not be so under contracted? Steve Kean - President and CEO: Yeah, good question. If we get the pipe laid, the compression additions can be separate decisions. And so, when I talk about ILL being able to phase in as the commitments come in. we're going to ask to authorize the whole thing, and we will be able to make decisions on individual compression capacity additions as the commitments come through. Jesse Arenivas - President, CO2: [W]e're really kicking off the project for 600,000 a day. But certainly with the compression expansions we can scale it up as we get additional firm commitments, up to the 1.3, and that won't affect the original timing of serving of original customers because they are just compression expansions. Steve Kean - President and CEO: clearly what affects OI's customers affects us ... , even in a down market; our network is well-positioned for the places where there is growth.

Omen Horowitz - Raymond James; with respect to all the recently proposed acquisitions and volatility across aU orthe NOL dynamics, including price expedations in the Northeast, how do you guys think about Northeast NOL supply/demand balance? How do you think it could cbange? Steve Kean - President and CEO: Okay, yeah, so a few things there. I mean one is, again, lower commodity prices do dampen the enthusiasm for making longer term commitmen1s by the producers. But having said tbat, the long-term outlook, we think, for NOL production out of that region is very robust. ... quite frankly, we started working 011 the marlcet side of this. And Ron McClain and his team have been talking to international off-talcers who have a different timeframe and perspective that they bring to the table. And so, we're branching out, outside o/just the traditional producing community and trying to find a way 10 cobble this together by fOCII Sing on the demand side, as wel~ with the marlcet end of it as well. [emphasis added]

See also <http://blogs.wsLcom/moneybeatl20150217/fundin&=dries-up-for-new-u-s-gas-export-terminals> 3:37 pm ET, Feb 17,2015: "Funding Dries up for New U.S. Gas Export Terminals" by Tim Puko: "Oil and gas produc: ers are flooding the market, sinking prices and giving pause for what had been one of the most active sectors in finance. The U.S. shale-gas boom has pushed producers to look abroad to boost their returns. Prices in overseas markets, especially Asia, have been four times as high as the U.S. benclunark. That convinced producers to seek federal permission to export as much as 3S billion cubic feet a day, half of all U.S. production. according to the Department of Energy." LESSON: Thus, the need is foreign, not domestic demand.

2 Damage or loss does not have to come &om explosives, either. For example, For cyber-attacks on energy instalJa- tions, see <http://www.bloombem.com/news/articlesl20150610/hackers-favorite-target-bie-oil>

3 "CODJleCted aWous" are closely related and therefore should be discussed in the same impact statement Actions are CODDCcted if they are interdependent paras of a larger action and depend on the larger action for their justi- fic:ation.

"Cumulative actions" are actions that when viewed with other proposed actions, have cumulatively significant im- pacts and should therefore be discussed in the same impact statement.

"Similar acUoos" are actions that when viewed with other reasonably foreseeable or proposed agency actions. have similarities that provide a basis for evaluating their environmental consequences.

4 American Medical Association, June 2015 meeting, Chicago, Illinois, H-135.930: "Protecting Public Health from Natural GIIS Infrastructure." This position retledS the fact that significant adverse health impacts may be over- looked by cunent regulatory review.

5 'https://www.federalregister.gov/articlesl2013/08/0112013-18286/pipeline-safety-class-location-requirements', "class location."

6 49 CFR Part 192. 49 CFR 192.5: Class 1: otDhore areas and areas wiltrin 220 yards of a pipeline with \$10 building intended for human occupancy. Class 2: areas within 220 yards of a pipeline with > 10 but <46 building intended for human occupancy. Class 3: areas within 220 yards of a pipeline with >46 building intended for human occu- pancy and areas within 100 yards of either a building or a small, well defined. outside area (such as a playground, recreation area, outdoor lheater. or other place of public assembly) that is occupied by 20 or more persons on at least five days a week for 10 weeks in any 12-month period. Class 4: areas within 220 yards of a pipeline where buildings with four or more stories are prevalent "Northeast Energy Direct Project Docket No. PFI4-22-000, Draft Environmental Report, Resource Report 1 (December 2014)," page I-56, footnote I.

7 49 CFR 192.79(a).

8 49 CFR 192.1 tea).

9 49 CFR 192.321(a).

10 49 CFR 192.243(d).

11 49 CFR 192 Part 192, Appendix"~" III.C.2.

12 This list derives from <https://www.federalregister.gov/articlesl2013/08/0112013-18286/pipeline-safety-classlocation-requirements>, a Federal Register notice seeking public comment on whether any of these should be incorpo- rated into PHMSA's pipeline safety program! *{end of 20150831-0087}*

## 20150831-0088

*{copy of 20150831-0011 above}*

## 20150831-0089

Federal Energy Regulatory Commission  
Kimberly D. Bose, Secretary  
888 First Street NE, room1A  
Washington, D.C.20426

Dear Secretary,  
August 26,2015

Enclosed please find ten (10) PF14-22-000 forms from the residents of Fitzwilliam,N.H. opposing the Tennessee Gas Pipeline project. We object to this process in its entirety.

Gary S. Gorzelany

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***Ten separate hand written FERC Comment forms, each opposing, signed by:***

Terry Gorzelany, 93 Rhododendron Rd, Fitzwilliam, NH 03447

Gary S Gorzelany, 93 Rhododendron Rd, Fitzwilliam, NH 03447

Cheryl Kattle, PO Box 15, Fitzwilliam, NH 03447

Charles B. Trocia, Sr., PO Box 359, Fitzwilliam, NH 03447

Roxanne Monteverde, 14 Phillips Ct, Fitzwilliam, NH 03447

Allen A. Gates, 146 NH Rte 119 W, Fitzwilliam, NH 03447

Susan K Bemis, 112 Matthews Rd, Fitzwilliam, NH 03447

Mr. & Mrs. Robert L. McGonagle, 625 Royalston Rd, Fitzwilliam, NH 03447

Marcia Camden, 47 Templeton Tpke, PO Box 576, Fitzwilliam, NH 03447

Lynda Tolton, 123 Old Troy Rd, Fitzwilliam, NH 03447

**20150831-0090**

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1 A  
Washington, DC 20426  
REF: Project Docket I PF14-22-000

24 August 2015

Dear Secretary Bose:

Speaking for our extended family that owns and lives on Sandy Pond Richmond NH, I am enclosing a scientific and social description in opposition to the Kinder Morgan Ltd. NED pipeline. Our property location makes it extremely vulnerable to the possible destructive impacts of the pipeline construction and its maintenance. The entire lived portion of our property lies within incineration zone, from the lakeshore to the top of the watershed. The property and the entire lake have both historic and present values, Le. the 1810 home (built on the historic carriage stop of the north-south route to Keene), family graveyard, Original YMCA camp, and a unique small lake ecosystem (described by Shaun Bennett's Itr 21 August 2015).

**Outline of Public Concerns about the Proposed New Hampshire Gas Pipeline.**

**Issue.**

Kinder Morgan Ltd. is proposing to construct the Northeast Energy Direct (NED) pipeline across southern New Hampshire to transport fracked methane gas to a Massachusetts Port. The pipeline proposal is expecting to share the easement strip with the existing Public Utility power line across southern New Hampshire. The pipeline is mostly above ground, 36-inch diameter and of variable thickness, and its installation will require excavation, blasting and heavy vehicle access. The affected area at risk extends a quarter of a mile on either side of the pipeline.

Permission for the pipeline easement is in process. Southern NH citizens do not want their land to be used as conduit and bear the burden of the environmental and social costs so incurred. NH has refused this offer

because they do not need more power generation but they do need better power distribution. They already generate an excess of power, which they mostly export to Massachusetts. The argument that NH needs more gas (via laterals from the pipeline) is falsely being used to justify its passage through the state.

### **Purpose.**

As the public is belatedly learning about the pipeline project, landowners directly impacted and community enterprises indirectly impacted are raising extreme concern. Local activists are busy speeding up the process of informing the public to get more citizens involved. The purpose of this document is to provide a more scientific discussion of public concerns about the various impacts perceived by the community. Unfortunately, the content cannot serve as a critique of the Environmental Impact Statement (EIS), as it has not yet been available. We hope that when it does, we can have a fully informed response. Fortunately, progress to legally oppose has begun with a collective effort of the seventeen community segments stretching across the state. They have formed the NH Municipal Pipeline Coalition (NHMPC) that has retained a lawyer, Richard Kanoff of Burns and Levinson, to legally challenge the pipeline.

To support these efforts, this draft outline presents a list of environmental and social concerns, that, should be discussed, not just by the population directly affected, but also as a statewide issue of the use of state property to be a conduit of energy to other states (or export) without adequate consent and public approval. To facilitate a wider discussion, we suggest that there remain several actions lacking or not completed that could better define and strengthen the opposition:

1. A document that clearly states the objections and concerns of the NH pipeline, i.e. a concise Statement that the majority can agree on in order that we can address our concerns to a wider audience, e.g. similar to this draft document but updated and better referenced for facts and legalities.
2. The distribution of the Environmental Impact Statement for the pipeline, i.e. so that we can rebut or agree more specifically in our opposition Statement.
3. An interactive website where citizens can constructively improve this document and support the funding of the legal pipeline opposition.
4. Construct an avenue for direct audience with the political hierarchy behind this proposed pipeline, independent of the legal effort involved, e.g. declared opposition by state and US politicians. This will emphasize a national issue that a number of other States are facing, i.e. using private and public lands for the profit of special corporations and convenience for other states.

### **Scope.**

This issue is not just an isolated case of a group of inconvenienced landowners, it has repetitions in other states, and it directly relates to the US Energy strategy. The issue raises the question of whether the public has a say in this issue or the public defaults its rights to energy corporations. Some concerns are:

#### **A. National**

1. How does the NH pipeline fit into the National Long-term Energy Plan?
2. Who has drafted the required Environmental Impact Statement, and what are the requirements set by EPA, DOE, & DOI (check which?)
3. Who has the ultimate political authority to approve or disprove the pipeline and its path?
4. Is the strategy behind this pipeline essential to attaining sustainable energy for the US; or is it a mechanism to offset the US trade deficit, i.e. trading our resources for imports that we could manufacture ourselves?
5. The US has not yet written its National Strategy for Sustainable Development, but likely it will do so to match the requirements of the UN Summit Meeting in December 2015. This is important because neither the fracking itself nor the unregulated sale of natural gas (as a fossil fuel) would be an action towards Sustainable Development.

6. Sustainable Development requires that Cost-Benefit Analyses be performed for the purpose of policy decisions. This requires a more complete accounting for environmental costs and benefits as well as the social costs and benefits involved (present and future). The current practice accounts just for short-term financial costs and benefits, and the assessment is often contracted to a biased party. In contrast, an assessment for sustainable decision-making requires that it be conducted by a third body of experts that are not biased by the political or economic issues involved.

## B. State

1. Since New Hampshire currently has no need for additional gas for electric power generation, who will decide what benefits will it receive for the use of its land throughout the existence of the pipeline and in what form would these benefits will be?
2. How are other states dealing with granting Public Domain for use of private property for special interests, especially when they receive inadequate financial benefits and instead must pay for the social and environmental consequences and their risks (detailed below)?
3. Was the pipeline path distorted to pass through NH because they expected less opposition? What they might gain by routing through an area of less population density, they will lose by the area's complicated topography and hardrock geology. Alternative routes exist, or the gas could be locally liquefied or conserved until shipped to a closer port or utility.
4. The writer has no information on whether or not the justification of the NH path is based on some plan to convert its older power plants to natural gas, which should result in more efficient power generation with a reduction in electrical power costs.

## C. Environmental

It is expected that the Environmental Impact Statement (EIS) will address a number of the environmental impacts expected with the construction and maintenance of the pipeline. Here we mention list some concerns, which might need editing in response to the EIS. The italics indicate significant concerns in following paragraphs.

**1. Methane Pollution.** Methane (CH<sub>4</sub>) is a more powerful Green House Gas (GHG) than Carbon Dioxide (CO<sub>2</sub>), but has a lower residence time in the atmosphere. Apart from the large methane leaks associated with its mining through fracking, there are leaks associated with its transport through pipelines. If small leaks are numerous over the extent of the pipeline, they can pose a significant contribution to Climate Change. Prevention requires greater monitoring of the pipeline - an expensive exercise especially in rugged terrain, as in NH.

**2. Methane Explosions.** If the pipeline is ruptured (e.g. due to ambient temperature changes, weaknesses where the line bends to conform to the terrain), accidentally shot at, or deliberately bombed, the resulting explosion and fire can be locally devastating. Any response to such an event is slowed in the rough terrain, by the distance, and the ease of access to the site of qualified emergency responders. These are essential factors to ensure the safety of residents and the preservation of their homes and environment. Obviously, the thickness of the pipeline and surveillance are also serious factors that should not be minimized in the design of the pipeline through scarcely populated areas. A lack of assurance about these safety factors will be of continuous concern throughout the lifetime of the pipeline (see also C.3. security).

**3. Construction.** Given the glacial bedrock prevailing throughout the proposed route coincident with the existing electrical power line, will require a more expensive and difficult installation of the gas pipeline than would a pipeline through a flat sedimentary geological setting. This is of concern to the public because of disruptive blasting, loud noise, falling debris, and the traffic of heavy machinery through their property.

**4. Water Pollution.** The bedrock subsurface, the vegetation, and the topography all make the distributions of surface runoff and the shallow aquifer (water table) spatially very complicated and mostly unknown. The visible surface water in brooks, streams, wetlands, rivers. and lakes are surface manifestations of the

shallow aquifer, which is supplied by the drainage after a rain. The portion of rain that penetrates into the ground may take another route, which is mostly occurs at recharge areas, where the surface soil is permeable and water can find a route through the bedrock distribution. This water can also feed the surface waters, i.e., in the form of springs. A portion of the surface aquifer finds its way to an even deeper aquifer that is often tapped for drinking water when the surface aquifer is locally insufficient or polluted.

The underground route of water acts to filter out particulates and oxidize organic matter, including bacteria, etc. It does not filter out dissolved substances such as Nitrogen and Phosphorus, which are necessary elements for healthy aquatic systems. However, if either of these is in excess of its normal concentration range, it can cause problems in the receiving water body. In ponds, wetlands, slow rivers, and lakes they can cause eutrophication (too much algae), which then generates anoxic conditions fatal for fish and change the lake's trophic system. Excess of these chemicals, particularly nitrates and synthetic compounds, pose health risk in well water. E-coli can easily enter into the surface aquifer (dependent on septic treatment and location) and pass into a stream or lake. Their lifetime is a matter of days but if the supply is relatively continuous it poses a health threat. This problem would not be connected to the pipeline unless during construction septic systems or their leach field are disturbed.

Rain and its surface runoff from the pipeline area simply transports these dissolved chemicals to the larger receiving body, either via the surface runoff or the shallow aquifer (as springs). Herbicides used to suppress vegetation along the pipeline's cleared area are transported primarily by their tendency to attach on to eroded soil particles transported to the receiving water body. The primary herbicide component, Glyphosate, is of less concern than the commercial mix of chemicals added to Glyphosate used to maximize herbicidal coverage and its penetration in to plants. Recent studies in Europe and elsewhere are raising red flags concerning the risks to human health of overexposure to herbicides (Wikipedia). In water glyphosate breaks down slowly from 1 to 12 weeks and can be toxic to aquatic organisms. Restoration of damaged ecosystems can take decades. Such ecosystem disruptions have already been documented in NH, specifically in association with the Power One installation and maintenance (see letter Shaun Bennett dtd 21 Aug. 2015).

The concerns are that there will be water pollution problems in general and, specifically, for those land owner's down stream of the pipeline; that is:

- During the construction period, when considerable erosion and transport of pollutants via air or water occur and might initiate a pollution process that will continue.
- During the lifetime of the pipeline, when there are persistent reapplications of herbicides and during maintenance by heavy vehicle traffic that will continue generate the transport of sediment and pollutants to the downstream aquatic ecosystems where it will accumulate faster than it can self-purify.
- These accumulations can pose expensive risks to drinking water, to aquatic recreation, and to the health of the aquatic ecosystems, that might require protective closure and/or expensive monitoring.

**5. Forest Habitats.** The existing power line space effectively fragments the larger-scaled forest ecosystem, making a vulnerable space for passage of small animals and reducing the range space for larger animals. A 36" diameter pipeline elevated above the surface will provide a barrier for larger sized animals forcing them to use the portions of the pipeline that are buried or elevated, e.g. to pass under roads and over rivers. The concern is that the pipeline will act as a barrier to the free movement of forest animals, causes them to more frequently encroach on human settlements, and make the goal of wildlife preservation more difficult and degrade the recreational and intrinsic value derived from a healthy forest ecosystem.

In sum,

- The public wishes to preserve the function of healthy ecosystems and the goods and services that they provide.
- The public does not want to pay for restoration of the environments/ damages or to bring a class action suit to gain reparation for their environments/losses.

#### **D. Social**

It is expected that the Environmental Impact Statement (EIS) will also address a number of the social impacts expected with the construction and with the maintenance of the pipeline. Here we list some concerns. The italics indicate significant concerns in following paragraphs.

**1. Health.** Many local habitants live in NH because they favor the clean air,

water, and forest environment. For them to experience a sudden change to a noisy, polluted living situation would cause them stress and anxiety. In particular, if they are allergic, asthmatic, or sensitive to air and water pollutants, they become concerned that these environmental changes are ruining their health, either causing them increased medical expenses or causing them to sell their home at a loss due to property devaluation, or both.

**2. Property Devaluation.** There is no question that the market price of properties in the vicinity of the pipeline will be diminished. The amount of devaluation can be approximated from comparative studies with similar incidents, e.g. devaluation of real estate prices of homes in vicinity of a major highway construction. Landowners are concerned that they might have sell their homes at a loss and/or they will not be compensated justly for their property devaluation.

**3. Security.** Fear of a pipeline accident during construction or after the pipeline is installed is probably the most stressing concern, i.e., that they lose their home and lives due to an accident involving blasting, fire (lightning, forest, or power line shortage), explosion (accidental or due to gun shots or bombing). Such an accident is possible, but unannounced, causing a low-level of fear to endure. For people living near the pipeline in scarcely settled areas the fear level is higher due to the fact that they live far from rescue, fire fighting, and/or ambulance services. Some NH towns along the pipeline strip do not have local access to these services. These towns might feel obligated to pay with tax revenue to make these services more readily available, and landowners may have to pay increased coverage for insurance. People living in or near the half-mile 'incineration zone' or in the near proximity are ~ that they will not be adequately assured about the probability and intensity of pipeline accidents and that they will not be compensated for damage to their homes ;J;iniUries.

**4. Cultural** .. Concern is felt for the community infrastructure that could be a~ by a Pipeline accide- • or Its existence and maintenance, for example, activities and sites like ol'4"e yan....o:- camps and recreational facilities schools churches, historical sites,. small roads th~t are blocked, etc. “

**5. Morality.** Some folks oppose the peline on moral or practical reasons.

1. Why are we facilitating the comb JStion of Fossil Fuel, when it contributes to Climate Change, and when we sh uld be phasing out its depleting resources instead of conserving them for fut re generations?
2. Why are we investing in a huge p 'paline for tracked gas when the lifetime of most small tracking wells is a tar of years and their operation is posing great environmental damage for a r friends in PA and elsewhere? Note, out of the 35 thousand tracking wells in the US, only a few of the larger wells have a longer lifetimes of up to sey ral decades.
3. Why are we investing in a disruptiv I interstate pipeline involving the expense of energy transport when we know 'hat energy in the future will be produced locally, e.g. solar, wind, hydrogen, X"dal, and bio-fuel from organic waste & sewage, and that it will be distribut ld locally through computerized energy networks?
4. Why are we investing in a fossil-fu 91 infrastructure, when we should be investing in renewable energy infraStnK. ~re of the future?
5. Why are Oil Corporations getting rich u\~ing our property when we didn't vote for it and we won't receive just compe~sation for it?
6. Why are people in NH, PA, and other ~tes suffering so that Oil Corporations can maintain their dominance over our energy policy?
7. Why would the state with the motto "Live free or Die", put up with false justifications of helping our

State instead of damaging it?

Respectfully submitted,

Thomas Sawyer Hopkins  
119 Sandy Pond Rd  
Richmond, NH, 03470

Professor Emeritus, Oceanography  
and Environmental Science,  
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Raleigh, NC, 27695

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**20150831-0092**

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1 A  
Washington, DC 20426

Docket 4 PF14-22-000

August 24, 2015

Dear Secretary Bose,

I am writing with great concern to oppose the proposed pipeline through Richmond, NH and my property at 119 Sandy Pond Road, Richmond, NH. This property bought by my grandfather in 1910 and has been the focal point of our family ever since. For me and my children it is the one constant in our lives — a place where we gather with family and go to renew ourselves and our family has done so for over one hundred years.

We are deeply concerned about the proposed pipeline. Its impact on our environment would be hugely negative and far reaching. Dr. Shaun Bennett, our neighbor, is an expert on Sandy Lake having written his PHD dissertation on the uniqueness of this lake, its fauna, its watershed, and its ecosystem (see his letter submitted August 21, 2015). My husband, Dr. Thomas Hopkins, Professor Emeritus North Carolina State University, has submitted a letter on August 24, 2015 outlining his environmental and social concerns. He cites pollution concerns relating to methane leaks associated with its transport through pipelines, methane explosions, the consequences of construction through bedrock subsurface, the topography of our area, and the complications of blasting our granite formations and that impact on our shallow water table. The water our neighbors and we drink is threatened. The proposed pipeline runs through the largest recharge area of water in our aquifer. Nobody knows exactly where the veins of water run and therefore it is not possible to predict how long it would take for the disruptions to affect these veins of water. There is no plan to monitor water quality routinely after the pipeline is installed. The wetlands, numerous watersheds, the local streams and brooks including the brook that traverses the proposed pipeline area and feeds our lake, will all be affected adversely.

Our social concerns about this proposed pipeline are many and include concerns about adverse health effects, property devaluation, and safety concerns, especially for those within the quarter mile wide incineration zone as we are. The graveyards behind our house and down the road, the YMCA children's camp on the lake, the historical sites on and around our property are all within this incineration zone. Our town of Richmond has only a volunteer fire department and no ambulances at all should an explosion happen. There are no nearby medical facilities. Nearby towns are in similar circumstances. Most of the pipeline would not be accessible by road and firefighters would need to carry water by foot or on ATV vehicles. Depending on how the wind was blowing, fire would be hard to contain.

We know that there is no need for this oil in NH as NH produces 50% more energy than it uses and that contrary to what is being claimed there is no agreement to "co-host" with local public utility companies. There

will be increased local costs due to the impact on our roads, surcharges that will be added to our utility bills to maintain this proposed pipeline that NH will not benefit from. Why should out of state companies (Kinder Morgan and Tennessee Pipeline) get rich at our expense? We haven't voted for this. Our democratic processes are being ignored.

Secretary Bose, please block this proposed pipeline, which is of no benefit and greatly threatens our safety, our environment, our economy, and our quality of life.

Sincerely,

Dartha Hopkins, homeowner and citizen  
119 Sandy Pond Road  
Richmond, NH 03470

### **20150831-0093**

Regarding Docket PF 14-22: Socio Economic

The towns in the Western portion of New Hampshire which your gas pipeline will cross are small in population. The 2010 census lists them as follows: Mason 1382, New Ipswich 5099, Rindge 5096, FitzWilliam 2396, Troy 1221, Richmond 1155, and Winchester 4341. If one were to check with each Town today, the populations would actually be less. During the recent recession, many lost their employment and moved away. Although your impact reports state that the jobs in Cheshire County are in 3 areas:

Health and Social Service, Manufacturing and Retail, many of the residents travel to Massachusetts for their employment. With just 169 hospital beds in 5 hospitals in Cheshire County, you can be sure the large hospitals of the Greater Boston area employ many of these workers. These towns would be described as small working class areas, mostly bedroom communities. The largest employer in Rindge is the Market Basket grocery store, which is then followed by Franklin Pierce University. There is hardly a large manufacturing presence. The towns of Rindge and New Ipswich had many skilled people involved in the building trades, a segment that has yet to recover in this area. Many of these workers moved south, often leaving behind their foreclosed homes and bankruptcies. It would appear our unemployment rate is low, but there are a great many who lost their jobs and now handle 2 part time jobs, without benefits, to barely make ends meet. The unemployment rate does not count those who have given up seeking work or who have left the area completely. One area you don't even mention is our tourism. The summer population greatly increases as seasonal residents return for our cool summer weather. They flock to their summer homes on our many lakes and ponds, and return to the campgrounds they had enjoyed for years. Our area provides swimming, boating fishing, hiking and many more outdoor sports. In winter, many seek the area for Cross Country Skiing and snowmobiling. Your resource reports show our many camping and RV areas where your workers will stay; these are booked year after year, in advance, by the same seasonal residents. Your report lists one campground 2 times and mentions another available one which is actually about 2 1/2 hours north in Lancaster NH, not anywhere near Cheshire County. Those little errors sure make it look like there is a lot available. The report gives a false sense that Kinder Morgan has planned well. The Park and Drive area on Route 101/9 at Chesterfield Gorge, also in your report, is over an hour away and can accommodate 40 cars, 2 of which are handicapped, which one can assume these workers are not. Will this accommodate your many workers, SO96 by your estimate, to be local, who will be able to car pool as to not congest our roads? Another area mentioned in your report is agriculture, stating disruptions will be temporary. The area supports many organic farms and locally raised meats. With not having to answer for the emissions of the Compressor Station, can you assure us our crops and foraging animals will be safe from contaminants? There is NOT ONE permanent job listed for Cheshire County. How do this justify the disruption of our clean waters, air and rural environment, taking of our lands for a project that we has no direct benefit for the people you disrupt? Your report lists New Ipswich, MA, a town that does not exist, for mid section 4 Metering Station. Is this a Compressor Station? Certainly, the residents of New Ipswich NH will be thrilled to hear you have a better plan! This whole report is vague, inaccurate and sloppy. There is little knowledge of our area, short of

the textbook descriptions and inaccurate tables you supply.

The 7 small communities, listed above, are having a difficult time making ends meet, as the services they provide change little, despite a smaller population and decreased tax revenue. The Schools still need to be open, even with less students, the snow still falls in the winter, the core of Town workers, that is bare bones, need to continue to provide our merger services. Presently the town of Rindge is auctioning off abandoned, foreclosed, bankrupt properties in an attempt to get them back on the tax payrolls. NH residents already pay high Real Estate taxes, actually among the highest in the nation. With 90% denial of access rate in some areas, much land will need to be taken by Eminent Domain? There are more than double the amount of properties that are affected than what Kinder Morgan has identified. Reduced assessments will result from the taking of our lands, leaving a heavier burden on the rest of the taxpayers. We require all monies lost from the tax abatements will be more than returned to the towns by KM/TGP for a period of twenty years. It should be mentioned that NH has no State or Town income or sales tax, so the benefit to state and local towns does not exist, as your report states as a benefit.

The financial burden you will place on these small towns is huge, not to mention the what you will do to our clean water, air, and rural character. We feel to Insure our safety all additional studies need to be financed by Kinder Morgan/ TGP and done by an independent party, of each town's choosing.

We request the following studies:

1. A comprehensive review of all existing options and alternative solutions to supply gas/energy to the REPORTRD need. NH exports electricity. This pipeline does nothing for the communities who are placed with the burden of being hosts. Explain the math used to lower our electric bills, when not one power plant has signed up to be a customer? Reassure us there will be NO tariff on our Electric rates to pay for this project, and that it will be entirely paid for with KM/TGP monies I
2. A review and identify of the aquifers and how they feed our private wells, the town's only source of water for homes and businesses. Assure us these sources will not be impacted or disrupted.
3. NH is called the Granite State, and for good reason. We request that all blasting be done by the least invasive method, and that best practices be used at all times. The work needs to be supervised by a person who is certified in this area, and is chosen by the towns. All blasting within 400 feet of a private well will be by the least invasive method. The said wells will be checked before and after the blasting for output and quality, and again at completion of the project area, and for 1 year thereafter, at 6 month intervals. Any damaged/contaminated wells will be replaced. "Pigs" are not an acceptable solution.
4. That wetland areas be totally studied, in the Spring, and matting be provided where they occur as to not compact the soil. Critical areas will be totally avoided with an alternate route. These studies are to include an wetlands 300ft from the edge of the ROW.
5. That the entire ROW and 300ft from its' edge be studied for endangered, special concern and threatened species of birds, amphibians, reptiles and mammals. An alternate route will be named for anything endangered, including flora and fauna.
6. Identify all water sources to be used in construction and how they will be disposed of so no contamination occurs. Be sure in this process, that invasive varieties of plants will not be transported to new locations. Request that the products of construction do not contaminate the soil and are properly removed. The soils should be protected from sas spills, and any other hazardous products used in construction.
7. Identify roads to be crossed and traveled, and where new ones will be created. Understand the weight restriction of the roads used. How will dirt roads be utilized in the Spring? A car transversing them is far different from extremely heavy equipment. All roads to be returned to original state of repair and any new ones mitigated.
8. Identify how the Fire Department will be trained to prepare for an emergency. Explain how a volunteer organization will meet this need. Supply any additional training and equipment necessary to insure residents safety. With no fire hydrants, explain how our water tanker can, in any way, meet an emergency need? Pro-

vide comprehensive Disaster traininB for both Fire and Police.

9. Our Police Department does not have 24 hour/7 day /week coverage. A Regional dispatch is available for off hours. Explain how the police would be available for emergency during off hours? Police Details would be required while work is in progress near roads. Would such a detail be available? Your report mentions a County police capability; please study this as there is probably only a sheriff. NH does not believe in big government.

10. Explain how the noise, light and harmful exhaust at Compressor stations would be handled? How can we protect our crops, air, wildlife, grazinB stock animals, water, not to mention all the humans who will come in contact with the fouled air the project will provide?

11. Identify an water crossinss and how each will be handled. Each crossins is unique and with its' singular challenges. There are critical crossings, that are not necessarily wide. How will they be indentified and handled?

12. How wide will the ROW corridor need to be expanded? How many trees will need to be removed? This operation and its' mitigation should be handled by a certified Forester, paid for by KM/TGP, and chosen by the towns. All removed timber and chips will be given to the Poor for heating purposes.

13. Replaced trees, shrubs and vegetation will be native species. The trees replaced to be the largest feasible that will likely survive. The forester, as above, should cover this return of our environment for at least 5 years.

14. Explain how this pipeline steers away for fossil fuels, and insures the State's 10 Year Plan toward renewable energy?

15. There are better solutions than plOwing through 70+ miles of NH just to return to Massachusetts where the purported shortfall of energy/gas supposedly exists •. There is much to be said for simple energy conservation and investing in those approaches. There are "sreen" alternatives, such as solar and wind. The Bas pipeline along the MA pike (Route 90) is aging and leaking. Consider replacing it with a larger, more efficient pipe. The SPECTRA proposal makes much mare sense, and those communities are far better equipped to deal with its' impacts. WE ARE THE DISRUPTED HOSTS FOR A PROJECT FROM WHICH WE WILL RECEIVE NO BENEFITI Kinder Morgan Is a for profit company, answering only to shareholders and corporate greed. Please consider the whole picture I

Marilyn Griska  
Rindge, NH 03461

## 20150831-0095

Federal Energy Regulatory Commission  
Kimberly D. Bose, Secretary  
888 First Street NE Room 1A  
Washington, DC 20426

Northeast Direct Pipeline Project

Docket no. PF14-22-000

To Whom it May Concern,

We'e received the notices of your intended pipeline plans and invitation to comment. Until 2013 we lived and owned 2 lots on Breezy Lane in Schoharie, NY; one with our home (130Breezy Lane) and an adjoining lot which we cleared and maintained for recreational and aesthetic purposes. Conditions in New York suddenly became intolerable for us in early 2013 and we moved to Tennessee two years ago and put our properties on the market. We had put huge amounts of money, love and work into our home so leaving was not easy It was even more heartbreaking when the house took nearly two years to sell and that at a huge loss; over \$50,000. We still own the lot (tax parcel key 434289 59.-2-25.114)but after over two years and two real estate agencies have not had any interest even though we'e asking much less than we paid for it; \$10,000

less.

During these past two years not only did we lose the STAR and veteran discounts on our taxes because we moved but we saw our taxes raised even more because the assessment was arbitrarily raised when the county declared the land to be “prime” real estate due to the beautiful view. We spent tens of thousands during those 2 years on taxes, plowing in winter, partial mowing around the house, utilities and general repairs and maintenance as deterioration took its toll hurting”s even more.

Several months ago we let the listing of our lot expire since there was no interest at the time and hopes of a casino that would bring more jobs and interest in our property fell through. We decided to wait until conditions for sale improved, instead they have worsened in a way that we never anticipated; you chose to put in a natural gas compression station literally in our back yard. Regardless of how beautiful the view is in front, no one will want to build and raise a family with a toxic bomb in the back yard that would destroy everything in the event of a disaster.

The reason we chose to live there (and our neighbors as well) was it is beautiful, rural, quiet and safe without all of the crime, traffic and pollution of the cities. That’s why we chose to spend huge amounts of money on taxes to live in a place that had no trash pick up, no city water/sewer, no paved road or maintenance of the road by the town during brutal winters and outrageous school taxes for which people with no children receive absolutely nothing in return. We commuted 30 miles each way to work every day but it was if worth it when we could get away from it all when we were home. That’s the attraction for people, like us and our neighbors but all that is lost if a facility such as you propose is placed right next door.

Recently there was a CSX train derailment near us here in Tennessee. Several of my friends were forced to evacuate and stay in motels for days while the hazmat spill was cleaned up. Their wells are still being tested and dead fish are being found everywhere. We intentionally choose not to live near a railroad for that reason yet you intend to put the equivalent of that right next door, worse still a disaster at your station could come with no warning at all; just an explosion that levels or burns everything.

As a potential buyer I would not even consider such a condition even if the property was otherwise exactly what I was looking for. Why would I want to make my biggest investment and place the people I love most next to a facility that could have a tragic accident that would take out everything? What if a terrorist or some other nut case decided to disrupt the infrastructure for millions on the east coast by hitting a rural soft target like your station? With all the hunting that takes place in that area what if a stray round found its way to a sensitive part of the station? Even if the facility runs quietly and maintenance traffic is minimal (I don’t know that that’s that case) the potential for a catastrophe like I’ve mentioned would always be on my mind but I would also wonder what was in my well water every time I turned on the faucet, a disaster of a different sort but potentially just as devastating. The peace, quiet, safe, tranquil environment would be non-existent and I would look elsewhere. How can we expect to sell our property now under these circumstances? I’m not sure we could give it away. Everybody’s property values could drop but I doubt the tax liability for property and school tax would be reduced at all without a huge fight. Many could find themselves underwater with their mortgages as a result. For an area that was already struggling before it was devastated by hurricane Irene and tropical storm Lee in 2011 and has not yet fully recovered, this could destroy the lives of many on Terrace Mountain and beyond. Putting their lives in danger, destroying the culture/environment that attracted us to the area, wiping out home values after pouring everything into them and making them difficult if not impossible to sell at anything near their current value all for a natural gas line that they can’t even benefit from as we all use electric, oil or propane. It’s ironic that those of us on Breezy Lane have an appendix on our deeds that prevent us from having a number of things on our properties among them is windmills which were seen as detractors to the view and property values which is precisely what you are proposing with your compression station only it poses a far greater risk to those living nearby than the aesthetic inconvenience of a windmill.

The people of Schoharie have suffered enough through natural disasters and government taxation, regulation and mismanagement at all levels. That’s why we left the home we loved at tremendous personal expense

and emotional pain. We know we will take another huge loss on our remaining property (we already have) as it has already returned to what it looked like when we bought it but if you put this compression station where you propose we will likely not be able to sell at all or at best let it go for pennies on the dollar just to be rid of it. At least we no longer live there, unfortunately for our friends and former neighbors they cannot say the same. I'd like to think that the local officials in Schoharie will have the decency and foresight to oppose this before they lose still more residents but I'm not confident that they will yet we will send a copy of this to them as well. Please reconsider the location of your pipeline and its stations.

Sincerely,

Mark and Michele Fellows

cc:Pamela Foland, Schoharie Tax Collector; Steven Rubeor, Tax Assessor, Schoharie Area, Eugene Malone, Town Supervisor; Pete Lopez, Assemblyman; Chris Gibson, Congressman

## 20150831-0096

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426

Docket 1PF14-22-000

August 27, 2015

Dear Secretary Bose,

Construction of the pipeline would not only violate our rights as landowners, but slowly destroy the place that so many in my family (and the rest of the public) call home. When my family escapes the hustle and bustle of a busy New Jersey life, we come up to New Hampshire for quiet. We want to be alone with the pond, the trees, and the animals. But a pipeline the size of a six lane freeway would destroy that. This fact is so clear, yet is seemingly being ignored. Why? Why would some company want to destroy many people's happy place? Well the answer is extraordinarily confusing. It's not like in the state of New Hampshire we are in desperate need for natural gas. In fact New Hampshire produces 50% more energy than the state actually uses. By installing this pipeline you are destroying a habitat and home to animals and people, just so we can have a pipeline for ten years. Instead we should use those ten years and our extra energy to research a renewable source of energy such a solar energy. In one second, our sun produces enough energy to meet the current needs of the entire Earth for 500,000 years. So instead of constructing a pipeline surrounded by such controversy and negativity, how about we put our brain power together and create a solution that fulfills all of our needs.

On a more personal level this construction will affect my future and life. Our home in the rolling hills of Richmond, New Hampshire has been in the family since 1910. Our home passes down from generation to generation. In the future, I will be a recipient of this home. But now, looking at the plans for this pipeline, I am not sure I will have anything to receive. When saying this I am not even considering the fact that our home might blow up due to being in the incineration zone. I am saying this because fracking poisons our air and water, and a pipeline's construction destroys our local habitat. Sandy Pond might become unswimmable and the air polluted. What would be the point of getting away, and escaping reality" when there is nothing to escape to'8

This is only considering my own personal life though. More importantly, what would happen to Camp Wiyakaf Camp Wiyaka is a camp that kids can go to and escape the stress of everyday life, where they don't have to worry about the difficulties in their lives, but instead worry only about which activity they should sign up for. And what good is a camp without its heart and soul —its lake? Anyone that has attended this camp will tell you about the healing powers that Sandy Pond provides. The heavy, dark, silky water, on your worn out body. But this would soon be gone. My childhood memories of snorkeling until the sun has set,

having races with my cousin, catching frogs and trying to turn them into princes, trying to bring up rocks from the bottom of the lake, and most importantly being one with nature would become just memories, not things my children would look forward to sharing with me. I was always so thankful that Richmond was not touched by pollution.

If there is one thing that I can get you to understand it is that the pipeline will destroy our home. The pipeline is not a clean source of energy. It is a plan that is not only violating our rights, putting many people's lives in danger but also destroying the ever disappearing place we call nature.

Sincerely,

Elena Kotsen (age 14, future homeowner)  
119 Sandy Pond Road  
Richmond, NH 03470

**20150831-0097**

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426

Docket 1 PF14-22-000

August 27, 2015

Dear Secretary Bose,

I am writing to express my extreme dismay over the proposed pipeline. I do NOT want a pipeline in my literal back yard, or anywhere in its region. I do not grant Kinder Morgan or the Tennessee Gas Pipeline Company access to my property.

The proposed pipeline is to be built just a few hundred feet behind our two hundred and five year old farmhouse, "Hillside." Our house, and half of the lake it sits on, is scheduled to be in the incineration zone of the pipeline.

This house is special to all who visit it because it has remained so unchanged throughout the years. It has most of its original windows. It has all of its original hardware. The door is the same, the door hinges are the same, the granite steps the same. Even the paint color is almost the same. It is hard to find places like this in America these days.

The house was built in 1810 by the son of a Revolutionary War veteran on land that his father had been granted for his military service. When my great grandfather bought the house one hundred years later in 1910, it had fallen into a state of disrepair. He rebuilt it with his own hands, using wood from the property, and preserving it as much as he could. This same great grandfather later served in World War I as a Navy chaplain with his two eldest sons. All of them wrote home letters about how much they missed their house in the Richmond hills. We have these letters in our attic. My great grandfather died while doing relief work in Armenia with the Navy and his eldest son died as a result of injuries sustained in the war. Later, when World War II broke out, my great grandmother had to wait for two more of her sons to return from war. Unde Herbert, already a WWI veteran, re-enlisted from the Philippines where he had gone as a medical missionary and started a hospital. As an officer, he was taken prisoner of war and pronounced missing. He never returned. My grandfather also served as a Navy officer and looked tirelessly for his older brother. We have all these letters, written home to Richmond. Through the years, this house was passed down to the sons of my great grandparents. Then, it was passed down to all the cousins in my mother's generation. Now, it is my generation that cares for and loves this house. We cannot in any way stand by and let its land be dynamited or its care be risked by sudden incineration.

This house and its town teach us all about America's history. Literally by seeing this house and its region, we know how America was settled, how stage coach highways laced its hills (our driveway is indeed, part of

that vast, still visible network), and how New England residents eked out livings sheep fanning and lumbering. We know what that lumber looked like two hundred years ago because we walk on it every day. We know how hard our family worked to keep the house standing during the Depression, we know what church my great unde preached in on occasion; it is the same church I chose to get mamed in because I, like many New Hampshire residents, honor and chensh that connechon to the past.

The changes that inevitably arrived with time —electricity and paved roads —were modest and sweet compared to what a pipeline running through our town and lust feet from our house would bring. Trucks hauling, dynamite blasting, herbicide spraying, as well as a huge path of wildlife destruction and our constant fear of fire are not a part of the normal march of time; it is the destruction of a way of life. All for a means of energy transport that is unnecessary and will soon be outdated.

Richmond, New Hampshire is a wonderful town. It has a church, a blinking stoplight, and many kind and devoted residents. It has a volunteer rescue squad who helped my great aunt several times when she was at the end of her life. Richmond does not, however, have an ambulance. There is also no road access to our property behind the house. Volunteer rescue efforts in the case of pipeline incineration would have to happen on foot or with ATV. That is not, in any way, a safe plan.

Across the road from us is a small, tented YMCA camp. It serves local childxen from Athol, Massachusetts. It is not fancy or expensive. Many generations of our family have gone to that camp. From our house during the summer, you can watch children play in the field and lake. Every summer, campers return and reminisce fondly about how camp changed their lives for the better and how much it meant to them. Alumni joyfully send their children and raise money for camper scholarships. All of these camper's lives would be necklessly and needlessly endangered to put the pipeline in their path. The fact that the incineration zone lands squarely on Camp land proves how carelessly this pipeline has been planned.

Part of what makes Richmond special for Camp Wiyaka and many Richmond residents is a healthy, beautiful Sandy Pond. In the past, herbicides from the power lines have endangered the health of the water, making it almost unusable because it was choked with weeds. If dynamite were to disrupt the brook that feeds the lake, I do not think the lake could survive. The loss of this lake would be a huge loss to the entire community. You, Tennessee Gas Pipeline Company and Kinder Morgan need to address the concerns that Dr. Shaun Bennet and my father, Dr. Thomas Hopkins, have addressed in their letters to you. As property owners, part of our stewardship is the care of Sandy Pond. We share a beach on the lake with town residents who, over the years have grown attached to the nd. Good citizens work to keep it clean and, when we see them, sing the praises of autifulL pristine Sandy Pond. Hurting Sandy Pond would hurt all who love it and shaxe in its beauty.

Recently, we put in a new well. Before that, we manually pumped water from the well off the front porch. Richmond water is excellent. I am disturbed that the pipeline company would be so careless as to not plan around the many aquifers in the area and not plan to regularly monitor water quality. For their own financial gain, they plan to disregard such a valuable resouxce and something that is so critical to an entixe xegion. This is wildly shortsighted and not at all a reasonable plan for New Hampshixe.

This proposed pipeline would force us to sacrific everything that we hold dear about our home, town, and region. We would have nothing to gain for this sacrifice. New Hampshire produces fifty percent more energy than it needs, and we do not want or need any laterals coming off the pipeline. An underground pipeline would require dangerous dynamiting through granite, and an above-ground pipeline would require careful maintenance since the static electricity from nearby power lines is corrosive to the thingrade metal our pipes would be made of due to our rural area. The pipeline, underground or above ground, will require a width of highway 91 cut through the woods, and it would ruin the pristine remoteness and simplicity of our property. When you look at photos of our house from 1910or 2015, you see that our home is named after its setting, the pristine hill it is nestled in.

Most shockingly, the pipeline puts our very lives at risk.

This summer, evety time thunder rumbled and lightening struck, I imagined what it would be like to sit on

the porch and brace for incineration.

Sincerely,

Faith Hopkins Kotsen, homeowner  
119 Sandy Pond Road  
Richmond, NH 03470

**20150831-0098**

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20428

Docket 1PF14-22-000

August 27, 2015

Dear Secretary Bose,

Every summer I have gone up to our house in Richmond, New Hampshire where I learned to swim, made fairy houses, and developed a love for nature. I remember the first time I was allowed to try white bread, swim in the deep end, and go down to campfire to sing songs. My mom always used to tell me bedtime stories when I was little of her days at New Hampshire as a kid: her dog attacking a skunk, ghost stories in the forest, listening to Aunt Helen talk about corn. My early memories of Richmond are some of my fondest and they are what I remember when I think of my childhood. A pipeline being built in our backyard would not only destroy our property, it would destroy our memories.

Our home, "Hillside," is an oasis to my family and me. It is there where we can escape from the busy of our daily lives and disconnect from technology. The lack of modern technology is in fact what makes Hillside so great. The roads are barely paved and you can wander for hours on our property without finding a trace of modern humankind. There are majestic trees, stone walls dating from the 1700's and tons of precious wildlife. We have tried to leave our property as little touched as possible for we want an environment that is as inviting for nature as possible.

Building a pipeline would not only cause mass destruction to the building site, it would be detrimental to the critters and nature that inhabit the areas. Many residents' water comes from wells or aquifers near your planned building areas. The pipeline could easily contaminate residents' drinking water, causing mass catastrophe. We also have a lake dear to the town, Sandy Pond. Residents from all over the town go swimming there on hot summer days to escape from reality. Chemicals could easily be flushed down into the lake contaminating not only the creatures and nature that inhabit the lake, but it would take away one of the town's favorite places.

A camp, Camp Wiyaka, also sits on the lake. This camp brings in kids from Athol Massachusetts. Too many of these kids are underprivileged kids living in poverty. As an alum of the camp I have experienced first hand the fact that this is the kids' only oasis in a life that no one deserves. These kids are able to eat nutritional food, swim and hike, make friends, and realize that they are worth it. The pipeline has an incineration zone which includes not only my house, but Camp Wiyaka. Since Richmond is so small, they lack a permanent fire and rescue team and paramedics. If the pipeline was to explode while camp was in session, we would be talking about hundreds of casualties. It certainly is not safe to build a pipeline in a town with no fireman or paramedics. And if Camp Wiyaka has to close its doors, I can promise you that those kids would suffer unimaginably.

I can imagine that you have received many letters describing the detrimental damage the pipeline will do to the nature in Richmond. However, this letter addresses more of the ethics of this issue. Is it ethical to put hundreds at risk of death? Is it ethical to destroy someone's property they have had for over a hundred years? Is it ethical to fool the public into thinking that we need this energy when really we have enough? Shouldn't

we be researching sustainable, renewable sources of energy that will power our future? Personally, I think that the overall well being of humans and nature is more important than a quick money source. But this is up to you.

Do you want to see a bright future for the Earth and humankind or a bright future for those who would profit from short term pipeline use?

Thank you,

Earns Kotsen, (age 14, future homeowner)  
119 Sandy Pond Road  
Richmond, NH 03470

## **20150831-0099**

Federal Energy Regulatory Commission  
888 First Street, NE, Room I A  
Washington, DC 20426  
Docket # PF14-22-000

August 27, 2015

Dear Secretary Bose,

I am writing in opposition to the proposed gas pipeline by Kinder Morgan, on behalf of the property owners of the 119 Sandy Pond Road, Richmond, New Hampshire household —the Brokenshires. I married Faith Hopkins Kotsen and we support this summer property by paying New Hampshire real estate taxes each year. Faith and I were married at the Richmond Church in June 2000, and I have been visiting the property since 1998, every summer.

My perspective as an outsider coming into the Brokenshire family in this area of New Hampshire has been one of amazement at the love that this property and surrounding areas generates for all the Brokenshires/Moodys/Hopkins families and now our family as well. This property and surroundings is our home and a big reason we were married in Richmond.

The proposed gas pipeline by Kinder Morgan is a serious threat to the habitat, local ecology in and around Sandy Pond and specifically to the Brokenshire property, along with our peaceful way of life in Richmond. Having spent seventeen years there, I continue to marvel at the wonderful pristine environment that is now threatened by a proposed gas pipeline that is not even needed, since NH has more than enough energy from other sources. I have spent a lot of time at the waterfront with my children as well as nieces, nephews, other relatives, and children at Camp Wiyaka. I have waded, swam, snorkeled, sailed, boated, and fished the lake each year. I have run, hiked, and mountain biked throughout this area.

As Dr. Hopkins and Dr. Bennet discussed, the lake has a very sensitive ecosystem, which is now seriously threatened. I have spent countless hours with many of the children catching salamanders, frogs, toads, fish, and also noticing the birds, herons, owls, and wild turkeys in the neighborhood. This small sampling of animals has been an inspiration to all the youngsters and us adults as well, creating powerful experiences and memories to all the visitors, as we blend into nature each year at this wonderful place.

I attempt to pass on the sense of the beauty, wonderment, and awe of this environment to the younger generation in hopes that they will preserve the beauty of this environment for their children and grandchildren, and great grand children as well. The environment is a warm juxtaposition to the hectic, frenetic pace of our New Jersey life, so this beloved New Hampshire area feeds our souls as individuals and extended family members.

Also, more specifically, the Brokenshire family has a cemetery on our property, very, very near the proposed gas pipeline zone. Like the surrounding nature, this completes this place's cycle of life. The sacredness of this hallowed place is now also at risk, as this would be near the bulls eye of the "incineration zone" of the

proposed pipeline.

So basically, this is all at risk. The proposed gas pipeline by Kinder Morgan would destroy all of this, with no justification other than corporate profit, with no input from the property residents, and with no concern for the habitat and ecology of the surroundings, or concerns for the well being of us tax-paying residents. As Deveda Bmkenshire Prochilo indicated, there is no compensation price for giving up this serene setting. A pipeline for ten years of use is not worth the destruction of our environment, our historic property, and maybe even our lives.

Chris Kotsen, homeowner  
119 Sandy Pond Road  
Richmond, NH 63470

**20150831-0100**

PROPERTY ACCESS DENIED

Tennessee Gas Pipeline Company, LLC  
1615 Suffield Street  
Agawam, MA 01001

Date: 8/27/15

Via Certified Mail, Return Receipt Requested

RE: Denying Property Access

As the owner of the property located at:

Street Address: 119 Sandy Pond Rd.

Town & Zip: Richmond, NH

Map & Lot Number(s) (if known)

I am denying permission to the Tennessee Gas Pipeline Company, LLC (a Kinder Morgan Company), its representatives, contractors, sub-contractors, or associates to enter my land or to perform surveys, or for any other purpose in furtherance of a pipeline infrastructure project. Any such physical entry onto my property from the date of this letter forward will be considered unauthorized, and treated as trespass.

Faith Kotsen

CC:

FERC  
Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426

**20150831-0102**

Shaun Bennett  
435 West Johnson St.  
Philadelphia, PA 19144  
267-971-6587  
quabbin0@yahoo.com

August 21, 2015

Secretary Kimberly Bose  
Federal Energy Regulatory Commission  
888 First St., NE  
Room 1A

Washington, DC 20426

Re: Docket PF14-22 Kinder Morgan Gas Pipeline in New Hampshire

Dear Secretary Bose:

The plan to construct a gas pipeline through Richmond, NH is flawed. It has not been widely presented and few of the land owners along its wide corridor have been notified of the proposal, possibly to limit the criticism it deserves. I am one of those un-notified land owners, with property along the shore of Sandy Lake and along Bullock and Lang Roads in Richmond (Map 405, lots 20, 22 and 25).

Sandy Lake is a rare, valuable, vulnerable water body. It is pristine because its watershed is undisturbed save for Sandy Pond Rd. and a transmission line that is the proposed pipeline's path. The Lake's shoreline is undeveloped, with almost no buildings, and no year-round residences. Undisturbed water bodies are very uncommon in Southern New Hampshire. This is a precious natural resource.

The Lake is unusually deep, 15 meters (50 feet), providing a large hypolimnion region and a longer "residence time" for water (and any contaminants) than in the typically shallower lakes of the region which "flush" more rapidly. The Lake's fauna includes fish, water birds (e.g., kingfishers and great blue herons, ducks, geese), raptors (e.g., osprey) and nighthawks, reptiles (turtles and snakes), amphibia (breeding green frogs, bull frogs, american toads, spring peepers, and the densest population of eastern spotted newts ever reported in the scientific literature, as well as red backed salamanders and two lined salamanders). Mammals include occasional beavers and otters, and a substantial bat population (a threatened group that could be adversely affected). Historically the brooks of Sandy Lake had an annual run of alewives that reproduce upstream of the proposed pipeline. The run's status is uncertain, at best it is endangered and disturbances in the watershed and streams could cause its extinction.

Trucks will damage roads on the western shoreline and along the northern shore. Pipeline construction will require many large, heavy vehicles over a long period with consequent degradation as these few roads provide the only access to long stretches pipeline route. Repairs will introduce sediments and noxious chemical agents from repair vehicles and from the needed new pavement. Assignment of the repairs' cost is an additional issue.

Most of Sandy Lake's watershed is to the north. There is virtually no runoff coming from the east or west. The southern watershed limit is a hundred meters or so from the shoreline with this zone constituting less than 10 percent of the watershed and contributing a correspondingly small proportion of water.

In other words, nearly all water entering the Lake comes from the area impacted by the pipeline. Actions affecting water quality in this zone have a maximum effect on the quality of Sandy Lake and its ecosystem. The wide margins of the corridor insure that it will affect nearly all of the watershed.

The most obvious impacts, forest clearing and excavation of soil and bedrock leading to erosion are damaging. More devastating will be herbicidal control of vegetation. Construction and maintenance of a pipeline corridor using chemical vegetation control will be disastrous to Sandy Lake, regardless of the toxicity of the chemical agents used.

The most common herbicide uses glyphosate, determined by the World Health Organization's International Agency for Research on Cancer to be a likely human carcinogen. The children's summer camp, Wiyaka, has used the Lake for swimming, boating, and, in the past, even drinking water. Introduction of a harmful chemical would be irresponsible in the extreme. Herbicides are, by definition, toxic. They kill plants. (Some herbicides may be less toxic to humans.) Sandy Lake is comprised of an ecosystem based on plants at its most basic trophic level. Any herbicide that enters the Lake will inevitably have a deleterious effect on plant life. The prolonged residence time of water (and substances in it such as herbicides) in Sandy Lake insures maximum negative effect.

There is a more insidious effect of herbicide use in a watershed: Research conducted in the Hubbard Brook Experimental Forest in northern New Hampshire under the US Forest Service and collaborating universities including the University of New Hampshire, Dartmouth, Cornell, Yale and others over 6 decades shows the

essential role of living plants in retaining plant nutrients within terrestrial ecosystems like the Sandy Lake watershed. Research led by Professors Gene Likens and F. Herbert Bormann and including contributions from dozens of others show that when a forested ecosystem is cut and prevented from re-growing through the use of herbicides, enormous amounts of nutrient materials are dissolved in rain water and lost from the ecosystem in runoff. The runoff water may appear normal, but the dissolved content may exceed acceptable levels for potable water.

Plant nutrients that sustain terrestrial ecosystems' growth can be thought of as fertilizers. Large amounts entering an aquatic ecosystem will fertilize it as well. Increased growth of aquatic plants including undesirable and noxious species result. Organisms at higher trophic levels — plankton, invertebrates and fish — will be adversely affected by the disruption of the plants on which they depend. The biomass will eventually die and may overwhelm the ecosystem's capacity to decompose it aerobically, resulting in foul anaerobic decomposition. Aquatic organisms that normally obtain oxygen from water can no longer do so and they die as well. Note that this chain of events is unrelated to which herbicide is used and how expertly it is applied.

Could this happen in Sandy Lake? Initially vegetation on the transmission line that is the pipeline's path through the watershed was controlled by herbicide. This caused growths of a previously absent vascular plant known as bladderwort or *Utricularia* in the Lake. The plants grew in large mats at the water surface (up to several square meters in area and half a meter thick). They were unpleasant and potentially dangerous to swimmers who could become entangled. After a few years during which this plant growth increased, the maintenance of the transmission line was changed to mechanical vegetation control and the *Utricularia* disappeared.

To summarize, Sandy Lake is a rare and threatened habitat: a deep, undeveloped, pristine aquatic ecosystem. The Lake supports wildlife populations including threatened organisms as well as public recreation and a children's summer camp. The planned pipeline will pass through the watershed that is critical to Sandy Lake's health and will inevitably have an adverse impact on the lake. Herbicidal control of vegetation will dramatically exacerbate the harm done by the pipeline regardless of the type of herbicide and the care with which it is applied.

It can only be concluded that routine transmission line through the Sandy Lake watershed is the result of ignorance and/or a lack of concern.

Shaun Bennett, Ph.D

**20150831-0103**

**Warwick Conservation Commission**  
Town Hall  
12 Athol Rd., Warwick, MA 01378

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room IA  
Washington, D.C. 20426

August 25, 2015

Re: Tennessee Gas Pipeline Company, L.L.C.  
Proposed Northeast Energy Direct Project, FERC Docket No. PF14-22-000  
Scoping comments on NED NOI from June 30, 2015

Dear Secretary Bose,

The Warwick (MA) Conservation Commission (further — Commission) is writing to offer its comments on the scope of studies to be done for FERC's Draft Environmental Impact Statement on the proposed Northeast Direct natural gas pipeline project.

To ensure proper determination of environmental impacts from proposed pipeline construction and main-

tenance activity Commission would like to request the following studies and surveys to be performed in course of EIS draft preparation:

1. On-the-ground delineation of wetlands and streams for the entire project corridor and buffers.
2. On-the-ground surveys for vernal pools within 1,000 feet of the potential project corridor. These surveys should be performed during the relevant breeding seasons. The time frame for preparation of the Draft EIS should be extended accordingly.
3. Identification and prior testing of drinking water sources within 5 miles of the potential project corridor.
4. Baseline sampling of ambient air quality and noise levels within 5 miles of proposed compressor stations and other pipeline facilities.
5. Baseline study of bird migration in the nearby portion of the Connecticut River flyway.

A number of reasons for these studies and surveys were listed in our previous letter filed with FERC 8/4/2015 Submission ID: 597295.

In addition, we would like to bring to your attention our experience that wetland resources in the town of Warwick, as shown on Massachusetts Department of Environmental Protection map layers, are under-represented by a factor of several times. We believe that forested wetlands, intermittent streams and vernal pools are the most seriously under-represented types of wetland resource areas. We also believe that this under-mapping of wetlands is typical of all the Massachusetts municipalities where the proposed NED project would be located.

This under-reporting is due to the fact that map layers are developed chiefly by interpretation of aerial photos. The great majority of land in our town, as well as in many other towns along the proposed pipeline route, is forested and large numbers of wetland resources are hidden by the forest canopy, especially in areas dominated by coniferous trees.

The thorough delineation of vernal pools, almost all of which are located under tree cover, is of particular concern to us. This Commission has devoted attention each spring to certification of vernal pools in Warwick, and it is our experience that their actual frequency is several times greater than what is suggested by the DEP map layer for potential vernal pools. Based on our findings, the Massachusetts Natural Heritage and Endangered Species Program certifies several vernal pools a year. Nevertheless, we believe that only a small fraction of certifiable vernal pools along the potential NED corridor have actually been certified.

Obligate amphibian species, including several identified as rare under the Massachusetts Environmental Policy Act, are entirely dependent on these vernal pools for breeding. Since these species have an upland range of up to 1,000 feet from their breeding pools, we would like to request on-the ground surveys for vernal pools within 1,000 feet of the potential project corridor. Reconnaissance in our area must be done during the brief breeding season in April and May. Not accurately delineating these pools risks destroying whole local populations. Vernal pool habitat cannot be reliably replicated, making mitigation all but impossible.

The protection of perched wetlands, which form in depressions in the underlying bedrock, is also a great concern for us. Perched wetlands are particularly vulnerable to destruction by the opening of drainage fissures resulting from blasting during pipeline construction. Mitigation by replication is not possible for this class of wetlands. Because of so much shallow bedrock topography along the proposed pipeline corridor in Warwick and other hilltowns, thorough on the ground delineation of perched wetlands is imperative.

Identification and prior testing of drinking water sources is another important concern of the Commission. The town of Warwick is entirely dependent on private springs and wells, both shallow and artesian, for its entire drinking water supply. Also, the Grandin Reservoir and its watershed of over 400 acres lies immediately downgradient of the proposed pipeline route in Warwick. The steep watershed of this reservoir is particularly vulnerable to erosion and pollution. Because much of the hydrology of our area is unknown, we request that the Draft EIS include testing of all private wells and public drinking water supplies within 5 miles of the proposed pipeline corridor. We believe that testing has to be performed by an independent party. It is important to establish an objective baseline for water quality prior to natural gas pipeline construction.

Because the town of Warwick is immediately adjacent to and downwind of the proposed super powerful gas-fired compressor station in Northfield, the Commission also requests that the Draft EIS include prior baseline sampling of ambient air quality and noise levels within 5 miles of the proposed facility. Negative impacts from compressor stations, including noise and air contamination within a 5-mile radius, are well documented. Since the Warwick State Forest is one of very few unbroken wildlife habitats remaining in Massachusetts, this sampling should be performed year round and at different times of day. In addition, we request a baseline study of bird migration in the nearby portion of the Connecticut River flyway, a major migration route.

The Commission also wants to see the Draft EIS include an evaluation of the cumulative effects of the project on the large contiguous blocks of forest that comprise most of the potentially affected towns in Franklin and Berkshire Counties. Over 90% of our town is forest and over 50% of our land area is public conservation land protected under Article 97 of the Massachusetts Constitution. This largely unfragmented forested area is relatively free of invasive species and provides ideal habitat for a wide variety of animal and plant species, both common and rare. The combined effects of the proposed pipeline route drawn across this intact landscape could severely degrade its ecological integrity.

The Conservation Commission also requests that the timetable for studies used in the preparation of the Draft EIS be extended to a minimum of one full year. We do not believe that complete and accurate delineation of wetlands resources, particularly those which serve important seasonal functions in breeding and migration for wildlife, can be conducted in a shorter time frame.

Sincerely

Gregory Brodski, Co-Chair  
Warwick, MA Conservation Commission

cc: Governor Charlie Baker

Attorney General Maura Healey

Senator Stanley Roseberg

Representative Susannah Whipps Lee

Matthew Beaton, Secretary, MA Executive Office of Energy & Environmental Affairs

Angels O'Connor, Chairman MA Dept. of Public Utilities

Martin Suuberg, Commissioner, MA Dept of Environmental Protection

George Peterson Jr., Commissioner, MA Dept. of Fish and Game

Carol Sanchez, Commissioner, MA Dept. of Conservation & Recreation

U.S. Senator Elizabeth Warren

U.S. Senator Edward Markey

U.S. Representative James McGovern

Eugene Benson, Executive Director, MA Association of Conservation Commissions

Stephen August, Presiding Officer, MA Energy Facilities Siting Board

Norlfield (MA) Conservation Commission

Erving (MA) Conservation Commission

Montague (MA) Conservation Commission

Deerfield (MA) Conservaion Commission

Shelburne (MA) Conserwmon Commission

Conway (MA) Conservation Commission

Ashfield (MA) Conservation Commission

Winchester (NH) Conservation Commission

Richmond (NH) Conservation Commission

Franklin Regional Council of Governments

Leigh Youngblood, Executive Director, Mount Grace Land Conservation Trust

Millers River Watershed Council

Athol (MA) Daily News

20150831-0104

Herbert W. Reilly, Jr.  
County Legislator, 33rd District

August 26, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First St. NE, Room 1A  
Washington, D.C. 20426

Re: Docket # PFI4-22-000

I am sending for your review information regarding the use of explosives near Brownfields in limestone Karsk soil conditions:

- 1) A local law (1) restricting the use of explosives within two miles of a Brownfield.
- 2) Two well written news stories regarding the events between 1996 and 1997. Note that the pollution was caused by a DEC Spill Fund contractor over many years.
- 3) A map of the affected area prepared by the Tennessee Gas Pipeline Company.

The site sits 230 feet above a public reservoir serving the towns of Bethlehem and New Scotland. The soil condition is Karsk limestone with numerous fissures and channels which have been known to allow liquids to travel freely for distances. The pollutants that were detected in samples of water in the area were MTBE, Acetone, Benzenes, Arsenic, Barium, Chromium, Lead, Mercury and Napthalene.

Respectively,

Herbert W. Reilly, Jr.

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LOCAL LAW NO. "J" FOR 2015

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, TO BE KNOWN AS THE PUBLIC DRINKING WATER PROTECTION LAW

Introduced: 8/10/15 By Mr. Reilly:

**Section 1. Title**

This Local Law shall be known as the "Public Drinking Water Protection Law."

**Section 2. Legislative Findings**

The Albany County Legislature hereby finds and determines that public water systems are sourced from streams, rivers, lakes, and reservoirs. Certain industrial activities, including blasting, pose a potential threat to public drinking water supplies. Residents are at a high risk of developing significant health issues from ingestion and exposure to contaminated drinking water, including gastrointestinal illness, reproductive problems, and neurological disorders. Infants, young children, pregnant women, the elderly, and immunocompromised persons may be especially at risk for becoming ill after drinking contaminated water.

The Albany County Legislature hereby further finds and determines that the Safe Drinking Water Act (SDWA) ensures the quality of drinking water in the United States. Under SDWA, the U.S. Environmental Protection Agency (EPA) has established National Primary Drinking Water Regulations (NPDWRs or primary standards) that set mandatory water quality standards for drinking water contaminants to protect the public against consumption of drinking water contaminants that present a risk to human health by limiting the levels of contaminants in drinking water. The EPA also oversees the states, localities, and water suppliers who implement those standards.

The Albany County Legislature hereby further finds and determines that municipalities play a crucial role in

managing activities that affect source water quality and availability.

The purpose of this local law is to protect public health and safety by requiring blasting entities, as part of their best management practice, to notify municipalities located within Albany County prior to any blasting if such blasting occurs within a two mile radius of a municipal water source.

### **Section 3. Definitions**

As used in this local law, the following terms shall have the meanings indicated:

(A) “Municipal Water Source” is any reservoir or well located within Albany County which serves as a source of public drinking water supply for Albany County residents.

(B) “Municipal filtration plant” is any facility that treats and provides public drinking water through a public water system.

(C) A “public water system” is a system for the provision of water to the public for human consumption through pipes or other constructed conveyances, if such system has at least fifteen service connections or regularly serves an average of at least twenty-five individuals daily at least 60 days out of the year, as defined in the National Primary Drinking Water Regulations. .

(D) “Blaster” is a person licensed as such by the New York State Department of Labor.

(E) “Blast” is the rapid release of heat and large quantities of high-pressure gases that expand rapidly with sufficient force to overcome confining forces resulting from the very rapid decomposition of a chemical compound or mixture initiated by heat, shock, impact, friction, or a combination of these conditions.

(F) “Blasting entity” is a person, a corporation or other legal business entity that blasts or engages a blaster to blast either on its own behalf or on behalf of another person, corporation or other entity within Albany County.

(G) “Blast effect area” refers to the area within a two mile radius of a blast.

(H) “Blasting notification” is defined as a written notice in which blast information is provided by the blaster or blasting entity, to include, but not be limited to, the following: the blasting area, the date(s) and time(s) of the blasting, how access to the blasting area will be controlled and the types and patterns of blast warnings and signals that will be used.

(I) “Quality” is defined in the Albany County Department of Health’s promulgated rules and regulations pursuant to Section 6 of this Local Law, and shall reference the list of contaminants and their maximum contaminant levels (MCLs) set by the National Primary Drinking Water Regulations.

(J)

### **Section 4. Notification Responsibility of Blaster:**

a. Blasting Schedule: Any blaster or blasting entity who intends to blast within Albany County shall notify by United States certified mail, the governing body of a municipality, prior to any blasting, if such blasting occurs within a two mile radius of a municipal reservoir or well providing drinking water to residents of such municipality. Such notification shall occur at least sixty (60) days in advance of the blast date. Additionally, a copy of the blast schedule shall be sent by United States certified mail to the Commissioner, Albany County Department of Health.

The notification shall include the following information:

1. The specific location of the blast;
2. The date and time the blast is scheduled to occur;
3. A description detailing how access to the blast effect area will be controlled to prevent property damage and personal injury; and
4. The types and patterns of blast warnings and of signals that blasting has been completed and passage through the blast effect area is safe.

b. . Additionally, at least sixty (60) days in advance of the blast date,

any blaster or blasting entity must contact the New York State Department of Environmental Conservation and the governing bodies of all municipalities within the blast effect area and inquire whether there are any known or suspected subsurface contaminants within the blast effect area. If there are any known or suspected areas of contamination, then the blaster shall disclose the same to the Albany County Department of Health, which is authorized to require an investigation to be conducted at the blaster's expense to confirm the nature and extent of such contamination. If any such contamination is confirmed to exist within the blast effect area, then the blaster shall be obligated, prior to the start of blasting, to immediately remediate the same to the satisfaction of the Albany County Department of Health. . .

Pursuant to Section 6 of this local law, the Albany County Department of Health is permitted to promulgate regulations that supplement this list and the requirements of this Section.

### **Section 5. Blast Records**

Records of all blasts must be maintained by the blasters or blasting entities for a period of at least five (5) years from the date of a blast, or the date of the last blast, if more than one blast occurs in a blasting program. These records shall be made available for inspection upon written request by, and at no cost to, the public.

### **Section 6. Albany County Health Commissioner's Authority**

The Albany County Health Commissioner is authorized to promulgate rules and regulations and take any and all other reasonable actions necessary to implement and enforce this local law. Any rules and regulations so promulgated shall be made available on the county of Albany website in a manner approved by the Commissioner.

### **Section 7. Penalties**

(A) Civil Penalty for Lack of Notice:

If the Albany County Department of Health finds and determines that any blaster or blasting entity failed to meet the pre-blast notification requirements in Section 4 of this Local Law and as further described in the Albany County Department of Health rules and regulations promulgated under Section 6 of this Local Law, such violation shall be punishable by a civil penalty not to exceed \$15,000 per violation.

(B) Rebuttable Presumption:

Increased levels of contaminants above maximum acceptable contaminant levels set by the National Primary Drinking Water Regulations, when detected at any municipal reservoir, municipal well, or any municipal filtration plant(s) sourced by such reservoir or well, within six months of blasting activity(ies) shall, unless proven otherwise by clear and convincing evidence, be attributable to said blasting activity, if the blast effect area is within two miles of such municipal reservoir or well.

(C) The Blasting Entity will be liable for all reasonable costs incurred in remediating and restoring any public water supply to its pre-blast condition

(D) Nothing contained herein shall be construed to prevent or prohibit the commencement of any civil or administrative action or proceeding to enjoin any conduct constituting a violation hereof or to recover any penalty therefor or any damages occasioned thereby,

(E) The Health Commissioner may, in his absolute discretion, require the posting of a bond or other security in an amount deemed adequate to guarantee sufficient funds are available to remediate, as set forth above.

### **Section 8. Health Commissioner's Power to Suspend or Modify**

The Commissioner of Health may, in his/her absolute discretion, suspend or modify the requirements of this law:

(A) when he/she deems it necessary to do so to protect the health, safety, and welfare of the public or

(B) for State, County or Municipal projects if, in his/her opinion, adequate safeguards have been implemented to prevent well contamination.

## **Section 9. Mines and Water Well Drillers**

This Local Law shall not apply to:

(A) mines subject to local municipal regulation or state regulation under Title 27 of Article 23 of the Environmental Conservation Law or

(B) water well drillers subject to state regulation under Title 15 of Article 15 of the Environmental Conservation Law.

## **Section 10. State Environmental Quality Review Act Compliance**

This County Legislature determines that the adoption of this Local Law constitutes a “Type II action” as said term is defined in the State Environmental Quality Review Act (“SEQRA”), and that no further action with respect to same is required under SEQRA.

## **Section 11. Preemption**

If any part or provision of this Local Law is inconstant with any federal or state statute, law, rule or regulation, then such statute, law, rule or regulation shall prevail. If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by a court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision of or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law, or the application thereof to other persons or circumstances.

## **Section 12. Reverse Preemption**

This Law shall be null and void on the day that statewide or federal legislation goes into effect, incorporating either the same or substantially similar provisions as are contained in this Law, or in the event that a pertinent state or federal administrative agency issues and promulgates regulations preempting such action by the County of Albany. The Albany county Legislature may determine via resolution whether or not identical or substantially similar statewide legislation has been enacted for the purposes of triggering the provisions of this Section.

## **Section 13. Severability**

If any clause, sentence, paragraph, section, subdivision or other part of this Local Law or its applications shall be adjudged by a court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or otherwise invalidate the remainder of this Local Law which shall remain in full force and effect except as limited by such order or judgment.

## **Section 14. Effective Date**

This Local Law shall be effective immediately upon filing with the Office of the Secretary of State.

Favorable Recommendation. - Conservation and Improvement Committee. 7/28/15

*{articles omitted}*

**20150831-0105**

**STATE OF NEW HAMPSHIRE  
OFFICE OF ENERGY AND PLANNING**

107 Pleasant Street, Johnson Hall

Concord, NH 03301-3834

Telephone: (603) 271-2155

Fax: (603) 271-2615

[www.nh.gov/oep](http://www.nh.gov/oep)

MARGARET WOOD HASSAN  
GOVERNOR

August 25, 2015

Ms. Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE  
Washington, DC 20426

RE: Northeast Energy Direct Project, Tennessee Gas Pipeline Company, L.L.C.  
Docket No. PFI4-22-000

Dear Ms. Bose:

Thank you for the opportunity to provide comment on the Northeast Energy Direct Project (Docket #PFI4-22). The Conservation Land Stewardship Program, on behalf of the Council on Resources and Development (CORD), is responsible for monitoring and oversight of conservation land interests that were acquired through the State of New Hampshire's Land Conservation Investment Program (LCIP). Between 1988 and 1993, the State of New Hampshire through this program invested almost \$50 million to protect approximately 100,000 acres of land, including some of the most pristine lands in the state.

The current NED proposal crosses six parcels of land that were protected through the LCIP in the towns of Amherst, Mason, Troy, and Richmond. These properties are shown on the attached maps. It is important to understand that lands and interests in lands that were acquired through this program are held in public trust and that State law specifies that the sale, transfer, conveyance, or release of any such land or interest in land from the public trust is prohibited absent legislative action by the New Hampshire General Court.

We understand that Kinder Morgan (KM) may be working to develop alternatives that would avoid impacts to one of these parcels in the Town of Amherst. We would respectfully request that alternative analyses be performed to avoid and minimize impacts to the other lands protected through the LCIP, as well as to avoid all protected conservation lands in New Hampshire (including both those protected in-fee and through conservation easements). The State of New Hampshire, municipalities, non-profit land trust organizations, and residents of the state have invested immeasurable time, effort, and money into legally and permanently protecting many of the State's most important environmentally sensitive resources, forests, agricultural lands, recreation lands, and other open spaces. It is critically important that potential impacts to these already protected lands be taken seriously and that the alternatives analysis be thorough, rigorous, and transparent.

We would request that information submitted by KM and included in the Draft Environmental Impact Statement (EIS) clearly depict all protected conservation lands in New Hampshire. It is not clear based on the information submitted by KM to date that all protected conservation lands in New Hampshire are included. We would also request that both the Environmental Resource Reports (ERR) developed by KM and the draft EIS clearly show the location of protected conservation lands in relation to all impacts that are being proposed. The boundaries of protected conservation lands should be shown on ERR detailed alignment sheets and any other detail maps where impacts (both temporary and permanent) are proposed on or adjacent to conservation lands. Without this information, it is not possible to properly quantify or evaluate the potential impacts resulting from the project to conserved lands or important resources on those lands, or to assess alternatives that could avoid these protected lands or other important resources.

Finally, we would ask that FERC, as part of its draft EIS, evaluate the need for this particular project in the context of all other projects that are being considered in the region, and whether those projects could provide the necessary capacity with less impact to protected conservation lands and important environmental natural resources.

Thank you for considering these comments.

Sincerely,

Tracey L. Boisvert, Program Director  
Conservation Land Stewardship Program

Enclosure: 3 Maps

Town of Amherst: Scott Parcel

Town of Mason: Spaulding Brook Conservation Area  
Doonan Conservation Easement

State of NH in Towns of Troy & Richmond:  
Tree Growers CE #1  
Tree Growers CE #2  
Kirschner Parcel

*{maps omitted}*

**20150831-0106**

Susan and Richard Carpenter  
15 Patricia Lane  
Amherst, NH 03031

August 21, 2015

Chairman Norman C. Bay  
888 First Street, NE  
Washington, DC 20426

Dear Chairman Bay,

Meetings were held Wednesday and Thursday 7/29 and 7/30 in Nashua and Milford, New Hampshire, respectively. It was abundantly clear that the residents of New Hampshire want nothing to do with the pipeline. There is absolutely NO benefit to New Hampshire residents and taxpayers to warrant the disruption and devastation of a pipeline going through our state, which would end in Dracut, Massachusetts,

I live on Patricia Lane in Amherst, NH, named for my sister-in-law, who died from melanoma cancer. My husband Rick, a builder/developer, started developing the subdivision in 1999. We built our own home at the end of this lovely private road, along with 17 other homeowners and 10 condo owners.

My husband's left a line of trees behind each home along Patricia Lane for privacy as well as block the power lines directly behind the homes. We have an electrical easement going through the middle of the subdivision that separates the singlefamily homes from the 10 condos he built on the other side of this easement. (See plot plan.)

The proposed pipeline would affect all 17 residents on Patricia Lane and change the character of the place we have called home for 12 years. If the tree line were removed, all residents would have to look at the power lines. They are currently hidden due to the buffer of mature trees.

There is a Christian Church at the entrance to the subdivision, which serves as a school during the week. The proposed pipeline route would cut directly through this property.

My neighbor, an Amherst policeman, lives at the beginning of the subdivision with his wife and 2 children. The proposed route would go through the middle of his lovely home; needless to say, he and his family are distraught over the possibility.

I have never felt so helpless. Our final home, which my husband and I built in 2002, would be changed forever. My husband planned the subdivision with such care; all of our neighbors would see their home values go up in smoke. No one will want to buy any of these homes or condos if the pipeline takes the trees situated behind them; all of our neighbors would see their home values go up in smoke. No one will want to buy any of these homes or condos if the pipeline takes the trees situated behind them. Approximate real estate value before pipeline: \$7,8 IRULioll. The removal of the trees impacts all 27 owners.

The affordable housing project, planned for a tract across the road from Patricia Lane, has been put on hold until it is determined what route the pipeline will take.

First of all, why should the route come through New Hampshire? Secondly, why not pick a less populated area if it must be situated in our state? I understand that power line easements are popular routes with the

pipeline planners, but this isn't a rural area.

At the town hall meetings with FERC, in Nashua and Milford, NH, Governor Hassan, as well as Senator Shaheen and Senator Ayotte, were conspicuous by their absence. I have gone to several meetings and forums, where all who spoke, felt their rights were being negated by the pipeline. No one spoke in favor of the pipeline.

Duval Patrick was able to sway your agency and subsequently, Kinder Morgan, to redirect the pipeline from Massachusetts to New Hampshire. Homs, NH managed to convince your agency that it was not in the best interest of the town, When it benefits Massachusetts, why route the pipeline through New Hampshire? After the meetings in July, which were lengthy, Channel's news coverage of the 2-day event amounted to a 30 second spot with a 14 year old, underplaying the importance of the meetings and impassioned pleas of all present not to allow the pipeline in NH.

I am including photos of my yard and the proposed view if the pipeline is routed across my back yard as well as a plot plan for the subdivision. Please don't come back with the "Northeast Energy Direct Newsletter", I have already received the printout (propaganda) from Tennessee Gas Pipeline touting the benefits to New Hampshire. Try contemplating it from my neighborhood.

Please STOP tile pipeline from coming into New Hampshire.

Sincerely,

Susan and Richard Carpenter

*{2 pages of photos and 1 map omitted}*

**20150831-0107**

*{copy of 20150831-0106}*

**20150831-0137**

Hand written letter, Deborah A. Creer, 890 North St, Windsor, MA 01270, opposing

**20150831-0138**

Hand written letter, Kurt Wachtel, 890 North St, Windsor, MA 01270, opposing

**20150831-0139**

Hand written letter, Melinda Hildreth Honkala, 143 Monument Rd, Richmond, NH 03470: opposing

**20150831-0140**

Hand written letter, Corinne Dugas, 366 River Road, Deerfield, MA 01342: opposing

**20150831-0141**

Hand written letter, Lorraine M. Davis, 1202 Hildreth St, Dracut, MA 01826: opposing

**20150831-0142**

Hand written letter, Mark Shemet, 255 Turnpike Road, Jaffrey, NH 03452: concerned about frost action on pipe

**20150831-0143**

Hand written letter, William C. Blumer, 244 Pine Hill Road, Conway, MA 01341: opposing

**20150831-0144**

Hand written letter, Olivia B. Blumer, 244 Pine Hill Road, Conway, MA 01341: opposing

**20150831-0145**

Hand written letter, ? Blumer, 244 Pine Hill Road, Conway, MA 01341: opposing

**20150831-0146**

Hand written letter, Olivia B. Blumer, 244 Pine Hill Road, Conway, MA 01341: opposing

**20150831-0147**

Hand written letter, William C. Blumer, 244 Pine Hill Road, Conway, MA 01341: opposing

**20150831-0148**

Hand written letter, Lignori, 143 Clesson Brook Rd, Charlemont, MA 01339: opposing

**20150831-0149**

Hand written letter, Jeremy Lignori, 143 Clesson Brook Rd, Charlemont, MA 01339: opposing

**20150831-0150**

Hand written letter, Olivia B. Blumer, 244 Pine Hill Road, Conway, MA 01341: opposing

**20150831-0153**

Hand written letter, Lignori, 143 Clesson Brook Rd, Charlemont, MA 01339: opposing

**20150831-0154**

Hand written letter, Esme Lignori, 143 Clesson Brook Rd, Charlemont, MA 01339: opposing

**20150831-0155**

Hand written letter, Lignori, 143 Clesson Brook Rd, Charlemont, MA 01339: opposing

**20150831-0156**

*{NOTE: 53 hand written cards from 21 different persons expressing various concerns }  
{about the NED project. Each card mailed separately but all bundled into this one entry}*

Ann M. Howard, Matson Rd, New Ipswich, NH 03071

Nathan Somero, 45 Temple Rd, New Ipswich, NH

Kim Somero, 45 Temple Rd, New Ipswich, NH 03071

Kim Somero, 45 Temple Rd, New Ipswich, NH 03071

Nathan Somero, 45 Temple Rd, New Ipswich, NH

Kimberly Somero, 45 Temple Rd, New Ipswich, NH 03071

Priscilla E. Casey, PO Box 36, 157 Stowell Rd, New Ipswich, NH 03071

Nathan Somero, 45 Temple Rd, New Ipswich, NH

Kim Somero, 45 Temple Rd, New Ipswich, NH 03071

Nathan Somero, 45 Temple Rd, New Ipswich, NH

Ann M. Howard, Matson Rd, New Ipswich, NH 03071

Celia A. Koski, 450 River Rd, New Ipswich, NH 03071  
Ann M. Howard, Matson Rd, New Ipswich, NH 03071  
Kim Somero, 45 Temple Rd, New Ipswich, NH 03071  
Nicholas Grasso, 103 Green Farm Rd, New Ipswich, NH 03071  
Kim Somero, 45 Temple Rd, New Ipswich, NH 03071  
Kim Somero, 45 Temple Rd, New Ipswich, NH 03071  
Celia A. Koski, 450 River Rd, New Ipswich, NH 03071  
Ann Howard, Matson Rd, New Ipswich, NH 03071  
Ann M. Howard, Matson Rd, New Ipswich, NH 03071  
Nathan Somero, 45 Temple Rd, New Ipswich, NH  
Sheila M. Rutledge-Nuttall, 201 Binney Hill Road, New Ipswich, NH  
John Leoutsacos, 79 Mountain View Drive, Temple, NH 03084  
Ann M. Howard, Matson Rd, New Ipswich, NH 03071  
Victor Sherburda, 73 Livingston Rd, Greenville, NH 03048  
Ann M. Howard, Matson Rd, New Ipswich, NH 03071  
Edward Walters, 35 Old Country Rd, New Ipswich, NH 03071  
Carolyn Cormier, Green Farm Rd, New Ipswich, NH  
Jared Cormier, Green Farm Rd, New Ipswich, NH  
Ann M. Howard, Matson Rd, New Ipswich, NH 03071  
Kathryn Walters, 35 Old Country Rd, New Ipswich, NH 03071  
Priscilla E. Casey, PO Box 36, 157 Stowell Rd, New Ipswich, NH 03071  
Carolyn Cormier, Green Farm Rd, New Ipswich, NH  
Jared Cormier, Green Farm Rd, New Ipswich, NH  
Ann M. Howard, Matson Rd, New Ipswich, NH 03071  
Ann M. Howard, Matson Rd, New Ipswich, NH 03071  
Carolyn Cormier, Green Farm Rd, New Ipswich, NH  
Dale M. Hallowell, 58 Temple Road, PO Box 377, Greenville, NH 03048  
Catherine S. Waitt, 369 Page Hill Road, New Ipswich, NH 03071  
Dale M. Hallowell, 58 Temple Road, PO Box 377, Greenville, NH 03048  
A. M. Howard, Matson Rd, New Ipswich, NH 03071  
Victoria S. Hallowell, 58 Temple Road, PO Box 377, Greenville, NH 03048  
Victoria S. Hallowell, 58 Temple Road, PO Box 377, Greenville, NH 03048  
Hair of the Dog Farm, 161 Ashburnham Rd, New Ipswich, NH 03071  
Sheila M. Rutledge-Nuttall, 201 Binney Hill Road, New Ipswich, NH  
Victor Sherburda, 73 Livingston Rd, Greenville, NH 03048  
Catherine S. Waitt, 369 Page Hill Road, New Ipswich, NH 03071  
Catherine S. Waitt, 369 Page Hill Road, New Ipswich, NH 03071  
Lisa Derby Oden, 6 Upper Pratt Pond Rd, New Ipswich, NH 03071  
Andrew Finlayson, 167 Heald Road, Wilton, NH  
Lesley Finlayson, 167 Heald Road, Wilton, NH 03086

Lesley Finlayson, 167 Heald Road, Wilton, NH  
Andrew Finlayson, 167 Heald Road, Wilton, NH

**20150831-4013**

Kimberly D. Bose/ Secretary  
Federal Energy Regulatory Commission  
888 First Street NE/ Room 1A  
Washington/ DC 20216

6/29/15

Re: Docket No. PF14-22/ TGP Northeast Energy Direct

Dear Secretary Bose:

First, I'd like to ask that FERC extend the comment period and reschedule scoping meetings given KM (Kinder Morgan) has just released a second resource report for an entirely newly designed project. And, to hold these meetings in locations convenient to impacted stakeholders.

From an impacted landowners' point of view, my comments tonight address my experience of the FERC process. My hope is to convey that it is designed to be in the public's inconvenience and is not for our necessity.

In February of 2014, I received a letter from KM (Kinder Morgan) requesting to survey my land. I did not receive any details from them otherwise until they invited me to open houses a year later. Fortunately, my community came together and educated itself on the NED project. We asked KM to do a presentation in our town. Many of us were left with unanswered questions. I attended 5 open houses and on questions like health and safety was shuffle around the room to different experts only in the end to still not have my questions answered.

What I have learned is that;

- My property value may be depreciated
- Some mortgage contracts do not allow explosives on lien lands
- I may be held liable for fires or accidents from pipeline explosion
- KM plans to only compensate me \$1,800
- I'll continue to pay taxes on the easement
- I can't use the easement for growing trees anymore
- And I may have to finance this pipeline with a tariff on my utility bill

All in all, my one and only asset, and the home I built with my own 2 hands, is rendered worthless. I'll have to abandon it because of health and safety issues ... penniless.

On the other hand KM hugely benefits from gas sales in Europe. It won't even cost them to build the pipeline and FERC has provided them every necessity needed to meet their permit and construction deadlines. I suppose that is because your institution is financed by gas permit fees.

Natural Gas is not a bridge fuel to renewables. The gas industry will exploit our entire US gas resources over the next 10 years for profit if FERC permits it! Natural gas is the gas industry's drug to riches and FERC is their enabler.

It is not in our national interest to support this boom and bust business. Our future generations need this gas here in the US. So I ask tonight that you please do your job by evaluating the true public necessities and conveniences and please ... stop enabling this industry to, in the end, frack us all.

Thank you for this consideration.

Polly Ryan,

11 Windsor Avenue,  
Plainfield MA

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Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20216

6/28/15

Re: Docket No. PF14-22, TGP Northeast Energy Direct

Dear Secretary Bose:

First, I'd like to reiterate too that I feel these scoping hearings are being conducted prematurely, especially in light of Kinder Morgan (KM) having only just released their second 6500 page resource report that still has over 10,000 To Be Determined (TBD) in it. My experience to date, as a directly impacted landowner on the proposed path, is that I have been continually either not, under or misinformed of projects' details, making it very hard to comment effectively this evening on the scope of the Environmental Impact Study (EIS). Please know that I have attended 5 of KMs' open houses, 2 of their presentations and! I've read the first resource report and still don't have answers to questions that concern me.

In terms of the scope of this EIS, I'd like you to please conduct an objective study, meaning one not funded by the gas industry! using established reproducible scientific methods to determine the cumulative methane emissions that the entire US gas industry will produce over the next ten years and determine the impact of these emissions on global warming. To evaluate this properly, you'd have to first determine the amount of natural gas available for extraction in the shale regions and then how much of it is anticipated to be drilled over this ten year period. Clearly! one can assume that the extracted gas's inevitable destination will be in our atmosphere regardless of whether those emissions occur in Europe.

The reason I am requesting this research is because scientist have determined that methane is 84 times more potent a greenhouse gas than carbon dioxide over a 20 year span (1). And according to the Union of Concerned Scientist who published the Climate Deception Dossiers, there has been "a coordinated campaign underwritten by the world's major fossil fuel companies and their allies to spread climate misinformation and block climate action" (1). I'm also requesting that this study get peer reviewed and then published so we can see the data. And, until it's available to us, I suggest a moratorium on all new FERC gas infrastructure permits.

While the moratorium is in effect, the gas industry should be required to do repairs to existing infrastructure so there no more gas is lost in transmission. According to the Environmental Defense Fund enough natural gas is lost each year to fuel 6 million homes. This is the equivalent annual emissions of 117 million cars or roughly half the cars in the United States (2).

It's time for YOU to reveal the truth on this subject before we are all FERC'ing fracked.

Thank you for this consideration.

Polly Ryan,  
11 Windsor Avenue,  
Plainfield MA

1) Kathy Mulvey, Seth Shulman. July 2015. The Climate Deception Dossiers; Internal Fossil Fuel Industry Memos Reveal Decades of Corporate Disinformation. Pages 1-56. [http://www.ucsusa.org/global\\_warming#.VbbF8vIViko](http://www.ucsusa.org/global_warming#.VbbF8vIViko)

2) Anna Geismar. July 2015. Methane Research: The 16 Study Series an unprecedented look at methane from the natural gas system fact sheet. Pages 1-4.

[http://www.edf.org/sites/default/files/methane\\_studies\\_fact\\_sheet.pdf](http://www.edf.org/sites/default/files/methane_studies_fact_sheet.pdf)

“Climate Change is the mother of all battles. If we don’t win this one, all the others may not really matter.”(NRDC -President Rhea Suh)

Like you and everyone in this room, I want to keep this country strong, keep our economy sound and give our children a future full of promise and opportunity. That is precisely why we need to begin to address climate change now.

The job growth rate in the solar sector is 20x faster than the overall job growth rate (2014). Every 2.8 minutes another rooftop solar home project was completed. US now has the equivalent of six nuclear power plants worth of solar capacity installed. Solar is an increasingly important part of combatting dependence on fossil fuels. ). People want to take actions like these. Renewables unfortunately do not enjoy the same subsidy level of support from our government.

Shell oil has gotten permission to drill in the Chukchi Sea of the Arctic. Approval has been granted for drilling for oil off the East Coast,

The Keystone pipeline is still being constructed despite the controversy over the toxic and expensive tars sands oil it would carry.

The insurance industry knows that climate change is real. Their premiums on property have gone up to reflect their assessments of increased risks. Our Nation Defense planners know that climate change poses dramatic threats to our way of life, even our very existence in the future. Climate scientists world-wide, including the IPCC of the United Nations publishes reports on their collected data showing trends that become ever more frightening to read.

Lies and doubt are sewed by scientists whose research and words are paid for by BP, Chevron, Peabody Energy, Conoco Phillips, Exxon Mobile, Shell, The Koch Brothers, The American Petroleum Institute and probably Kinder -Morgan and others who specialize in fossil fuel infrastructure.

Citizens like myself are not won over by their misleading tidbits meant to keep us from taking action. The actions we clearly need to take IMMEDIATELY as a society in crisis as we are are to replace our use of fossil fuels with renewable energy, renewable infrastructure and conservative living practices not based on excessive consumption.

The Environment is global. What we do here, affects the entire planet. Half of the industrial carbon emissions have been released since 1988. That trend needs to shift and fast. This Tennessee Natural Gas Pipeline is exactly the type of project we MUST abandon and replace with investments instead in renewable infrastructure. The extraction, distribution and combustion of natural gas result in the leakage of methane. Ton for ton, Methane is 87x more potent a climate heating gas than CO2 during

Ton for ton, Methane is 87x more potent a climate heating gas than CO2 during the initial 20 year period after release. Thereafter, the potency declines

Obama Administration has announced a plant to start cutting rampant methane pollution from the nation’s oil and gas operations with a goal of making as much as a 45% cut over the next ten years.

Instead of doubling down on natural gas to replace coal and meet our growing electricity demand, we should prioritize investments in renewable energy and energy efficiency. (UCS Jeff Deyette) The extraction, transportation and burning of fossil fuels has numerous collateral damages that have been measured and studied.

1.The water cycle is one of the first casualties of human produced climate change. Fossil fuels all rely heavily on water in order to be produced. Increased moisture content in the air leading to increasingly heavy down pours during rain events and “Freak storms” are increasingly common. There has been a 71% increase in severe precipitation events in New England. These storms lead to property damage, crop destruction, and loss of life. Simultaneously, increased temperatures lead to droughts and severe fire seasons. Growing of traditional crops that we have come to rely on becomes increasingly difficult as we hit unpredictable extreme weather coupled with new patterns of insects and plant diseases as the climate changes. Ironically, Fossil fuels all rely heavily on water in order to be produced

2. Ocean acidification leads to ocean death as ecosystems collapse. Higher ocean temperatures lead to increased storm destructiveness. A large majority of land glaciers are in dramatic retreat. Some of the world's largest human populations depend on these glacial waters to feed rivers that they depend on for drinking water and agricultural irrigation. When there is no water, this will create refugees of very large populations. Melting glaciers also raise the sea level and cause low lying areas like New Orleans, New York City, London, and the nations of Bangladesh and Holland to see a dead end in their futures as they will be flooded.

3. Arctic areas have experienced some of the most dramatic warming. The disappearance of sea ice from the Arctic poses threats to the lives of many keystone species such as the Polar Bear and the Walrus. Endangered populations lose their struggle to survive and we now know that we have entered the sixth mass extinction on planet earth! Ocean warming also threatens to alter critical circulation patterns that we all rely on to keep temperatures, weather and ecosystems functioning.

We need to stop building more fossil fuel infrastructure and start building wind, solar, tidal, geothermal, micro hydro and any other sustainable energy system human ingenuity can create for a living world.

**20150831-4015**

*{duplicate of 20150821-4041, see above}*

**20150831-4016**

*{duplicate of 20150821-4038, see above}*

**20150831-5000**

Lenore Gaudet, Northfield, MA.

I am against the Kinder Morgan pipeline in Northeast. It will ruin an entire rural area with farm lands & small quiet historic towns w/mostly volunteer fire departments which will not have the manpower to attack any "failures" in the system. Hundreds of people who own homes within a 200' distance( or even further)from pipeline will not be able to get insurance or sell their homes. KM is a Texas-based BIG oil company, & the gas they will pump is not even staying in Massachusetts, much less in the U.S. This is definitely a matter of money versus quality of life. It is going through conservation land, working farms and small bucolic towns.

The compressor station is being situated in quiet, beautiful Northfield, MA. The roads in this area are very curvy and narrow, & not conducive to much heavy truck traffic. Noise will be a lot louder than a locomotive (no more quiet peaceful and beautiful Northfield), & the off-gassing will waft down into the Conn. River Valley polluting farms, homes, rivers, etc. We also do have seismic activity in this area, & they are planning to go under 2 rivers, the Connecticut & the Deerfield. This is worrisome since being in a rural area, KM will be using thinner pipes and fewer rivets and welds, because they allowed to. This would lead to possible breaks in the pipeline that will cause devastation. Once built this pipeline will absolutely ruin a beautiful part of our state & the tourism that comes to this area, & is definitely not necessary to Massachusetts.

**20150831-5001**

Sherry Peaslee, New Ipswich, NH.

55 Green Farm Road

New Ipswich, NH 03071

sherry.peaslee@gmail.com

August 24, 2015

Kimberly D. Bose, Secretary

Federal Energy Regulatory Commission

888 First Street, N.E.

Washington, DC 20426

Re: Tennessee Gas Pipeline Company, L.L.C., Docket NO. PF14-22-000, Northeast Energy Direct Project

Dear Kimberly D. Bose, Secretary:

I am writing this letter to express my opposition to the Northeast Energy Direct Project (NED). As a resident of the town of New Ipswich, NH, I am vehemently in opposition to the proposed plan to run gas pipeline through the town of New Ipswich as well as the proposed compressor station that will be within a mile of our home. I would like the Federal Energy Regulatory Commission (FERC) to truly consider the need for this pipeline carefully before writing Kinder Morgan a blank check to destroy the beauty and serenity of our town.

I can't imagine any person would look at the information available and come to any other conclusion that this pipeline is most certainly not needed. I ask that you take seriously the concerns and opposition of the many residents in the towns where this proposed pipeline will be run through. Our livelihood, quality of life, our homes and families are all being unnecessarily put at risk for the sole purpose of the pursuit of profit.

Sincerely,

Sherry Peaslee

### **20150831-5003**

Sulli Sullivan, New Ipswich, NH.

Jane Goodall stated: "We are interconnected, people, animals, our environment. When nature suffers, we suffer. When nature flourished, we all flourish".

What Kinder Morgan/TN Gas Pipeline Company/NED want to do is make nature suffer. What Kinder Morgan/TN Gas Pipeline/NED want to do is make the people of New Hampshire suffer.

In my opinion the installation of the pipeline & compressor station in southern New Hampshire is akin to a rape. Our country side, water ways, including our rivers, streams, ponds, brooks, aqua-filters and drinking water is going to be subjected to a rape by the Tennessee Gas Pipeline Co/Kinder Morgan/NED with FERC's approval. The compressor station in the

towns of New Ipswich & Temple, New Hampshire will forever change our rural way of life.

This pipeline/compressor station is not needed. This pipeline/compressor station is not wanted in the State of New Hampshire. This pipeline/compressor station is not wanted by the people of New Ipswich and Temple.

I was at the scoping meeting in Nashua, NH. I was at the scoping meeting in Milford, NH.

In Nashua about 28 elected officials spoke. Not one of these elected officials wanted this pipeline/compressor station. Of about 45 private individuals who spoke there were only about 4 union members who wanted this pipeline/compressor station. That left about 41 private individuals who were against the pipeline/compressor station.

In Milford not one person who spoke, not one elected official of the 28 elected officials who spoke was in favor of this pipeline/compressor station. Not one of the 43 private individuals who spoke was in favor of this pipeline/compressor station. There was not a pro pipeline/compressor station person in sight.

If FERC is truly listening to the people of New Hampshire there is nothing to do but deny this application from Kinder Morgan/TN Gas Pipeline Company/NED.

If FERC is in the "pockets" of Kinder Morgan/TN Gas Pipeline Company/NED there is nothing FERC can do but approve this application.

So me that FERC is an independent commission. Show the people of New Hampshire that FERC is an independent commission. Show me that FERC HAS been listening to the people of New Hampshire. Show me that FERC HAS been listening to the elected officials of New Hampshire. DENY this application for a pipeline/compressor station to Kinder Morgan/TN Gas Pipeline Company/NED.

Thank you.

**20150831-5004**

Paul D Bush, New Ipswich, NH.

I wanted to register my opposition to the Kinder Morgan/Tennessee Gas pipeline plan for southern New Hampshire. This choice is based more on the region's residents' inability to match the wealth and power of Massachusetts residents, rather than on a logical route for the pipeline.

This route has been chosen to take advantage of a more conservative, less organized local population instead of based on construction considerations. FERC should not facilitate this sort of decision making: FERC's duty is to all Americans, without consideration of their wealth, status or organizational abilities.

I am troubled by reports that 80% of the pipeline's gas would be bound for foreign markets. If true, it means that any energy benefits are secondary to Kinder Morgan/Tennessee Gas's profits. I question whether a federal agency, FERC, should serve a corporation's interests to the detriment of 15 or more communities in New Hampshire.

Furthermore, I believe that if the percentage of gas that is bound for domestic consumption will benefit primarily residents in Massachusetts, then that state should bear the burden of the delivery system. That is only fair.

If FERC decides that this pipeline provides such a benefit to the American people and their nation that it is essential, then it should be routed in the most direct manner possible. Yes, Kinder Morgan/Tennessee Gas would have to deal with angry Massachusetts citizens, but that is not a matter that should factor into FERC's decision making. FERC's duties should be to the American people and not to easing the pain of Kinder Morgan/Tennessee Gas.

Paul Bush  
202 Poor Farm Rd.  
New Ipswich NH 03071  
bushpd@franklinpierce.edu

**20150831-5005**

Ara Lynn, New Ipswich, NH.  
Pipeline Depth in Monadnock Region

Is frost line taken into consideration when determining the depth at which the pipeline is buried? If so, then the pipeline in the Monadnock Region of southern New Hampshire needs to be buried 4', not 3' below ground, because that is where our frost line is. Given the large variability in our soils—ranging from bed-rock close to or at the surface, extensive granite, glacial rock and gravel deposits, and areas with a great deal of clay—there is great deal of irregular ground movement during our seasonal freezing and thawing cycles.

**20150831-5006**

Ara Lynn, New Ipswich, NH.  
Unanticipated Consequences of following Power Lines

I see no wisdom in allowing a high-volume, high pressure gas line to be sited in the proximity of high voltage power lines. In the event of a pipeline failure leading to fire and/or explosion, our disaster will be greatly compounded by the proximity of the power lines. Few roads, unimproved roads, difficult terrain, will seriously hinder the ability of emergency units to respond. Interruption of the electric service will not only affect the local area of the accident, but also the entire region serviced by the power lines.

**20150831-5007**

Ara Lynn, New Ipswich, NH.

Use land already in eminent domain for pipeline route

Please send this pipeline down the median of a highway which is much more direct than the proposed meandering route. There are SO MANY ADVANTAGES to doing so. There is already a public right of way there, you are not disrupting the lives and homes of countless people and businesses and wildlife areas. There is easy access for construction, maintenance, and emergency crews. The soils have already been disturbed for building the highway, you are not making new disturbances to wildlife movement routes, you're destroying any vernal pools, people are used to the higher noise levels, so sounds of things like the compressor stations won't be as disturbing to the area. People have a choice of detouring on other roads if they don't like the idea of driving along a pipeline route. You have easy ability to monitor the route with cameras if you want—in fact the cameras can monitor both traffic movement and pipeline issues.

**20150831-5008**

Ara Lynn, New Ipswich, NH.

Who's going to pay for the environmental degradation we are going to suffer because of the pipeline?

This pipeline has absolutely NO BENEFIT to the vast majority of the communities it is affecting. Our soils and waters will be polluted with leakage of toxic chemicals used in extracting the shale gas. Our air and soils and water will be polluted by the blowdown events from the compressor stations. We didn't ask for this, and we don't deserve to suffer this. Presently our air is clean, our water is pure and mostly unpolluted, and certainly it is not polluted by carcinogenic chemicals. Kinder Morgan wants to come through and change all that for us just for corporate profits. The supposed tax benefit to our town is paltry compared to the extra medical expenses we will incur and the damages to our natural resources. Who is going to replace our water? Who is going to give the wildlife access to clean water and clean air? You cannot run my farm on bottled water. Or even tankers full of water. To try would be to expend humongous extra expenses in energy, shipping, manpower, my personal hassle--it boggles my mind. Who is going to pay for it? Who is going to pay the extra medical expenses or compensate families for early dying of people whose health is damaged by Kinder Morgan pollution? We are going to be shafted by this corporation, and we don't deserve it.

There is no price tag attached to air and water, but these things are invaluable, priceless. So Kinder Morgan has no incentive to take care of these things, unless you force them. The supposed tax benefits won't even compensate our towns for the extra infrastructure and maintenance we will need for our roads, nor the extra emergency services we will need to prepare for a pipeline-caused disaster.

**20150831-5009**

Ara Lynn, New Ipswich, NH.

This Project is not eligible for eminent domain!

When land was taken by eminent domain for the highways, everyone could use the highway. When land was taken by eminent domain for the power lines, everyone had access to electricity. In fact, I know people still living in this area who remember these takings, and who were personally affected by them. But there was a clear public benefit, even for the people whose land was taken. THIS taking of land has no public benefit, and it is giving a double whammy to landowners who already had land taken for the power lines. There is no feasible way for the people in the affected communities to have access to and be able to benefit from the use of the natural gas. Even the people through whose land the pipeline runs cannot tap into it to use it. It is NOT for the good of the public. This gas is mostly destined for export, a very few cities, and the benefit is mostly to one corporation. That is NOT the American way, and as representatives of our government, please do not allow this gross misuse of eminent domain laws.

**20150831-5010**

Ara Lynn, New Ipswich, NH.

Air Pollution, Important, Please Act, don't Average Blowdown Event emissions!

Please change FERC's way of dealing with pollution from compressor station blowdown events. It is not the averages over time that matter to the people on the ground. It is the high concentrations of toxins that come with each event. These high concentrations from each single event affect people's (and wildlife's) health and well-being. Previously, we had ZERO exposure. When the compressor station operates, we deserve to continue to have zero exposure. Make sure they install the technology necessary to prevent our exposure to air and water pollution, not by averages, but by highest peaks of individual events. Make them install noise cancellation technology so our stress levels and well-being are not affected by the sounds of the compressor station in our quiet rural environment.

Many of us chose to live here (I did 30 years ago) because we didn't want to live in a noisy, polluted environment. What right does Kinder Morgan have to come in here and mess that up for us? They are not going to compensate us because we are not in the direct route so our land will not be taken on the books. But my land WILL be polluted by fallout from the compressor station blowdown events. My air will be polluted, and the water source for the entire town of Greenville will be polluted. Who is going to fix their water problem? Who is going to fix their and my compressor-station-caused health problems? Kinder Morgan is going to walk away from this and we are going to be stuck with life-changing degradation, expense, and hassle. Please don't let this happen.

**20150831-5011**

Ara Lynn, New Ipswich, NH.

Prevent the pipeline from degrading our environment

Some neighbors say they will move. But our land values in New Ipswich have already tumbled. How could we even sell—home buyers are being advised to stay away from New Ipswich because of the pipeline and compressor station. My property is worth less than it was before Kinder Morgan proposed this pipeline route. I've spent 30 years of my life building this farm and business, and my husband is too old to get a comparable job elsewhere, and yet we are too young to retire. We are stuck with this mess. What is Kinder Morgan doing to help us? Nothing. What can you do to help us? Deny them the pipeline permit. If you must give them a permit, require them to build a state-of-the-art containment building and use state-of-the-art noise cancellation technology so that corporation is not causing degradation of and pollution to our air, water, and environment.

**20150831-5012**

Ara Lynn, New Ipswich, NH.

Noise Issues!

When I am in my favorite part of my woods, I can stand there and hear quiet. BUT, I can also faintly hear ordinary vehicle road sounds from Route 124, which is one and one-half miles away. That is how quiet it is in our area. If the fire horn blasts downtown, I can hear that from my house, which is not as quiet as my woods. My house is 3-1/2 miles away from the fire station. My house is also 3-1/2 miles away from the site of the compressor station. I do NOT want to be hearing that noise. Please require Kinder Morgan to build a building that dampens the sound so much that it does not disturb neighbors and other people in town like myself. Make them use noise cancellation technology, if necessary. They owe it to us, to the elementary school(s!) within earshot, and to the convent. They owe it to the wildlife they are going to be imposing their project on. They owe it to my chickens that get so frightened by loud sudden noises that they fly into a pile in a corner of the barn and smother to death. WE WERE HERE FIRST!!!

**20150831-5015**

John Leoutsacos, Temple, NH.

New Hampshire's unique values and Viewsheds, draw several thousand tourists to the southern part of the state annually. In particular Mount Monadnock ( the most hiked mountain in North America) "Wikipedia". This will also irreparably harm the towns of Temple, New Ipswich and Greenville beyond any factor of possible mitigation.

**20150831-5017**

Heather Burgett, Santa Monica, CA.

I wasn't aware of this, but my mother in Northfield informed me of the following gas pipeline plans..."Kindermorgan is putting in a compressor station up on the mountain behind our house which is louder than a locomotive and will vent gasses from the process that will waft over the whole valley, and a gas pipe line through Northfield, Deerfield, under the CT River, and the Deerfield River. It's so discouraging because Kindermorgan is a Texas based big oil company and the gas that they are pumping is not even staying in the United States. Along the pipeline they are clearing a 100' easement that will be treated with something like Roundup in perpetuity. This line is going through conservation land, through areas near Old Deerfield that have Indian relics that they are just being allowed to dig up, through existing working farms (Clarkdale and others). Once the line is in, people within 200' of the line will not be able to get insurance, so not able to sell their homes."

Northfield is my hometown and where I went to Northfield Mount Hermon School (preparatory school). Currently, I run my own PR firm in Los Angeles, CA. I am adamantly opposed to a project like this running through this region, which is so pristine, quiet and clean. All around, this sounds like a negative impact for the local residents and environment. I hope that a project like this will never be completed. But if it ends up in effect, what compensation will be made to the local towns and cities that are disrupted, polluted and potentially destroyed by this project, especially if an accident happens? Northfield has volunteer fire fighters, so if there ever were an accident, the town would not be equipped to handle it.

This does not sound like a company or project that is taking into consideration the human and environmental impact.

**20150831-5018**

John Leoutsacos, Temple, NH.

How could a federal law pertaining to Eminent Domain be perverted to the point that big corporations can steal land from the citizens of this country with little to no repercussion?

**20150831-5019**

Marilynn Acker Ezell, Temple, NH.

I feel a great certainty that the building of a gas pipeline and a compressor station in my neighborhood will reduce the value of my property. Whenever I mention to anybody where my house is relative to the proposed pipeline, they offer their sympathy. I have heard Allen Fore of Kinder Morgan say that property values do not diminish due to the location of a nearby pipeline/compressor station. Well, if they really believe this, then let them buy my house and all the houses on my street. Because no one will want to live here if this plan goes through. Surely they would be able to sell the houses at a profit! Not!! So my 32 year investment in my house and yard, constantly trying to improve it, will be worth a fraction of what it would have been worth if this had remained a quiet rural neighborhood. People don't move to live in a little town like Temple, NH, looking for noise and pollution. They move here because they like peace and the health benefits of living in such a place are important to them.

Tina Miller, Ashfield, MA.

My husband, Seth Miller and I have just built a brand new home in Ashfield, Ma. We own land that is adjacent to high tension lines and is now a spot of consideration for the gas pipeline. The address is 300 Ashfield Mountain Road.

We have been approached by Kinder Morgan numerous times in regards to doing a survey of our land, etc. We have not allowed Kinder Morgan or anyone else on our land. We were then called about 8 months ago from another Kinder Morgan representative who told us the pipeline will be coming in and it will be on our land. When we were approached Kinder Morgan didn't even know we had a house on the land they thought it was just woods, they aren't using current maps and made plans to put a pipe line in just feet away from our home because they aren't using up to date maps. Shame on them ! There is also a Vernal Pool right where the pipeline will be going through where frogs and spotted lizards and other animals live. They are going through a beautiful pond that will be gone. The overall terrain Kinder Morgan needs to go through for this pipeline near our house is ledge, hills and overall impossible to get through. We have NO idea how they would even accomplish this.

When we did some measurements, we determined that the pipeline will be only feet away from our home. Our NEW home we just built, that my husband built all by himself for our family and kids to grow up in and we are now faced with the fact that our small children will be playing RIGHT next to an enormous gas pipeline !

Kinder Morgan has told us there is nothing we can do about our land, that if we want to fight them we have to go to court. We are very concerned over the risk of having a gas pipeline this close to our house.

In order to put the gas pipeline in, Kinder Morgan needs to cut down almost all of the trees we have kept up to not only hide the powerlines for our house view but they are trees on OUR land that WE saved !!! The value of our home is going to go down tremendously if there is a clear sight line to high tension lines AND a gas pipeline on our land.

I have spoken to a lawyer and he is very concerned over what this could do to our property value and the health of our family overall.

I feel like NO ONE in government is supporting us, I feel like this is all about making money, not about what the citizens want. We moved to Ashfield, MA to live in the country, to be safe, and to live in a NEW beautiful home on a nice piece of land we cleared and made our own.

Kinder Morgan has not only made moving into this new home stressful, they have made it depressing and fearful. We keep thinking we made a horrible choice to build here and we can NOT believe no one is standing behind all of us that this is effecting.

I can only hope that government makes the right decision for all of us hard working citizens for once. The people who work hard and have worked hard to build homes, to work on these farms, to protect the land and environment.

Does Kinder Morgan have any idea how much they will have to blast if they try to put this pipeline along the mountain. We could barely get a drive way in we had to blast so much ledge.

All of the above has done numbers on my health and stress levels. I am scared to death of what the future means to us if this happens. We will have all we worked so hard for taken away from us and I would EXPECT if Kinder Morgan gets their way, we will be WELL compensating for all our pain and loss.

Kinder Morgan told us they would start in 2017 and be working on the area for months. That is MONTHS we would have strangers, machinery, dynamite for blasting and who knows what else on OUR land using our driveway, interrupting OUR lives so they can win and get this gas pipeline in and make the money they want. We have SMALL children who nap during the day, I work from home. We can not have all this noise and disturbance. It's not fair, it's not right and we need someone to help us and stand behind us. Please think this through and do the right thing for all of us directly affected by this pipeline. The pipeline will be on

OUR LAND !!!! but not help us AT ALL.... it makes no sense and at some point in life, there has to be some fairness and respect to us as land owners. How can we buy land, PAY for it with OUR money, build OUR house on it, then get told by the government that THEY can take some of it without our permission and just put a gas pipeline on it and while at it, cut down thousands of trees on our land that we want to keep. You mine as well buy our house and the rest of our land too so we can rebuild and start a new life away from all of this ! How bad would that be if we had to do that ? It took my husband 3 years to clear land and build our home and you guys wouldn't even blink about taking all of that away from us.

We also know the neighbors on the other side of the powerlines are willing to sell and have the gas pipeline on their side of the lines, Why hasn't Kinder Morgan considered this for us. It would still be close but at least it wouldn't be on our land and feet away and they wouldn't have to cut down our trees.

I would love to be contacted directly by someone at FERC, I have felt left out and in the dark of what is going on even though we go to all the meetings and read all the letters. I can be reached at 413-628-3813.

Thank you for your time

### **20150831-5022**

Marilynn Acker Ezell, Temple, NH.

I am very concerned about the noise that will be emitted by a compressor station built in my quiet neighborhood if this project is approved. I wrote to Kinder Morgan on a website they set up for the purpose of communication between themselves and "stakeholders" a month and a half ago. This is what I asked them: "How much noise is allowed to be emitted by a compressor station? How is the noise measurement weighted: A or C weighting? Can you please explain how average noise is figured out? Is it over a 24 hour period starting at midnight or some other time frame? What measures do you take to reduce noise pollution? What are the consequences of exceeding noise limits?" I have gotten no answer and not even an acknowledgment that I asked a question. So much for their desire to communicate. I want to know because I am trying to establish a baseline for the amount of sound in the neighborhood. I know they were trying to do this also, because I saw 2 pieces of sound detection equipment that were placed down the road from my house. Well, I don't trust them to do this honestly, so I would like to measure the sound myself, but need to know what the standard is for taking these measurements. I can tell you that Temple, NH is a very quiet place and everyone I know wants it stay this way.

### **20150831-5024**

Edward and Jeanne Dery, Fitzwilliam, MA.

FERC – Docket #PF14-22-000

To Whom It May Concern:

We ask that you DENY the Northeast Energy Direct Project (FERC Docket no. PF14-22-000) proposed by Kinder Morgan and the Tennessee Gas Pipeline Company, LLC.

We strongly oppose any pipeline crossing our property in Fitzwilliam, NH and will fight our land being taken by eminent domain. We have been married for forty-nine years and worked hard all of our lives to get to the point that we could build the log cabin that my husband had wanted from the time he was a young boy. In late 2007 we found an amazing piece of land that filled our dreams of living in a rural area that would allow us a view of Mount Monadnock. This eighty-four acres of land is separated by two sets of power lines, and although that seemed a drawback we realized that it was an acceptable tradeoff to give us open trails, wetlands and four seasons of beauty. Putting a large gas pipeline along side of the power lines is unacceptable in every way!

From the first time we walked our land we talked about how wonderful it would be if the wind that blows along the power lines could be put to use for energy. We never in a million years expected that anyone would propose blasting through our large areas of granite that run along the power lines to put in a pipeline carrying fracked gas that could destroy the natural aquifers, vernal pools and acres of wetlands that are close

to the proposed route.

Allowing this NED project to go through will affect our future use of our land, and will have a negative impact on the vegetation and wildlife we enjoy daily. It will destroy the natural life we worked so hard to build for our family. Instead of building an oversized and unnecessary pipeline we ask that you direct the current pipeline owners in New England to repair all the leaking gas lines. It is time for the carriers of gas to be responsible for all the gas they generate. No route is acceptable for this pipeline that will carry dirty fracked gas through an area that will never benefit from the taking of land. It is past time for FERC to stop the theft of our future generation's health. Clean energy such as wind and solar will make our future generations healthier and happier.

Jeanne and Edward Dery  
164 Gap Mountain Road  
PO Box 343  
Fitzwilliam, NH 03447

**20150831-5027**

Suzanne McClure, Castleton, NY.

We strongly oppose construction of the gas pipeline. With oil filled rail cars and a pollution emitting cement plant in the vicinity, we do not need another polluter to cause further health problems.

**20150831-5028**

Bob Schuman, Nassau, NY.

I would like to take this opportunity to add further to my previous comments regarding the proposed North-east Energy Direct Project.

By now it should be abundantly evident that the residents in the Town of Nassau and the surrounding communities in Rensselaer County are strongly opposed to the project due to the project's assured negative impact to the environment.

As a resident of Clarks Chapel Road in Nassau, I am extremely concerned about the proposed 90,000 horsepower compressor station that is to be located within 1/2 mile of my house. Of the 1400+ compressor stations in the United States, the proposed station would be one of the 10 largest in the nation. The countless negative impacts to our home and the families that live within the 1/2 mile "Impact Area" will cause permanent harm and likely result in forcing us to uproot our family.

The impacts that are already well documented in the 1400 current compressor station locations include noise, air, light and water pollution. Most of these stations are an order of magnitude smaller and still have negative impacts. It's hard to imagine how significant the impact will be from a 10 acre, 90,000 horsepower station.

Such a station, if at all necessary, should be placed in an commercially zoned area, not a residential area such as ours.

My initial request to FERC to reject the proposed project outright. The nation already has 300,000 miles of pipeline and 1400 compressor stations, which should be more than sufficient to transport natural gas throughout the nation.

If FERC deems the pipeline necessary, then at a minimum I request that the location of the proposed compressor stations along the pipeline be in areas properly zoned for such industrial factories, not in rural communities such as Clarks Chapel Road in Nassau.

Thank you for the opportunity to voice my opinion.

Bob Schuman  
Nassau, NY

"Grass, not gas!"

**20150831-5032**

Marilynn Acker Ezell, Temple, NH.

I don't want Kinder Morgan/TPG to do blasting to build a compressor station in New Ipswich, uphill from my house. They could completely change the quality and quantity of water flowing down to my well. My well has been tested numerous times and the water has always been exceptionally pure. No wonder this watershed was chosen to serve the public water supply for the town of Greenville, NH as well as all the private wells in the area and the Temple Elementary School. There is no public water supply in the town of Temple, so if my well were to become fouled or less productive, it would not be practical to live here. What would Kinder Morgan do for me and the town of Greenville and the school and all the neighbors then?

Blasting in this area not only has the potential to release radon and other naturally occurring substances, but also could disturb the lead sitting on the land just to the south of the proposed compressor station site in New Ipswich. This site was previously a sporting clays shooting range. Apparently it considered a brown-field, but if it is left undisturbed, then the lead is not finding its way into the water. Blasting could ruin everything!

**20150831-5035**

David Brule, Erving, MA.

August 28, 2015

Docket No. PF14-22-000

TO: Federal Energy Regulatory Commission

FROM: **Erving Conservation Commission (MA 01344)**

RE: Docket No. PF14-22-000 Comments on Kinder Morgan NED Pipeline Project

Attn: Kimberly D. Bose, Secretary

Dear Ms. Bose and members of the Federal Energy Regulatory Commission,

The Erving Conservation Commission wishes to state its concerns regarding the potential siting and potential impacts of the K-M pipeline on the Town of Erving.

First and foremost, as we are sure has been reiterated to your Commission, the lack of clear information forthcoming to the public and to the Conservation Commissions of the Commonwealth from the Tennessee Gas Pipeline Co, LLC render a listing of concise concerns very difficult. This strategy on the part of the project proponent is very unusual and clearly quite unfair and unjust. This deliberate lack of transparency in providing details to our citizen volunteers is very disturbing.

What we do know is that if and when the pipeline project does enter the Town of Erving:

1. It will necessarily enter Erving by crossing beneath the Millers River from the Montague side. This will inevitably affect the riverbank, land under the waterway, the riverfront zone of two hundred feet, and the zones of estimated Habitats of Rare and Endangered Species, interests which we are sworn to protect.
2. It will follow a high tension line corridor, requiring an additional two hundred feet of clear-cutting, producing a large-scale additional negative visual impact on our Town, as well as providing a corridor for invasive species along this clear-cut swath. The proximity to the power lines is of great concern to the Conservation Commission, due to potential accidents and subsequent releases of heavy metals and substances detrimental to our air quality.
3. It will require blasting through a bedrock volcanic metamorphic ridgeline and thereby affecting the hydrology of the highlands, from which flow significant springs and sources of groundwater that provide drinking water to the Town. We therefore have significant concerns for the geology and impacted hydrology of our upland drinking water resources.

The necessary drilling and blasting, and subsequent shock waves could produce disastrous effects along this ridge line route. This effect did occur in the 60s and 70s when blasting for the Northfield Pumped Stor-

age Project caused landslides and rockslides along the fault lines near the mouth of the Millers River. There could also be significant impacts on home foundations in the center part of Erving due to this blasting.

Vernal pools and waters contributing to our local freshwater fisheries will be impacted by the required blasting, not to mention the potential effects of heavy metals and chlorinated solvents associated with the pipeline.

Given the lack of information provided us, that is: no specific hydrological maps, no specific drilling and blasting depths, no information on locations of fault lines and fractures, no information on what water-bearing lines will be impacted and how water flowing to home wells will be impacted,(etc.) we Conservation Commissioners are operating in the dark.

4. In summation, this project will cause significant negative impacts on the above-mentioned resources of vegetation and wildlife, plus impacts on the interests that we are appointed to oversee and protect, to wit:

--public and private water supplies

--ground water supplies

--prevention of pollution

--fisheries

--wildlife habitat.

All of which make it imperative that your Commission give our comments your utmost attention.

In our eyes, the deliberate ambiguity of the information provided to volunteer citizen commissions such as ours, extant under Massachusetts General Laws, renders the task of our Commission in protecting the interests of the Town in this matter extremely difficult.

Please accept the above comments for your consideration in the preparation of your EIS.

Sincerely,

David Brule, Erving Conservation Commission Chairman

## **20150831-5036**

Gregory Blais, New Ipswich, NH.

We, Carol & Greg Blais & Family are homeowners living on a 42 acre lot which the proposed NED pipeline would cross. Our home is located within 350 feet of the proposed pipeline path. Approximately 1/4 mile of the proposed route runs right through the middle of our lot, and splits it in two. This would render our property of very little value. We are concerned that the planned construction will be disruptive and adversely impact our quality of life.

Of primary concern is contamination or damage to our well, which is our only source of water. There are considerable amounts of ledge where the proposed pipeline would cross our property, making it necessary to blast or drill.

Another concern is for the wetland and natural springs located on our property. I am also worried about contamination of the aquifers in the area.

We are concerned about the blasting & drilling activity impacting our foundation and septic system. Our foundation has some minor cracks in it already and we believe the construction will only make it worse. This could cause structural damage to our house & further reduce the value of our property.

We have a disabled (autistic) son living with us and we suspect that the proposed construction, noise, and contamination of the air, ground and water will be very disruptive to him. The use of herbicides as proposed for maintenance activities of the pipeline route.

We have children in college and high school and believe this project will be disruptive to their studies. We also were relying on our property value to increase to provide us with the means to send our younger children to college.

Not only is this project of no benefit to NH or America, it is of no benefit to the citizens affected along the path of this pipeline. We ask the FERC to consider the impacts on lives of us citizens and disapprove the NED pipeline project.

**20150831-5039**

Charlotte Kahn, Ipswich, MA.  
Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room IA  
Washington, DC 20426

Re: FERC docket number PF14-22-000

August 29, 2015

Dear Ms. Bose:

I am writing to oppose Kinder Morgan's proposed natural gas pipeline through Massachusetts' Ipswich River Watershed for the following reasons:

**ENVIRONMENTAL AND PUBLIC HEALTH RISKS :** The proposed pipeline would cross the Ipswich River and Ipswich River Watershed, the source of drinking water for 350,000 local residents and the employees and customers of local businesses, and water needed to irrigate farms and sustain wildlife habitat.

Kinder Morgan's website states that "a pipeline incident, although rare, can be serious." Emergencies listed include "an event with the potential to cause harm to the public, property, or the environment" such as "a damaged pipeline, a fire or explosion near or directly involving a pipeline, a natural disaster affecting the pipeline such as an earthquake, flood, or landslide, a leaking pipeline, dangerous, unusual, or suspicious activity around the pipeline." In the event of an emergency, the website instructs those nearby to "turn off running vehicle engines; do not drive away or operate electrical devices; leave the area immediately, on foot and in an upwind direction."

According to the Pipeline Hazardous Materials Safety Administration, a branch of the US Department of Transportation, in 2012 there were more than 80 explosions and fires along high-pressure pipelines carrying gas from production areas to distribution hubs. Smaller pipelines carrying gas to residential and commercial customers accounted for 71 incidents, nine fatalities and 21 injuries. Eastern Massachusetts is heavily populated and depends on fragile and priceless environmental assets for its quality of life and economic prosperity. Rapid evacuation is not feasible.

Moreover, methane is a greenhouse gas more powerful than carbon dioxide. Leaks and venting occur. Hydraulic fracturing requires millions of gallons of pressurized water for each well drilled, and water contaminated with hundreds of chemicals is then pressure-pumped underground or left in surface pools. Governor Cuomo formally banned the hydraulic fracturing in New York, citing "insufficient scientific evidence" to assure the public's health. Pennsylvania is the main source of proposed additional gas and the public's safety from there to here is not assured.

**OVER-RELIANCE:** Massachusetts already depends on natural gas for almost 60% of its electricity generation. Alternatives exist. On June 9th of this year, Germany generated more than 50% of its electricity from solar energy. In 2014, Denmark produced almost 40% of its electricity from wind power. Massachusetts currently generates just 3% of its the electricity from solar energy. Other options should be assessed as a way to diversify electricity generation before subjecting Massachusetts residents to massive pipeline infrastructure construction and overreliance on natural gas that leaves us vulnerable to shocks from extreme weather, accidents, price spikes, breaks in supply and terrorism.

**HIDDEN AND UNKNOWN COSTS:** A January 2014 letter from the New England States Committee on Electricity to the head of ISO New England promises "recovery of the net cost of any such procurement of firm pipeline capacity" through a tariff, or tax, on customers. Before approving this and other proposed

pipelines, Massachusetts residents should be given the time necessary to assess whether a tariff on natural gas is a better way to achieve our economic goals pricing carbon and letting all energy markets respond.

**MORE TIME NEEDED FOR REVIEW AND ASSESSMENT:** Morgan Kinder insists the additional gas carried by the proposed pipeline will be used domestically, Canada's Downeast LNG, "an LNG export project with the nearest access to the stranded northeast Marcellus gas reserves" explains that "a natural gas pipeline will connect the facility to the existing Maritimes and Northeast Pipeline."

Residents deserve more details and more time to weigh the case being made for local need before FERC allows this proposal to proceed. On July 6th, Massachusetts Attorney General Maura Healy announced a comprehensive assessment due in mid-October that will evaluate "all potentially available energy resource options to meet reliability needs, including natural gas (both natural gas pipelines and LNG), oil, hydro imports, energy efficiency, demand response, and renewables" through 2030. It includes an assessment of costs and benefits, including "the price impacts of each option." Massachusetts residents deserve the time needed for completion of that study and for a thorough review of its findings.

Based on these documented concerns, I oppose Kinder Morgan's preliminary proposal in its current form and request an extension of public comment to at least the end of the 2015 to allow for more thorough assessment.

Thank you for your consideration.

#### **20150831-5041**

Steven D Sirois, Salem, NH.

I OPPOSE this project, in particular, the "Haverhill Lateral", for many reasons.

I believe this lateral is NOT needed in this area. We already have three high pressure lines that run into Haverhill, MA; a 10in and 12in line run from Dracut, MA through Methuen, MA, through Salem, NH and into Haverhill, MA Those lines are maintained by Tennessee Gas. There is also a 36in line that runs from Nova Scotia, through Maine, into Dracut, MA which is maintained by Maritime East.

The reason why I believe this line/lateral is NOT needed is that back in 2013 there was a proposal to build a gas-to-electric generating plant in Methuen, MA and there was sufficient gas in the 36 inch line at that time to supply this facility to run this generator. Now the lateral that is proposed would remove the 10in line and replace it with a 20in line that is not going all the way into Haverhill, but is, in fact, stopping in Methuen. This line does NOT benefit any of the communities that are directly affected by its construction. It does, however, cause major disruption of neighborhoods, eco-systems, wetlands, conservation land and direct homeowner properties. The company has never fully addressed why the Route 213 option wasn't viable to be used, they just say "It isn't viable". Also, if the main line from Pennsylvania is to go into the Dracut area for more gas, why can't they just connect the 36 inch line that already runs to Dracut from Nova Scotia then reverse the flow and have the gas flow from Dracut to Haverhill. I do realize that Tennessee Gas and Maritime East are two separate companies, but it seems that if the need was really there, there would be collaboration between the two, rather than a competitive situation to get their share market value. Kinder Morgan has been less than forthcoming in their explanations to any of the property owners adjacent to the existing easement. They have suggested they need the line to supply Bay State Gas in Lawrence, MA and National Grid in Haverhill. But in order to supply both companies, the new line would have to directly cross paths with the 36in existing line, so why can't these companies just purchase their gas from Mass Maritime.

On a personal note, the proposed expansion would directly affect my home and family. I realize that the existing line and easement runs through my property. If the proposal is approved, there would be a 20in high pressure line closer than 30 feet to where I sleep. Right now, the easement is 2ft from my garage and have been told by Kinder Morgan that a larger easement would be needed to put in the new line. If that is the case, my driveway, garage and front entrance to my home would be impacted. The new line would basically run THROUGH MY HOME. I would like Kinder Morgan to fully address or answer the questions that I have. Below I have listed a summary of my concerns:

I would like full explanation as to why this lateral is needed instead of just suggesting that “more gas is needed”.

Why is a 20in line and a 12in line stopping in Methuen, MA and then continuing on with the same smaller lines (the 10in and 12in) with no usable customers in between.

Why isn't it viable to use the Route 213 corridor, rather than disrupt properties and neighborhoods.

Why can't they reverse the flow of the existing 36in line that is already in place.

The choice for running a high pressure line through multiple neighborhoods is detrimental, so why aren't suggested alternative routes being considered.

Why was the route changed from the original proposal. The old route, although it did cross my backyard, the impact was less and did not take away part of my home.

They have told us that a larger easement is needed, but have not disclosed the size or placement. Do I as a homeowner have any input of the path that is crossing my property.

Have they considered that my property, which is located on a dead end street, has a lake at one end and an elementary school at the other, both will be negatively affected.

Where does this leave me, as a directly affected homeowner. Will Kinder Morgan disclose their exact route to me before they are granted approval by FERC. My home may be taken, my family's life disrupted and forever changed.

One of their representatives had stated that the need was to generate more electricity. This gas goes NO WHERE NEAR any gas generating powerplants. So again, why the need.

I hope FERC will DENY the proposed Kinder Morgan/Tennessee pipeline lateral. As I stated before, the community will be severely and negatively impacted and does not have any positive effects with this project. The only gain is for Kinder Morgan to gain a marketing edge over Mass Maritime. It is apparent that their proposal is not about the need for more gas in this area, but rather who is selling it and at what profit.

#### **20150831-5044**

Judith Allen, West Hartford, CT.

PF14-22

Comments regarding The Tennessee Gas Company Northeast Energy Direct project.

In CT we are mandated by statute to reduce our GHG emission to 80% below 2001 levels by 2050. Any expansion of natural gas capacity will work against attaining these levels. NED is designed to be used for decades. CT needs to move rapidly to renewable energy sources.

How will the NED project affect CT's mandate for reduction of GHG? Does the project intend to meet with the Governor's Council on Climate Change who are charged to create a plan to achieve this mandate?

Information regarding NED on Kinder Morgan website claims increasing use of renewables will increase our need for natural gas. This is based on antiquated reasoning that the sun doesn't shine at night and the wind doesn't always blow. Renewable technology has solved these problems through use of batteries, tidal wave technology, hydro-electricity, etc.

One gas pipeline expansion project has already been approved and is under construction. Two other projects are currently under consideration, the Atlantic Bridge Project, and the Access Northeast project, proposed by Spectra Gas.

How will the NED project affect these other projects? How will the accumulative impacts be calculated with multiple pipeline projects? If just one project approved, how will decision be made? How can it be determined one project has more or less environmental impact than others? Before any one project can be approved, a determination of other projects needs to be made to calculate the true impacts of one or some of the proposed projects.

This project is also based on a supposed need for additional gas capacity during peak electricity use times, citing recent winters as examples when additional gas supply could have made a difference. In CT, CL&P, Now Eversource, asked for and received permission to increase a flat rate to all customers based on the reduced use of electricity due to energy efficiency measures, customer conservation, and the installation of solar PV systems. Clearly these measures are working.

Also on Kinder Morgan's website is a link to an economic analysis regarding investments in renewables vs. natural gas. It makes clear extraction of natural gas contaminates ground water, increases seismic activity, and unavoidably releasing methane

On the Kinder Morgan website is estimated savings to customers of \$2.98 billion per year. Using Kinder Morgan's statistics for whole sale power costs during the winter months of Dec. through March over a consecutive 4 winters including the winter of 2013/14 the average costs to consumers was \$2.8 per year. Yet the proposed project claims to save \$2.98 billion per year. How is that possible?

The NED project description includes an estimate of 3,000 jobs, 50% expected to be local. One economic estimate is based on a worker making \$65 hr and working 60 hrs per week. What kind of worker would earn \$65 hr? Does 60 hr work week include 20 hrs overtime? What specific jobs would be needed, how many, at what pay? At a scoping meeting in New Britain, CT there were many labor unions present and made the point that their union members are trained in environmental mitigation. How many jobs would this need employ and at what pay? How many of those jobs would be local.

The NRDC makes the point that sound policies must be in place to ensure that natural gas is not used to replace renewables and will not displace investments in energy efficiency and renewable energy sources and infrastructure.

But NED would do just that. At a public information meeting I asked a project representative about investment in renewable energy infrastructure. He responded no public monies would be used in construction of the pipeline. The will recoup costs from the companies who contract for use of natural gas. Eventually costs get passed on to customers in the form of higher rates or surcharges.

It is my understanding NED construction will be primarily in existing right-of-way and both old and new will create the incremental supply needed. Does old pipeline have ability for new pigging technology? Is this safety feature part of NED project. What measures will be used to ensure old pipe does not create an environmental hazard?

Maps for the proposed route cross MDC property in Hartford County, CT. At scoping meeting a representative of MDC pointed out their land containing area's drinking water and has special classification requiring additional environmental regulation. Will the public be made aware of what measures have been designed to protect drinking water?

This project would requires removal of trees. Regardless of where those trees are removed, it takes 20, 30, even 40 years to grow a mature tree. How will NED truly accept their need to restore an area to its original environmental balance.

This project would serve to create more confusion in the minds of consumers who are already bombarded with industry ads about the safety, environmentally friendly, low cost, future of natural gas. These ads are blatantly untrue. Science has unquestionably told us that we must stop using fossil fuels, we must do it now, and we must ensure that any reserves of gas, coal, or oil stay in the ground

When an industry portrays false information as fact, and NED is designed to further this industry, then NED is designed on false information. It is untrue, at least in CT, that the demand for electricity is rising. It is untrue that the rise of renewable energy means we will need more natural gas. It doesn't even make sense. Renewables are not natural gas. Increasing renewables means decreasing use of non-renewables. Natural gas is a non-renewable. It's really quite simple, we need less natural gas, not more.

**20150831-5048**

Gilda Guttman, Londonderry, NH.

The NED Kinder-Morgan pipeline is not beneficial to NH's population or environment. The proposed pipeline crosses the Merrimack Rive multiple times and will run through numerous residential neighborhoods.

The proposed path through Londonderry, NH goes through areas of granite ledge which will require blasting in order to place the pipes below ground. This blasting will be taking place less than 100 yards away from people's front yards.

Any small pipeline problem will endanger the nearby homes and residents. Our property is on a dead end street. The residents of this road have no way of getting safely away from a pipeline accident, as it will cross the only access road we have. The value of our property is also diminished as it would become unsalable - we are living within the danger radius pipeline.

I have recently returned from a trip to the Berkshires. There is no support for a pipeline running through the farmlands and conservation areas of Western Massachusetts, either. How poorly planned, how short-sighted. Especially since the gas would go to the highest bidders - and probably would end up far away from New England's shores.

We don't want this pipeline in our neighborhoods!

**20150831-5049**

Charleen, Londonderry, NH.

This poorly designed pipeline plan crossed our Merrimack River 4 times, runs through conservation lands and worst of all, goes through residential neighborhoods.

WE live on Granite ledge. Can't get through this without blasting. This will be happening less than 300 feet from our homes. Safe? I don't think so....

Certainly not beneficial to our property values. Who wants to buy a house that falls within the blast zone of a high-pressure gas pipeline.

Run through our rivers, across our orchards, through our neighborhoods -- run through the best of NH?  
NEVER!!

**20150831-5051**

Aldene M Fredenburg, West Swanzey, NH.

I am writing to oppose the proposed pipeline through parts of Winchester and Richmond, NH.

The pipeline will run very close to homes in an area of Richmond – in one instance within 10 feet of one house – disrupting many lives, and will cut through a stream that runs through the property. It will disrupt privately preserved habitats of wild turkeys, deer, moose, bears, foxes, coyotes, and a wide array of birds. Herbicides used to maintain the pipeline, possibly including Roundup, have been implicated in the killing of bees and in gluten sensitivity in humans that leads to an array of serious medical symptoms. The herbicides will end up in the land and the groundwater.

With any pipeline, the question is not if it will leak, but when. Part of the plan is to run the pipeline, which will transport thousands of gallons of volatile natural gas, along the route of high-tension electrical lines. What could possibly go wrong?

I have friends who live 500 yards from the proposed pipeline. They have made all the right decisions, living frugally and acting as responsible stewards of their land. Their lives and the lives of their neighbors will be horribly disrupted by this pipeline. They are in their sixties and live in modest homes with paid-off mortgages. When this neighborhood is torn to bits, how are they supposed to start over at their age?

There is something violent and arrogant about a pipeline blasting through this quiet rural area at the behest

of profit-making corporations. It seems to be the norm that corporations are allowed to do whatever they want and ordinary citizens are expected to just step aside, no matter how much suffering the corporations' actions cause.

There is no guarantee that the natural gas will lower heating costs in New England; more likely, the gas will be loaded onto ships near Dracut, MA, and shipped to Europe as an incentive for Western countries to support sanctions against Russia. If so, our quiet, pristine area will be sacrificed for politics.

Unacceptable!

## **20150831-5053**

Curtis Felix, Wellfleet, MA.

I was provided a copy of "The Trustees", comments and concur entirely with their assessment of the negative impacts of the current siting proposal. The Trustees carefully lay out exactly why a project such as this, in the year 2015 should never be sited in virgin or green locations with so many other alternatives. They carefully document the externalities but it is up to FERC to make sure they are properly monetized and included in the analysis of alternatives. There are sufficient gray and black corridors that eliminate the preponderance of these externalities are not adequately presented in the current application. Some of these unrepresented alternatives could surely meet:

- 1) The public necessity
- 2) The needs of the applicant
- 3) The needs of the public and private companies
- 4) And minimize the externalities:
  - a. Public takings
  - b. Wildlife impacts
  - c. Water shed impacts
  - d. View shed impacts
  - e. Ecosystem impacts
  - f. Wetland impacts
  - g. River system impacts

Given existing gray corridors such as Route 2, the Mass Turnpike and other thoroughly and previously excavated and constructed corridors, there are easy siting opportunities that eliminate most of the negative impacts, reduce cost to the applicant, reduce cost to society and produce a superior, win-win outcome for the public. More importantly forcing the externalities on New Hampshire, when the lion share of benefits accrue to Massachusetts and the proponent would be irresponsible.

As FERC is well aware, Massachusetts needs expanded natural gas supplies for potentially re-powering, Pilgrim, Canal, Salem, and the Fall River, Somerset & New Bedford former coal power plants and is the predominant gas consumer that will benefit from this supply expansion. While significant fuel switching plans have been investigated by the various utilities, over the decades, a routing of the Kinder Morgan pipeline further north away from these consumers, makes it more difficult and expensive to get large volumes of gas to the major gas consuming centers. It could also delay for decades, additional access to natural gas for large numbers of residential consumers in the region for home heating as a cheaper and cleaner alternative to oil. FERC is well aware of expansion constraints in densely populated areas of Eastern Massachusetts, Cape Cod and the Islands. As you know there is a current moratorium on new gas hook-ups on Cape Cod due to a lack of capacity, notwithstanding on-going upgrades and current attempts to improve capacity. A major policy re-think is critical for both FERC and Massachusetts:

- 1) Metro Boston is the gas sink (the Nova Scotia/New Brunswick proposals were to help relieve winter extreme conditions and those low pressure/peak problems continue to persist)
- 2) Powerplant sites are likely to and should remain the focus for power production since they are already

brown sites and were constructed because they have a unique collection of critical attributes such access to cooling water, transmission interconnect, existing brownfield site, distance from residential locations, fuel supply access to the facility, fuel storage, grid support etc.

3) Repowering with domestic natural gas is a win-win-win

4) A NED pipeline route on the Mass Pike or Route 2 has huge advantages for Massachusetts, FERC and the Applicant:

- a. Revenue for right away access
- b. Better location for high pressure supply to needed areas such as the power plant sites, Boston and Cape Cod

5) Using Mass Pike or Route 2 has huge advantages for NED

- a. Known previously excavated soil types and structures along existing grey corridor
- b. Far fewer entities for right of way negotiation and eminent domain takings
- c. Use of existing grey land rather than proposed NH siting in unknown soil structures (granite, wetlands, river crossing, heavy rock formations) with tremendous local opposition and public land takings by eminent domain

FERC should reject the proposed Northern route due to its inherently large negative externalities, eminent domain requirements, hugely negative private property impacts, negative watershed, riverine, wild life and ecosystem impacts and request the Applicant to pursue siting proposals that minimize the cost including externalities.

The current proposal is a deleterious infrastructure placement which will force the applicant to resort to export markets for the gas due to less access for domestic consumption and superior nature of trade opportunities that are provided for the proposed siting. This would be a terrible domestic energy and environmental policy outcome for the United States! New gas pipeline siting on Route 6 on Cape Cod and substantial wastewater infrastructure on Route 6 in Provincetown are some Massachusetts examples. Placing the NED pipeline on the Mass Pike or Route 2 is an ideal solution compared with all other alternatives. While the Eversource/PSNH right of way may appear attractive to the applicant due to a greater degree of control of land for its proposed siting, and perhaps due to internal financial considerations, the full impact of external costs of public takings and environmental impacts are not considered in private financial analyses.

It is FERC's responsibility to fully monetize these externalities so they are considered within the siting alternatives analysis. The proposed NH routes require major excavation through uncharacterized virgin soils, granite structures, wetlands and sensitive wildlife habitats. Construction in known previously excavated locations like the Pike, Route 2 and 128 provides lower risk, lower cost, lower environmental impact and greater certainty to the project and greater benefits to the public. The public highways should be more available for these kinds of projects and a more positive public/private structure created to enhance the public/private cooperation necessary for these projects and to reduce the unnecessary impact on private citizens, private property and the environment.

Reject.

## **20150831-5055**

Julia Steed Mawson, Pelham, NH.  
FERC Comment: August 30, 2015

Norman C. Bay, Chair  
Federal Energy Regulatory Commission  
888 First St. NE  
Washington, DC 20426

Dear Dr. Bay, (re docket PF14-22-000)

I am opposed to the Kinder Morgan (NED) for-profit, export pipeline on grounds related to the moral questions of placing NH communities at risk with no benefit to them.

I am an abutter, a shore-owner, who also lives on Little Island Pond in Pelham NH (which is less than 2,000 feet from the proposed pipeline), and a citizen, concerned not just about my property, but that of my neighbors across southern NH and the region. In my situation, should a pipeline explosion and fire occur in the heavily wooded areas of my property, the fire would burn to the lake, consume the homes that surround this area, destroy the conservation land near it and severely compromise the water quality of the lake and wetlands that are part of this aquatic system. And this can be repeated anywhere to the west of me in our rural treasures of southern NH where valves could be even further apart, which means longer times where local firefighters will be told to “stand down” for at least an hour until the 10 to 20 miles of gas in 30” – 36” pipe burns off.

We all know that there is an enormous push to sell fracked gas from the Marcellus shale fields. And that means big money in exports. As a result, development can occur rapidly without adequate oversight and real research into the long-term unintended consequences that follow. Simply put, risk is related to probability. Increase the number of pipelines being built, increase the risk. Add to the mix that Kinder Morgan has a poor track record concerning safety.

Pipeline failures and the catastrophes that follow are on the rise and current research illustrates that pipes are leaking in every community and have for many years. These pipelines and related structures cannot, and have not been monitored/repared well enough because of the lack of “boots on the ground” (and will) in towns, states and regions, to do so. This is of particular concern in NH where our state resources are slim and state agencies are heroically doing double duty work. Building more pipelines makes no sense where there is other work to be done to rectify these problems and safety concerns. It makes no sense and it is a social justice issue in NH where we are just being sacrificed for someone else’s profit. Deny this pipeline.

Sincerely,

Julia Steed Mawson  
17 South Shore Dr.  
Pelham, NH 03076  
603-315-4642

cc: Governor Hassan  
Congresswoman Kuster  
Senator Shaheen  
Senator Ayotte  
Rep Estavez  
Rep Takesian  
Rep Smith  
Rep Christiansen  
Rep Haefer  
Rep Jasper  
Rep R. Ober  
Rep L. Ober  
Rep Rice  
Rep Schleien  
Rep Ulery  
Senator Morse  
Counselors Wheeler, Kenney, Van Ostern, Sununu, Pappas

**20150831-5056**

Bonnie Karkowski, Windsor, CT.

To FERC

Re: NE Energy Direct Project's Tennessee Gas Pipeline in CT

As a customer of MDC, I share their concerns regarding the violation of Class I & II lands. The value of clean, safe drinking water far exceeds the need for this pipeline. Water, for which there is no substitute, is essential for human life. There are other alternatives for energy.

If the pipeline is a danger to MDC's water sources, then it is also a danger to other water sources, particularly aquifers beneath other portions of the pipeline's path. As a resident of Windsor, I am concerned about the water quality for all those using well water, particularly those in the NW corner of our town where expansion of the pipeline is proposed. My elderly mother lives in that area and relies on well water.

Aside from water issues, I have grave concerns about safety with a pipeline carrying that much fuel. It will also require a tremendous increase in fracking in order to keep the gas flowing through the pipeline. The fracking process is destroying our environment and should be stopped, not encouraged.

Please rethink this project!

**20150831-5057**

Heather Long, Temple, NH.

As someone who is located within a half mile of the proposed compression station in New Ipswich, we are strongly opposed to the entire pipeline project. Like many others in New Hampshire, we moved here for the peace and quiet, clean water and air, and healthy environment New Hampshire provides. However, with the pipeline and compression stations possibly invading our lands, we will no longer have the quiet we so love. Instead, we will hear the constant noise generated by the compression station. The sounds of the birds and frogs will be drowned out by the loud rumble of a compression station. What is even more concerning however, is the environmental effects the compression station will cause. Not only do we live very close to the proposed site, but our town's elementary school is located within a quarter of a mile of the proposed site. What effects will this have on our children? Will it be discovered 20 years from now that there is an increased rate in cancer in our children all due to this compression station? What will this do to our water and air quality? I for one do not want my children to have to live with lifelong effects from this project. Any profit a large company is expected to make does not outweigh the lives of our children!

The project will also devalue many of our homes in New Hampshire. Because of this, the small quintessential town of Temple will no longer be. The dynamics of so many of these small rural towns we have grown to love will change drastically. No longer will we be the quaint town we love but instead will be home to many vacant homes, lower income families and businesses. Who else will want to live in our town once the compression station is built?

Finally, what will happen to our homes if there was a possible explosion to the station? As a small town, we are not prepared for this kind of disaster to our town. We could lose our homes or even worse, people's lives to a major disaster this compression station could cause. Since this will be an unmanned station, I feel something could very easily go undetected until it is too late. Our insurance rates will increase due to this treat and who will help us with these costs?

Until more is known about the possible effects this station will cause to our quintessential town as well as many other towns in New Hampshire, I, like so many others in New Hampshire, am strongly opposed to the building of the pipeline and compression stations in New Hampshire!

**20150831-5058**

toby tousley, keene, NH.

I am in favor of this project. It will bring much needed energy relieve to NH. It will also allow manufactur-

ing a chance to come back to the area.

**20150831-5059**

James Brokenshire Moody (home owner), Richmond, NH.

Kimberly D. Bose, Secretary

Federal Energy Regulatory Commission

888 First Street, NE, Room 1A

Washington, DC 20426

Docket#PF14-22-000

August 27, 2015

Dear Secretary Bose,

I am writing to state that I do not want a pipeline in my back yard – it is sacred ground! No doubt your office has received many letters stating similar concerns. I'm certain you understand the technical reasons a high pressure gas pipeline should not be built within yards of a home as is the case in our situation – our family is within the blast zone should an explosion occur. Since we're rural the pipe itself is thinner than in a more populated area. You know the facts.

It is critically important our message be heard, understood, and taken into consideration to stop the pipeline from being built on its proposed route & across our property. My great grandfather, U.S. Navy Commander Rev. John J. Brokenshire, purchased our homestead we call Hillside over 100 years ago. He served in WW I in the U.S. Navy as a Chaplain with a long and distinguished naval career. All of his sons enlisted in the U.S. Military and served in WW II; Captain Douglas Brokenshire U.S. Navy (he served on the U.S.S. Sicily) and Gordon Brokenshire, his wife & daughter. All are buried just yards from the proposed pipeline path. The land they rest on is certain to be destroyed. Our memorial to Lieutenant Commander Dr. Hebert Cecil Brokenshire U.S.N.R. is at risk of being decimated by this pipeline. Brokenshire Hospital in Davao City, the Philippines is named after Hebert who stayed behind to help the U.S. war effort & the people of the Philippines after the Japanese invaded on December, 8th 1941. He became a POW, forced to trek in the Bataan Death March, and died on a Japanese 'Hell Ship' serving his country. He received the Purple Heart and other medals from the DOD as did his brothers. \*\*\*We owe it to these men of valor to respect their resting places.\*\*\*

I visited the WWII Memorial in Washington DC this week while dropping off my daughter who will be a freshman at George Washington University. I have great respect for how our country honors our war heroes. We have war heroes on this property and I respectfully request our land be not be ravaged by corporate interests. Our community really needs you as a voice of our government to step up to stop this misguided corporate interest – who does not care about our heritage.

Hillside is being passed down to its fourth generation now and is in a trust to stay in our family.

We care for our land and the environment. A Pipeline means many archers of our land will be clear cut and dug up – permanently. It means disruption to Owl habitat, blasting will put at risk our wells, destruction of tree lines will mean pesticides will be sprayed and end up in our water and food. Stone walls & cellar holes from the 1700's - the birth of our nation - will be completely destroyed. This is not just open land – it is your heritage and my families.

We are all stewards of this land; we must demand this pipeline not be allowed to pass through our sacred ground!

Sincerely,

James Brokenshire Moody (home owner), Vice President MBA HealthGroup

119 Sandy Pond Road, Richmond, NH 03470, 603-239-4838, jimboody@gmail.com

**20150831-5060**

Timothy Parsons, Cheshire, CT.

Dear Secretary Bose,

I am writing in regards to Docket number PF14-22, Kinder Morgan's Northeast Energy Direct (NED) project.

In the environmental impact statement, FERC needs to take into account the increased amount of methane emissions that this large project will pour into our atmosphere. Earlier this month the EPA proposed new standards to reduce methane emissions by 45% over the next 10 years. The EPA recognizes that methane is a potent global greenhouse gas, far worse than carbon dioxide at trapping heat in the atmosphere. The NED project will make those reductions in methane emissions impossible, and will cause irreparable harm to our climate.

Furthermore, these shale gas expansion projects are segmented into two, the Connecticut Expansion and NED. FERC must acknowledge that this is the case, and admit that the environmental harm caused by these two projects is cumulative. They are not separate projects, and FERC has been guilty of illegal segmentation in the recent past.

The potential harm to water has been raised by the Hartford MDC, the municipal corporation responsible for providing clean water to 400,000 people in the Hartford area. In a June 26 letter to FERC, MDC Chief Executive Officer Scott Jellison wrote "to express some concern that the proposed pipeline could potentially impact MDC's public drinking water supplies in West Hartford and Bloomfield, CT." FERC must address the concerns of MDC and the public about the impact of pipeline construction and operation on drinking water.

FERC should take into account the frequency of pipeline leaks and explosions, and factor in the costs to local communities, who bear a burden when environmental harm from pipeline accidents occur. According to the Pipeline Hazardous and Safety Material Administration, leaks and explosions are not uncommon and have increased in frequency in recent years.

Thanks for your consideration,

Timothy Parsons, MD

**20150831-5061**

Marlene Znoy, Conway, MA.

Dear FERC Commissioners:

I am a resident of Conway Ma and am fully against the proposed Tennessee Gas Pipeline, NED project, FERC Docket No. PF14-22-000.

I have lived in Conway for 28 years. This community gave our daughter her educational start in life at its fine, community-involved grammar school. We swim in the South River down the hill during the summer, and when I walk my dog, within a thousand feet of my house I pass protected farm land. Less than two miles down the road, fishermen are often seen in waders fishing the Deerfield River. On Sundays people come from all over to tube that portion of the river down to Stillwater in Deerfield. Hunters arrive in the fall going after abundant turkey and deer. Five months a year, we get our share of food from a community-supported farm that I can walk to. This horse-powered farm is worked by a young farm family using sustainable agricultural methods out of respect for and to preserve the land. I myself commute to work 20 miles away in a hybrid car. We heat partially with wood, and all over the area solar panels are going up on people's homes. I know people whose heating and cooling needs are met by using geothermal energy. We do not have access to natural gas nor will we if this pipeline containing fracked gas is allowed to pass through our farm land and conserved land, animal habitats and waterways; through what we call our home.

As you are addressing the public need and benefits that this pipeline is required to address, I submit that it does not benefit my town, indeed any of the towns along the route. We, in this area, are apparently way

ahead of Kinder Morgan and the fracked gas industry because in so many ways, we represent the leading edge of the green economy. We are trying in our individual ways to protect our environment. We may not be experts in energy production, but we are not fools. We know what the chemicals are that go into fracking. Conway is slated for a blow-down valve just a couple of miles up the hill. Particulates and methane will surely settle down the hill to the river and our beloved community farm. I will then have to drive a half hour each way to get vegetables that have been trucked in from the south or California (or Mexico!). This makes no sense.

It particularly makes no sense when gas infrastructure and right-of-ways already exist on the southern tier of Massachusetts. Berkshire Gas, a subsidiary of the Spanish company, Iberdrola, is basically holding Berkshire Gas customers hostage with no new or expanded service. Yet, Berkshire Gas will not fix its leaks. Nor will it offer customers conservation alternatives. If there is a need for increased capacity for Massachusetts, why not go the route of upgrading and conserving the transmission that is already in place? Many people feel that the answer is that the fracked gas, in the long run, is actually meant for export. Which in no way benefits the ratepayers in Massachusetts. It is only a corporate shell game to make money for the bottom line and gas industry shareholders. The stakeholders in this pipeline—communities like mine—will be left to pick up the pieces. In fifty years when the pipelines, long since abandoned because the short-sighted fracked gas boomlet has passed, begin to corrode and leak their toxic waste, Kinder Morgan will certainly not be around to fix the problem. (Just recently, we saw out west how a long-abandoned mine lost its toxic sludge to a river.)

And what would we in the northern tier be left with? Despoiled agricultural and conserved land; wetlands and animal habitats disturbed and polluted; pipelines containing toxic chemicals under our rivers; noise, air and light pollution. This pipeline will never benefit us, and in the long run, it will not benefit the Commonwealth of Massachusetts. What would benefit the energy needs of Massachusetts would be Berkshire Gas fixing its current infrastructure and modernizing its transmission. Or adopting liquefied natural gas as an alternative as we move toward a green economy when all the buildings at UMass might use geothermal heating and cooling or solar power on the roofs of their buildings.

I keep wondering, ‘Where is the green economy?’ It’s the only sustainable solution. I’ve come to the conclusion that individuals are more than happy to make sacrifices toward that end. What we in northern Massachusetts are not willing to do, is to make sacrifices that take us backward. It is not a rational position to add more chemicals to an environment that is already ailing from the ignorance of that approach. Just because they can frack, does not mean it is a wise approach to energy needs (see: earthquakes in Oklahoma; polluted watersheds in Pennsylvania). And transporting this gas through pristine land just spreads the damage.

Where is the green economy? Since individuals are willing to go forward, what we need from the government and the regulators is leadership. Please be leaders in this instance. Require Berkshire Gas to end the moratorium, fix the leaks, conserve and offer alternatives. And please: reject this backward-looking pipeline that will have unalterable adverse impacts on our beautiful, precious expanse of the Commonwealth. On my home.

Thank you.

Marlene Znoy  
82 Elmer Rd.  
PO Box 155  
Conway, MA 01341

**20150831-5063**

Diane Hicks, Ashfield, MA.  
August 30, 2015

To Whom It May Concern (FERC),

I am writing to express my distress about the proposed Tennessee Gas pipeline extension that will run through

my town and others like it in Northern Massachusetts and Southern New Hampshire. This pipeline poses a threat to our health, community, businesses, and way of life. Across Massachusetts, the proposed pipeline would run through--or within 200 feet of--148 permanently protected parcels of land including 19 conserved farms, six state forests, five state wildlife management areas, 26 town forests, 10 protected watershed areas, five sections of National Scenic Trails, and 12 land trust properties. Some of the most pristine, sensitive and up-to-now-protected areas in New England are in jeopardy, affecting the quality of life for residents and livelihood of organic farmers. On top of that, residents who have solidly voted against the pipeline, will likely be forced to pay for its construction and suffer its impact via noise, pollution, and potential contamination of ground and well water, etc. As a voter and taxpayer, I expect to have a voice and a choice. This project is benefiting one gas behemoth, Texas-based Kinder Morgan, which plans to export substantial amounts of gas to Europe. The proposed pipeline will not provide a necessary service to residents of this state as only 1.5% of the gas transported via this pipeline will go to Massachusetts residents, while 98.5% will be exported to Europe. Berkshire Gas and the state of Massachusetts could meet needs through efficiency measures and renewables that would save individuals and communities so much in the long run. Since the moratorium Berkshire Gas placed on new and expanded accounts, many residents have already adjusted by supplementing with propane, switching to oil or implementing solar. In short, the need is diminishing already.

The lack of need across the state and potential for other sources of energy should negate the use of Eminent Domain to acquire rights to property. My town, like most towns in Northwestern Massachusetts, doesn't even have the infrastructure to use natural gas. Homes in this area use oil, electric, liquid propane or solar. We have our own septic tanks and wells, meaning that our water can be contaminated when hazardous chemicals are introduced into the ground. Likewise, we get all of our vegetables and most fruits and meat from local farms. This pipeline would run alongside the farm that supplies us with most of our food. Because the farm sits in a depression downwind of a planned blow off vent, it is all too possible for the fracking chemicals released into the air to end up contaminating crops. This is a fully man-powered, organic farm dedicated to nourishing the community with high quality, clean food. Farmers here have dedicated their lives to their businesses and the communities they serve. This area is unique in that it is a thriving rural area, brimming with local businesses that rely on the land.

Residents have solidly voted against the pipeline in every town in this county. We are simply attempting to live our lives and run our businesses without the imposed hardships the pipeline would bring. Please support our efforts and rights as Americans to preserve our businesses, communities and way of life. Please stop Kinder Morgan from exercising Eminent Domain to take land owned by hardworking citizens and parcels that have been protected at great expense for generations.

Sincerely,  
Diane Hicks  
228 Steady Lane  
Ashfield, MA 01330

**20150831-5064**

Ted Walls, Ashfield, MA.  
08/30/2015

To: Federal Energy Regulatory Commission

Regarding the proposed Kinder Morgan gas pipeline through Western Massachusetts and New Hampshire. I live in Ashfield Massachusetts within a mile of the proposed pipeline route. I am writing to urge you not to allow the building of the proposed pipeline. Our area is a thriving rural community home to many successful small businesses, organic farms, and long protected natural areas visited by thousands of tourists each year. As a community we have worked hard to protect this beautiful and environmentally sensitive place where almost every town dates back to Colonial times and most homes and buildings are over one hundred years old. My own house dates back to the 1840's and has been lovingly preserved through the generations. The

water for my house, as is true for most rural homes in Western Massachusetts, comes from a deep well located on my property. Leaks from the pipeline could contaminate our wells and render our homes uninhabitable. Leaks could also contaminate the soil having a devastating impact on our farms. The noise and light from compressor stations will drastically alter the lives of those living near them and have a negative impact on wildlife.

In addition, rural Western Massachusetts has no infrastructure for the use of natural gas so the pipeline would have no benefit for any of our communities. I have read reports stating that only 1.5% of the gas going through the pipeline would be used in Massachusetts or New Hampshire by Berkshire Gas. The rest would be exported to Europe by the Spanish company that recently bought Berkshire Gas. For these reasons, Eminent Domain should not be allowed in this case because the benefit to the greater good is almost nonexistent. All of the towns and counties along the proposed route, with the exception of the town Lee, have voted against it and our state representatives have come out in opposition to its construction.

For all of the above reasons I again urge you to not let this pipeline be built.

Sincerely,

Ted Walls

228 Steady Lane

Ashfield, MA 01330

#### **20150831-5065**

Gregory Blais, New Ipswich, NH.

The NED pipeline project includes no benefit to us or to NH and no investments in infrastructure

- New Ipswich, NH is not on the natural gas grid and there are no plans to provide this service here so we will not receive any benefit from this project. Very few communities in the state, if any, will benefit.
- Most of the gas passing through NH in the proposed NED pipeline will be used outside of NH or exported outside the US.
- NH is a net exporter of electricity so NH will not benefit from any claims of rate reduction from natural gas fired electric plants
- KM has not detailed any plans to make any improvements or invest in infrastructure (roads, schools, first response teams, conservation land, etc.) in the local communities.
- KM has not offered to make restitution for damages due to construction or make any improvements to properties belonging to the public or private citizens impacted by the project.
- No local contractors from the area being hired for this construction project. Any jobs created locally will be temporary.
- Local property values have already declined in the communities surrounding the project and they will continue to do so. Realtors have already reported that clients are not interested in relocated to communities near the NED pipeline.
- KM has already admitted publically that the taxes they would be paying to local communities for the pipeline right of way, metering stations and compressor station will decrease over time. This will shift the tax burden to the towns required to spend more to upgrade infrastructure, first response resources, equipment, etc. Ultimately, us citizens will be footing the bill for this and since we have already experienced declining property values and high taxes, will be leaving these communities. This will result in a downward spiral.
- The NED pipeline is not necessary. There are already other existing projects in the works which will provide NH with lower energy costs such as the Spectra Pipeline and the Northern Pass Project which brings low cost, renewable, hydro-electric power to NH from Canada.

## 20150831-5066

Gregory Blais, New Ipswich, NH.

KM needs to identify what they plan to pay us & the local communities for land if the project gets approved, so the FERC can do a proper cost-benefit assessment.

- I suggest the FERC require that the amount of payment each landowner would receive for exchange of the proposed right of way be provided publicly or perhaps specified in their report to the FERC.
- The FERC should require that the report include the amount of real estate taxes that KM will pay to each community over a specified amount of time, for example, 20 years.
- How is the FERC or us citizens prepared to weigh the benefits of this project without first knowing what the benefits are?

## 20150831-5067

Gregory Blais, New Ipswich, NH.

Kinder Morgan Continues to Expand Its Growing Product Tanker Fleet

It is unlikely that the local communities along the NED pipeline benefit from the prospect of cheap, natural gas. If one goes to Kinder Morgan's official website, it is clear of their intent to export most of this natural gas. The first news article I found there was titled "Kinder Morgan Continues to Expand Its Growing Product Tanker Fleet for the Jones Act Trade" dated .

<http://ir.kindermorgan.com/press-release/all/kinder-morgan-continues-expand-its-growing-product-tanker-fleet-jones-act-trade>

In summary, the article goes on to state the following:

- \$568 Million Transaction Will Boost KMI's Product Tanker Fleet to 16 Ships By Late 2017
- Kinder Morgan, Inc. (NYSE: KMI) today announced it is expanding its growing fleet of Jones Act product tankers and has signed a definitive agreement valued at an all-in price of \$568 million with Philly Tankers LLC to take assignment of contracts for the construction of four, new 50,000-deadweight-ton, Tier II tankers to be constructed at the Aker Philadelphia Shipyard in Philadelphia, Pennsylvania.
- Each LNG-conversion-ready tanker will have a capacity of 337,000 barrels. The vessels will be delivered to Kinder Morgan between November 2016 and November 2017
- Kinder Morgan currently has seven product tankers on the water and five tankers that are in various stages of design and construction at the NASSCO shipyard in San Diego, California, scheduled for delivery between late 2015 and mid-2017.

## 20150831-5068

Dr. Sanjay M. Joshi, Andover, MA.

Dear Federal Energy Regulatory Commission,

We received a request for comment on the Northeast Energy Direct Project, Docket No. PF14-22-000. We are residents and homeowners in Andover, MA, in the Market Path Tail section of the Eastern Portion of the pipeline.

We strongly oppose the construction of this pipeline. Increasing the supply of natural gas to the region will only result in more green-house emitting energy consumption. We are already guilty of global climate change and it shocks us that we are undertaking this bigger project to make the situation worse. Are we focusing too much on profits for large energy corporations and short-term job creation at a time when unemployment is not even a remote threat, and ignoring the disastrous levels of green-house gases? We should strive to reduce our energy footprint instead!

On the other hand, the impact on environment cannot be ignored. The history of energy industry is splattered with environmental disasters, despite their claims of taking utmost precautions. The environmental

balance is already in a delicate unstable equilibrium. Just one accident can ruin the beautiful nature and decades of preservation work by our thoughtful forefathers.

Let us be on the right side of history and focus on the larger good, beyond the costs of energy, which are already lower in the United States than many parts of the world. Please stop the pipeline!

We thank you for the opportunity to voice our opinion.

Dr. Sanjay M. Joshi  
Sumedha S. Joshi

## **20150831-5069**

Mark Silverman and Susan Fields, Conway, MA.

We are writing to FERC regarding the proposed natural gas pipeline through upstate New York, Massachusetts and southern New Hampshire by Tennessee Gas Pipeline and Kinder Morgan.

Though your responsibility is to maintain the energy supply, it is imperative that you consider the true needs of the Northeast and the carnage, both economic and environmental that this pipeline will inflict on the Northeast.

FERC has the reputation, perhaps the track record of rubber stamping proposals such as these. We implore you to review this proposal on its merits, deeply consider the arguments against it and heed the groundswell of opposition concerning it.

There have been fears of potential environmental catastrophe, based on the track record of Kinder Morgan and its disregard for safety, the adage of asking for forgiveness rather than permission. The dangers, as well as past safety compromises by Kinder Morgan, with regard to blow off valves, compressor stations and poor maintenance in general have all been well documented.

However, our greatest concern is of how the consumers of the Northeast would be victimized economically, were this proposal approved. In addition, the extortion by Berkshire Gas regarding a moratorium on new customers or needs is shameless because of the alternatives of repairing leaks in existing pipelines and alternative energy sources. With the documentation showing conclusively that the vast majority of the gas will be going for export, it is unconscionable that rate payers be charged a surcharge for the construction of the pipeline, and that landowners will be forced to give up their property with eminent domain being invoked.

This issue has become the essence of true democracy: impassioned and knowledgeable protest of citizens, towns meetings and elected governmental representatives. Were the need for this pipeline clear and real, these protests could be deemed mere NIMBYism. Instead, the arguments against it are so clear and should be so persuasive to FERC. It is imperative that you use these in making your decision.

Sincerely,

Mark Silverman  
Susan Fields

## **20150831-5070**

Georgette Y. E. Henrich, Dracut, MA.

Dear Federal Energy Regulatory Commission;

My name is Georgette Henrich and I am a resident of Dracut, MA. I am writing to you to express my concerns involving Kinder Morgan's plans to install a high pressure gas line and compression station in my town. The docket number is PF14-22.

As someone who considers herself an environmentalist, the negative ramifications of this gas line and compression station far outweigh the positive benefits to the town. I am concerned that the emissions into the air, ground and water will permanently affect any inhabitants, both human and animal, living in the area.

The pollution generated not only will involve chemicals released into the environment but will also generate noise that will have a lasting effect on anyone within a few miles, especially those living within earshot of the compression station. Kinder Morgan has not surrendered any valid information concerning emissions related to this project. Any information they have released has been modified over and over, so it has become clear to me that they aren't being truthful in their reporting. I feel this is being done to confuse the residents of Dracut in order to make us believe this is a safe endeavor.

Not only am I concerned about the environmental impact but I am very concerned from a safety perspective. I have worked for many major corporations where the safety of its employees is paramount. This project could spell disaster for this town and surrounding communities. The thought of an "incineration zone" sounds like something out of a science fiction movie. We just saw recently in the news of the major chemical explosion in Taiwan where dozens of people died and many more were injured. We, the residents of Dracut, cannot imagine something of this magnitude happening here. Not only do we not have the manpower in our fire and police departments, but we do not have disaster training for something like this nor would we garner enough revenue from whatever Kinder Morgan projects this town will make to fully support such a project. So now we will have an inadequately staffed and trained emergency response team who will be putting their lives on the line because of a gas line that is not needed all in the name of big business.

In closing, I ask that you carefully weigh and consider all of the facts, including Kinder Morgan's ploy in making everyone believe that this project is for the good of the public. The only good it is guaranteed to do is put money in the pockets of those who are willing to risk the lives and livelihood of people whom Kinder Morgan has no vested interest in.

Respectfully submitted,

Georgette Y. E. Henrich  
14-4th Street  
Dracut, MA 01826

**20150831-5071**

Jerry van Duinen, Madison, CT.

Please record my strong opposition to the Tennessee Gas Pipeline Co intention to run a gas pipeline across protected lands in the state of CT.

Jerry van Duinen

**20150831-5072**

Scott Campbell, New Ipswich, NH.

I moved to New Ipswich to get away from noise as I work in manufacturing. Having a compressor station near will bring noise to this quiet peaceful area. Please do not let this project happen.

**20150831-5074**

frank r Flanders, Temple, NH.

Frank Flanders  
61 Dutton Lane  
Temple NH 03084-0059

FERC

[ferconline.ferc.gov/eFiling.aspx](http://ferconline.ferc.gov/eFiling.aspx)

Re: Docket#PF14-22-000, Kinder-Morgan proposed NED pipeline.

08/30/15

Hello-

As an almost 20 year resident of Temple, NH, a truly quiet rural area, and with a home close enough to the proposed New Ipswich Compressor Station to be considered in the Incineration Zone (some here refer to this as a “kill zone”), I have a few comments/questions.

Has FERC either routinely or ever, sited natural gas compressor stations near active elementary schools? The Temple NH Elementary School is less than a half mile from the proposed New Ipswich compressor station location.

The Temple Elementary School is additionally the town’s designated Emergency Shelter for disasters, both natural and man-made. In case of a compressor station emergency, where would our townspeople go? How is FERC going to insure residents’ access to a safe location?

The Temple Police Department is a joint effort with Greenville NH and the police station is physically located in Greenville. What can FERC do to enable the Police Department’s timely response in getting to Temple in the event of a compressor station catastrophic event?

Does FERC either routinely or ever, site natural gas compressor stations in close proximity to municipal water supplies? The municipal water reservoir for the town of Greenville, NH is also approximately a half mile from the proposed compressor station.

Abutting the proposed compressor station property is a farm raising grass fed beef from grass grown on site. Can FERC guarantee that the compressor station is safe for that business to continue?

What does FERC do to prepare and aid local volunteer fire departments and other first responders to be able to deal with the kinds of emergency situations that are possible results from a large compressor station’s potential problem set?

What can FERC do to insure that all required lighting for the compressor station site be controlled to keep night skies dark and avoid disruptions to normal plant, animal, and human environments?

What can FERC do to insure that the disruptive noise levels from both normal and special compressor station operations are controlled and kept at very low decibel levels? Can there be sound reducing enclosures built around the major noise sources included in this plan?

Since normal compressor station operations include such things as pipeline scrubbing wastes and “blow-downs” of excess pressures of natural gas and the separated contaminants found in those gases, will industrial “best practices” be employed to not allow air and water quality degradation?

Does FERC realize that the Scoping Meeting held in Milford NH on 07/30/15 was not acceptable? Short notice on a lengthy document of changes with thousands of “TBDs” held in a very overcrowded venue with many people in a separate room and many more in long lines out on the sidewalk. There was certainly not enough time to evaluate the revised document prior to the meeting. There was not enough time or space at the meeting to have all interested residents speak their concerns effectively.

Does FERC make it a habit to upset the lives and livelihoods of residents in quiet rural areas?

Is it normal for FERC to allow quiet rural areas to be severely disrupted with no possible benefit from the disruption and to further suffer the consequences of lowered property values, resulting in increased property tax rates and decreased quality of life?

We have recently heard that New Hampshire Governor Hassan is considering not signing off on this project after all. The majority of New Hampshire’s residents are in favor of her not signing.

Thank you very much. I look forward to FERC’s responses to the above questions/concerns.

Frank Flanders

**20150831-5075**

Leona E Davis, Temple, NH.

Leona Davis

61 Dutton Lane

Temple NH 03084-0059

FERC

[ferconline.ferc.gov/eFiling.aspx](http://ferconline.ferc.gov/eFiling.aspx)

Re: Docket#PF14-22-000, Kinder-Morgan proposed NED pipeline.

Good day-

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Will FERC allow quiet rural areas to be severely disrupted with regard to noise, light and pollution with no possible benefit to landowners from the disruption and to further suffer the consequences of lowered property values, resulting in increased property tax rates and decreased quality of life?

We have recently heard that New Hampshire Governor Hassan is considering not signing off on this project after all. The majority of New Hampshire’s residents are in favor of her not signing.

Thank you very much. I look forward to FERC’s responses to the above questions/concerns.

Leona Davis

**20150831-5076**

Gregory Blais, New Ipswich, NH.

We are one of the very unfortunate families who own property where approx. 1/4 mile of the proposed NED pipeline will cross our property and would run within 350 ft of our home. We are concerned for our safety for the following reasons:

- There is a massive amount of extremely flammable and highly explosive fuel practically on our doorstep.
- Our home is within 350 ft of the proposed pipeline & within the “incineration zone”.
- The cost of homeowner’s insurance for anyone along the pipeline, (if we can even still be covered) will increase significantly.
- If an explosion was to occur, I am concerned about fire, explosions & sections of pipe being thrown long distances. Not only could damage occur to our property from the pipeline but also the risk of pipeline causing secondary damage to the co-located powerlines, which could cause fires.
- Kinder Morgan proposes to use cheaper, thinner, lower quality pipe in rural areas, such as our area. Since it is not densely populated, therefore, they are not required to use the higher quality pipe. This concerns us since we are so close to the pipeline path, and the risk of explosion, leakage, and corrosion over time increases, and will potentially cause more catastrophic results. It also tells me that KM believes that our lives in rural areas are less valuable than occupants of densely populated areas, and that their primary focus is maximizing profits and not safety.
- Kinder Morgan has an abysmal safety record. Since 2003, Kinder Morgan has had 20 major accidents that were serious enough to be reported to the Pipeline and Hazardous Materials Safety Administration.
- There are is always allowable leakage in these pipelines, even in new pipes. I am concerned about leakage and gas build-up underground and since it is co-located on an electric transmission line, the increased possibility of a spark or lightning strike triggering an explosion and/or fire.
- If KM claims that these pipelines are so safe, why not put their own staff on the frontlines for a disaster first response? Our communities do not currently have the means of dealing with a disaster caused by a pipeline explosion or fire. Kinder Morgan has not proposed to provide any financial support, resources, equipment or even training to the local first responders to handle such a disaster. The FERC should require KM provide a disaster plan, including, for example, KM financed fire stations at pre-determined intervals along the route staffed with KM payrolled first responders prepared to deal with a disaster of this type.

**20150831-5077**

Sean Radcliffe, Temple, NH.

The southern New Hampshire and Monadnock region has many excellent local foot races. Nearly every town has a 5K. There are many choices of beautiful half marathons with Keene’s DeMar being the classic marathon in the fall. Running races in the Monadnock region are always enjoyable because the races take you on country roads through farmlands and quaint New England towns. People travel to the Monadnock region from cities all over the country to enjoy our refreshing local races.

The Temple, New Ipswich and Greenville area has a number of foot races. Namely the upcoming Mascevic Viking 5K Road Race in New Ipswich on Saturday, September 19, the Friends of the Poor Run/Walk in Greenville on September 27 and of course the Temple Peanut Butter Chip Chase 5K on New Years Day. These races support great local causes.

I have a concern that the NED export pipeline 41,000 HP compressor station that is slated to be at the corner of New Ipswich, Greenville and Temple, will have negative impact on runners in the area. Texas and Pennsylvania studies of compressor station emissions found that “Short-term exposure can cause eye and respiratory tract irritation, headaches, dizziness, visual disorders, fatigue, loss of coordination, allergic skin reaction, nausea, and memory impairment.” Depending on the chemical or pollutant, the effect varies. The some

of the studies can be found at:

<http://www.environmentalhealthproject.org/wp-content/uploads/2012/03/Compressor-station-emissions-and-health-impacts-02.24.2015.pdf>

As a runner, this doesn't make me comfortable running around a fracked gas compressor station. Why would runners take the risk with their health? These local races are as close as two miles from the proposed New Ipswich compressor station site. Emissions could affect runners. Many runners are decidedly health conscious. If you were a healthy runner, would you want to potentially expose your eyes, nose, throat and lungs to the risks of emissions of an extremely large fracked gas compressor station? Runners may avoid these races due to health risks. Reduced attendance at races means reduced financial contributions to the charities these races support.

#### **20150831-5078**

Gregory Blais, New Ipswich, NH.

My understanding is the NED pipeline will be exempt from several Federal, State and local regulations and local zoning laws and ordinances. I believe this is a mistake for a project that many feel is unnecessary for this region. I also disagree with the position that this is a local problem since the federal regulations exempt this project from compliance with Federal, State & local Regulations. The FERC should require KM to comply with all applicable Federal, State and local regulations and local zoning laws and ordinances.

#### **20150831-5081**

Jackie Gauger, Worthington, MA.

As a long-time resident of Worthington, MA, I am against building yet another gas pipeline in western MA. There are already a couple of pipelines here. Using those makes more sense. We don't need to expose our residents & the environment to the noise, explosions, huge compressor stations, cutting of forests, taking of property, etc. in order to continue our dependence on fossil fuels.

Mass. has committed itself to clean energy goals, which I support. This pipeline goes against those. We must continue to wean ourselves off fossil fuels. Not approving this pipeline is a great way to do that.

Among other concerns, I'm very concerned about FERC's means of dealing with all vernal pools within 500 yards of any pipeline segment, work area or staging area associated with pipeline construction I'm also equally concerned about the effect the project would have on appraised property values within one mile of the proposed route.

Please, FERC, consider the huge human, animal, & environmental impacts of approving this pipeline. I'd like to see FERC put more of its resources into supporting renewable energy. Yes, that's a challenge; but we need to get there. Approving this pipeline moves us backwards.

Thank you for the opportunity to comment on this critical issue.

#### **20150831-5084**

Rosemary Ganser, Ridgefield, CT.

Dear Secretary Bose,

I am writing in regards to Docket number PF14-22, Kinder Morgan's Northeast Energy Direct (NED) project.

In the environmental impact statement, FERC needs to take into account the increased amount of methane emissions that this large project will pour into our atmosphere. Earlier this month the EPA proposed new standards to reduce methane emissions by 45% over the next 10 years. The EPA recognizes that methane is a potent global greenhouse gas, far worse than carbon dioxide at trapping heat in the atmosphere. The NED project will make those reductions in methane emissions impossible, and will cause irreparable harm to our climate.

Furthermore, these shale gas expansion projects are segmented into two, the Connecticut Expansion and NED. FERC must acknowledge that this is the case, and admit that the environmental harm caused by these two projects is cumulative. They are not separate projects, and FERC has been guilty of illegal segmentation in the recent past.

The potential harm to water has been raised by the Hartford MDC, the municipal corporation responsible for providing clean water to 400,000 people in the Hartford area. In a June 26 letter to FERC, MDC Chief Executive Officer Scott Jellison wrote “to express some concern that the proposed pipeline could potentially impact MDC’s public drinking water supplies in West Hartford and Bloomfield, CT.” FERC must address the concerns of MDC and the public about the impact of pipeline construction and operation on drinking water.

FERC should take into account the frequency of pipeline leaks and explosions, and factor in the costs to local communities, who bear a burden when environmental harm from pipeline accidents occur. According to the Pipeline Hazardous and Safety Material Administration, leaks and explosions are not uncommon and have increased in frequency in recent years.

Yours,

Rosemary Ganser

#### **20150831-5085**

Henry Collins, Averill Park, NY.

Thank you for the opportunity to comment on this application. I live approximately one my from the proposed location of the compressor station.

Starting at the end- this is madness. It would be difficult to overestimate the profoundly negative impact that the proposed project, including the proposed compressor, will have on our area: the negative impacts on our environment, the impact on our rural way of life, the impact on the quiet beauty of our area.

It will compromise the health and welfare of all the people who live here. In the event of a catastrophic development, e.g., an explosion, it will destroy our way of life.

It will impact our air quality, our water quality, it will create noise and light pollution. It is utterly inconsistent with the rural nature and quality of this area. It will impact our property values.

I urge FERC to research and consider the following: the potential impact of the release of toxins by the compressor; the potential impact of an explosion; the potential impact on residential wells in the area proximate to the compressor station.

On that latter point, I would request that the applicant be required to test my well before any construction as well as during and after any construction, in the event the application is granted and the applicant is permitted to proceed.

I’m not sure there is any good area for the proposed compressor and pipeline, but I’m quite sure that locating it here, in a rural, residential, bucolic area, is a really bad location.

Again - do not let this ill-advised project destroy the life that I and my neighbors have carved out in this beautiful rural setting.

Thank you.

#### **20150831-5086**

Leslie Carey, Averill Park, NY.

I am stridently opposed to the NED. I implore your agency to protect us from this monster.

The environmental impact: the contamination of my air, soil, and water. My well is fed by a stream that is in the path of this proposed pipeline. The process of construction would decimate my water supply. The potential for gas leakage is high.

Health and safety: the NYS DOH and the AMA have expressed concern about the impact of fracked gas on health. The unreliable infrastructure means that fracked gas can leak and poison us. In addition, if one of the large diameter, shallowly placed pipes were to explode, my property is in the incineration zone. I or my family members or my animals would be killed.

Financial: this pipeline will decrease my property value, and it is doubtful that I would be able to sell it. There was a 52% increase in foreclosures in Rensselaer county last year. This project spells disaster for the fragile economy here, with absolutely no benefit to us.

Mental health: the specter of this project has already caused increased incidents of depression and anxiety. These disabling conditions disrupt the ability to manage activities of daily living including self care, working, caring for family and home, paying bills, etc.

We are hard working people who do not want this project approved, here or anywhere. NYS has banned fracked gas. Please do your job and protect the public good and safety.

#### **20150831-5087**

Donald Clendaniel, Averill Park, NY.

I am stridently opposed to the NED. I implore your agency to protect us from this monster.

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We are hard working people who do not want this project approved, here or anywhere. NYS has banned fracked gas. Please do your job and protect the public good and safety.

#### **20150831-5089**

eric haeseler, suffield, CT.

Please note that on the above screen I have been unable to remove "Hydro Power Search" from the docket field even though I have selected PF14-22 a gas pipeline docket issue. My comments follow.

Dear Secretary Bose,

I am writing in regards to Docket number PF14-22-000, Kinder Morgan's Northeast Energy Direct (NED) project.

In the environmental impact statement, FERC needs to take into account the increased amount of methane emissions that this large project will pour into our atmosphere. Earlier this month the EPA proposed new standards to reduce methane emissions by 45% over the next 10 years. The EPA recognizes that methane is a potent global greenhouse gas, far worse than carbon dioxide at trapping heat in the atmosphere. The NED project will make those reductions in methane emissions impossible, and will cause irreparable harm to our climate.

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FERC should take into account the frequency of pipeline leaks and explosions, and factor in the costs to local communities, who bear a burden when environmental harm from pipeline accidents occurs. According to the Pipeline Hazardous and Safety Material Administration, leaks and explosions are not uncommon and have increased in frequency in recent years.

There are not currently gas shortages and increased energy efficiency programs and implementation of solar and wind energy projects should eliminate the need for these projects. Please take action to protect public health and preserve the environment.

Yours,

Eric Haeseler

A Concerned Citizen and Environmentalist

**20150831-5090**

Margaret Moody, Richmond, NH.  
Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426

Docket#PF14-22-000

August 27, 2015

Dear Secretary Bose,

I am writing to tell you that I do not want a pipeline constructed on our family property. My great great grandparents purchased our home we call Hillside over 110 years ago. Hillside is built on 160 archers of land and is close to beautiful Sandy Pond. As a 16 year old my two sisters and cousins will assume ownership in the coming years as we are named in the Brokenshire Trust – which has been passed down through the generations for the last 110 years.

It is just not right that our family legacy will have a high pressure gas pipeline built within yards of our cherished home. I am very concerned our safety will be at risk because my family will be within the blast zone should an explosion occur. Our community really needs you, as a voice of our government, to stop this pipeline project

We care about our land and the environment. A pipeline means about 40 archers of our land will be clear cut and dug up – permanently. It means disruption to owl & bobcat habitat, blasting may affect our well, destruction of tree lines will means pesticides will be sprayed to keep more trees from growing and end up in our water and food. Stone walls & cellar holes from the 1700’s will be completely destroyed. This is not just open land – it is my heritage. We are all stewards of this land; we must demand this pipeline not be allowed to pass through our home!

Sincerely,

Margaret Moody

Brokenshire Trustee - home owner  
119 Sandy Pond Road  
Richmond, NH 03470  
603-239-4838

**20150831-5092**

Scott Campbell, New Ipswich, NH.

According to 5.10.2.6 in the socioeconomic resource report 5 “No major impact on insurance rates, property sales,

demand for properties, or development of surrounding properties is expected. Therefore, the Project will not cause any direct or indirect impacts that will contribute to a cumulative impact on property values.”

That’s interesting. I would not have bought my house knowing there would be a pipeline and compressor station in the town. So therefore the value of the property that I currently now own would drop. This is simple economics. If there is an area that is less desired due to an outside factor then the price will drop in order to sell. Kinder Morgan or Tennessee Gas Pipeline Co. LLC will not reimburse me for this. None of us in the town of New Ipswich want this to drop our property values.

Thanks,

Scott Campbell

**20150831-5094**

Scott Campbell, New Ipswich, NH.

Most if not all of us in New Ipswich rely on our own wells for water. If there is ever an issue with a leak then we will be affected. The cost of delivering clean water to us would be sky high. Kinder Morgan should build for every home a safe drinking water system if they were to put a pipeline or even compressor station in a town where they want a pipeline or compressor station to be in. In other words, my water is fine now. Kinder Morgan comes in and puts what they want. Accident happens as we all know it does. My water is not fine. Where’s Kinder Morgan? Not helping me with my water. I work 12 hours a day on average. Now Kinder Morgan is adding work time in my day just to get clean water.

**20150831-5096**

Ronald Berg, North Reading, MA.

My comments refer to the proposed pipeline extension through North Reading, MA. As an abutter and a concerned resident of North Reading, my objections to the pipeline include the following.

The pipeline could seriously affect the Ipswich River watershed which provides drinking water for this and neighboring towns. I am concerned about the environmental impact of constructing the pipeline through the watershed and under the river. Also concerned about possible damage in the future including potential leaks of natural gas.

I’m concerned about the scale of this pipeline and the construction project. The damage caused by dredging and removing trees along the site of a major pipeline like this is not trivial and would have a serious impact on the land and houses and on the community here.

If I understand the siting information correctly, there are alternative routes for the pipeline extension here. The alternatives would cause less environmental damage and less disruption and danger for the towns and communities here, but could have a higher cost of construction. If the pipeline project is worth doing, I argue it’s worth doing right and I hope that FERC takes this into consideration.

Daniel K Berry, Amherst, MA.

My name is Daniel Berry and I am a resident of Amherst, Massachusetts. I am submitting this comment to voice my strong opposition to the proposed Kinder-Morgan Northeast Direct (NED) Gas Pipeline.

By profession I work in the solar-electric energy trade, but I am also a local farmer and beekeeper. Prior to working in the solar energy field, I was for several years as an apprentice in Natural Roots Farm in the town of Conway, located less than 1 mile away from the proposed NED pipeline path. Natural Roots is family-owned organic farm that has operated for over 13 years and now serves over 120 families under a community-shared-agriculture (CSA) business model. The farm is also a host to many of my honeybee colonies used for the production of local honey and queen bees.

The NED pipeline threatens the health and viability of farms in our geographic area.

The emissions released by pressure-relief valves along the pipeline's path (one of which is located less than 1 mile from Natural Roots Farm) threaten both the environmental quality of the pipeline's immediate surroundings and the economic viability of food-production operations that rely on clean air and precipitation, as well as a landscape that is up-kept and clean. The prospect of noise- and air-pollution in Conway (as well as all communities along the pipeline's path) jeopardizes both the perceived and actual health of farm environs, and as such could lead to the demise of many agricultural operations along its path. The loss of these farms would cost not only the livelihood of its proprietors and workers, but would also be a blow to the valued New England landscape which they collectively form.

The current path of the NED pipeline threatens the viability of my agricultural business.

Entomologist Jerry Bromenshenk of the University of Montana, Missoula, has described bees as acting "like flying dust mops." Bromenshenk and his colleagues at the Sandia National Laboratory have shown that as bees forage for nectar and pollen, they attract particles of dust, airborne chemicals, soil, and pollen to their plumose, electrostatically-charged bodies. These particles are then brought back to the hive, where they can become embedded in the wax matrix in which brood is reared. Brood, particularly bees in larval stage, can be severely impaired by contamination of wax because this substance can absorb and retain foreign substances for long periods of time. The situation is compounded when various poisons come in contact and react with each other within the hive—a condition known as synergistic toxicity.

Because pressure-relief valves will be releasing hydraulically-fractured natural gas (and any potential number of publicly undisclosed chemicals related to its mining process) within my hives' foraging grounds, my colonies run the risk of suffering from airborne contamination stemming directly from the NED pipeline. Such contamination could potentially aggravate or decimate my livestock, as well as (actually or perceptually) taint the honey I harvest, thus decreasing the sale-ability of my farm products and the viability of my agricultural business.

The NED pipeline lengthens our economy's dependence on hydrocarbon fuels.

While it burns cleaner than fuel oil, natural gas is still a hydrocarbon fuel that generates significant emissions. Hydraulically-fractured gas, in particular, creates a tremendous amount of emissions as it is mined (a sizable percentage of it is not captured during mining and seeps into the atmosphere) and transported (valves release it into the atmosphere to equalize pressure at multiple points throughout a pipeline's trajectory). Methane, which constitutes the bulk chemical composition of natural gas, is a powerful greenhouse gas and ozone-depleting agent. Furthermore, hydraulically-fracked natural gas mining utilizes copious amounts of water that is laced with hundreds of chemical agents (many of them known carcinogens). Such a process pollutes water supplies in areas where the gas is extracted.

A better use of our energy resources would be to not increase our use of hydrocarbon fuels, instead investing in cleaner technologies such as solar-electric power and programs that promote energy efficiency. Mass Save, an initiative that subsidizes home energy audits and provides incentives for switching to energy-efficient appliances, is a great example of such a program. Together, these these technologies and initiatives

could provide not only a substantially lower carbon footprint, but also far more jobs—and a far more widespread distribution of economic benefits—than the NED pipeline, which would create comparatively fewer, more short-lived employment opportunities and would concentrate economic benefits in Kinder-Morgan’s pockets.

Finally, I ask that you delay the NED’s environmental permit application process until results from Massachusetts Attorney-General Maura Healy’s regional gas capacity study are made public. The stated goals of this study are to “better understand the need for additional gas capacity in the New England region,” and “to better identify and evaluate options to address electricity reliability needs, including natural gas capacity and demand, in New England through 2030.” The scope and source of this study are offer a significant opportunity to the citizens of Massachusetts to better and more objectively understand the status quo of our region’s energy infrastructure and needs. The claim by pipeline developers that New England needs more natural gas may not be an accurate one. Waiting for the outcome of this study to be shared with the public, and extending the opportunity for more voices to be heard in light of the information it reveals, would be a fair and prudent decision for the FERC.

Thank you kindly for considering my comments on this project. Sincerely,

Daniel Berry  
Invisible Cities Apiary  
517 Pine Street  
Amherst, MA 01002

**20150831-5098**

Cathleen Duffy, Hancock, MA.  
August 30, 2015

Re: Docket No. PF14-22-000

Dear Sir/Madame-

I am writing today to strongly urge FERC to agree with the thousands of people in MA, NH, and NY who understand that the North East Direct pipeline proposed by Kinder Morgan is a terrible idea which will ultimately produce horrific results for the people in the destructive path of the pipeline. I live on Main Street in Hancock a small village and idyllic community off of route 43 in MA. The currently proposed pipeline will cut through the southwest end of the village, following the track of the power lines. All the homes on Main Street are serviced by private wells which will be rendered unusable by any leakage from the proposed gasoline. What are the contingency plans (if any) when the only source of drinking water for the 50+ families in the village becomes toxic? I refer you to an article in Chemical and Engineering news describing the chemicals found in fracking wastewater, March 16, 2015: ([http://www.cendigital.org/cendigital/20150316\\_ROW?sub\\_id=ufISUmRyh6mR#pg10](http://www.cendigital.org/cendigital/20150316_ROW?sub_id=ufISUmRyh6mR#pg10)). Utilizing sensitive mass spectrometry analysis, thousands of compounds were found, “There is a huge diversity of chemicals in the produced water... [We] have identified more than 10,000 mass spec peaks, which can be assigned more than 2,500 chemical formulas.” Many of these formulae have not yet been identified. As for the concoction, this fracking fluid may change with every dig and is currently a trade secret for those doing the drilling: [http://www.cendigital.org/cendigital/20150316\\_ROW?sub\\_id=ufISUmRyh6mR#pg15](http://www.cendigital.org/cendigital/20150316_ROW?sub_id=ufISUmRyh6mR#pg15). Those non-polar compounds will tend to travel with the natural gas, coursing through the pipeline. The catastrophic nature of a spill, or more insidious- a slow leak over months- is underscored by the fact that we DO NOT KNOW the IDENTITY of the chemicals traveling with the natural gas. The expectation of water free from probably carcinogens is a basic human right and I implore FERC to follow their scientific principles and moral compass to deny this pipeline.

Sincerely,

Dr. Cathleen Duffy, PhD  
161 Main Street  
Hancock, MA 01237

**20150831-5099**

Deborah Donaldson, Conway, MA.  
FERC

I am a resident of Conway, MA, a jewel of a town if the foothills above the Connecticut River Valley. We pride ourselves in being self sufficient New Englanders, growing a lot of our own food in a sustainable, healthy environment. We strive to maintain a home of native populations of flora and fauna. Cutting a new pipeline through some of the most pristine land in the state is a crime that will disrupt the delicate balance we work so hard to maintain.

**20150831-5101**

Isabel VB Berg, North Reading, MA.

I am writing to register my opposition to the proposed Tennessee Gas Pipeline Company's Northeast Energy Direct Project that seeks to run a major gas pipeline through North Reading, Massachusetts, entering from the Wilmington town line and exiting near the Lynnfield/Reading town line, generally following the National Grid easement. I am an abutter.

This pipeline would pass through and affect protected wetlands. It would pass through the Ipswich River watershed which supplies our Town's drinking water. It would pass through vernal pools. It would pass through and disturb several recently discovered Wampanoag campsites. It would significantly impact many of our neighborhoods, including the neighborhoods near Walmart, the Damon/Park/Gould Street neighborhood and the Scotland Heights/Mentus Farm Lane neighborhoods. It would cross major streets in our Town including Main Street near Wal-Mart, Park Street near Damon Street and Haverhill Street near Mentus Farm Lane.

This pipeline has the potential to cause serious and irrevocable harm to our town's water supply, and it could damage and destroy the natural resources of our region. Our neighborhoods could see spills or leakages that would result in the polluting of the aquifer. Gas leaks could also result in major explosions that would destroy our neighborhoods.

This pipeline will cut a scar through the region, causing irreparable harm to our community and our property values that cannot be mitigated.

It is my understanding that no determination has been made that additional gas pipelines going through the Town of North Reading are critically necessary now or in the foreseeable future. Even were such a determination to be made, it is my understanding that existing gas pipelines in neighboring towns could be expanded with significantly less of an impact.

For all these reasons, I oppose the construction of this new pipeline through our neighborhoods in North Reading, Massachusetts.

**20150831-5102**

Cathryn McDonough, Conway, MA.

As a 10 year resident of Conway, MA, I am writing to express my deep opposition to the proposed Northeast Energy Direct pipeline. The risks of moving forward with the pipeline are myriad and far outweigh the potential benefits.

Construction of the pipeline will destroy pristine land here in western MA, damaging fragile ecosystems including precious native plants and wildlife.

The pipeline will pass within short distances of homes and farmland. We get our food from one such farm, Natural Roots CSA, in Conway. Gases and chemicals released from the pipeline will contaminate the nearby air, water and soils, and ultimately the food we eat.

Property values are already dropping due to the proposed pipeline. We know of homes that are now "unsalable" because they are in the "incineration zone" and nobody wants to live there. The current home owners

are likely to lose many hundreds of thousands of dollars--their life savings and their dream of living safely in this beautiful area.

Building a pipeline is not forward thinking. We need to reduce our reliance on fossil fuels and invest in new clean technology and energy conservation. Also, the owners of existing pipelines could save large sums of money and provide more gas by repairing leaks in their pipelines.

If for no other reason, we should reject this pipeline in the interest of future generations. By doing so, we are taking steps to preserve the precious land, air, and water for our children and grandchildren. Once we destroy and foul up these natural resources on which we rely for our very survival, they may be gone forever.

Sincerely,

Cathryn McDonough

**20150831-5103**

GEORGE MESZAROS JR., VAN ETTEN, NY.

August 29, 2015

George Meszaros, Jr.

146 Beckhorn Hollow Road

Van Etten, New York 14889

Federal Energy Regulatory Commission

888 First Street, N.E.

Washington, D.C. 20426

Attention: Kimberly D. Bose, Secretary

Reference: Docket No. PF14-22.000

Dear Ms. Bose:

I would like to make the following comment on the above mentioned docket. Constitution Pipeline's initial preferred route (CP13-499) located the pipeline 25 feet from the front door of my dwelling. On December 2, 2014, FERC issued an order making Constitution move the pipeline slightly to the North, about another 50 feet or so away from my dwelling. FERC also ordered the right of way and temporary right of way be reduced to 75 feet total. With this being ordered, there is absolutely no room for TGP's 110 foot wide work-space area, let alone a 50 foot permanent right of way, between Constitution Pipeline and my dwelling.

On April 7, 2015, I attended TGP open house in Davenport, New York. TGP representative that I spoke to was James Considine. He and other representatives for TGP assured me that TGP would never dislocate a dwelling from their pipeline route. James Considine said, "TGP would relocate the pipeline".

Sincerely,

George Meszaros, Jr.

**20150831-5104**

Frederic B. Jennings Jr., Ipswich, MA.

Frederic B. Jennings Jr., Ph.D.

Center for Ecological Economic and Ethical Education

Post Office Box 946, Ipswich, MA 01938-0946

Cell phone: 1-617-605-3150

Email: [ecologicaleconomics@yahoo.com](mailto:ecologicaleconomics@yahoo.com)

TESTIMONY FOR FERC SCOPING OF ITS EIS ON THE NED PIPELINE PROPOSAL, FERC Docket PF14-22-000

My name is Fred Jennings and I live in Ipswich, MA. I am currently the elected president of both the Greater Boston chapter and the Nor'East (MA) Chapter of Trout Unlimited (representing a total of about 1500

concerned MA citizens), and am an avid fly angler for trout and other species. I hold a Ph.D. in economics and consider myself, among other things, an ecological economist. I am president and founder of the Center for Ecological Economic and Ethical Education.

I have several concerns about this pipeline project that I'd like to raise here. First, is it necessary? Second, is it being conducted in a legal manner? Third, and perhaps most importantly, what will be its impact on MA's brook trout?

First, is it necessary? The proponents of this pipeline claim that it is needed to meet local energy demand, yet they are also explicitly proposing a reversal of flow of natural gas into Canada – Nova Scotia specifically – to export it to Europe and elsewhere for a far greater profit than local sales would bring them, while the costs of construction of this pipeline project are to be fully borne by local rate-payers. In July, MA Attorney General Maura Healey announced that her office will undertake a study to assess long term energy needs and alternatives. According the attorney general's press release, "a key focus of the study will be the question of whether more natural gas is needed in the region, and if so, how much more capacity is needed." The announcement goes on to say that in prior studies assessing energy needs, "none have answered the precise question of how much additional gas is needed in the New England region and whether that gas can be supplied by LNG or [whether] additional pipeline capacity is needed." Two reports from the Greenfield Recorder on 20 Aug 2015 suggest the NED pipeline project is not needed in this state. These alleged needs should be validated.

Furthermore, are there alternatives? Current alternative proposals include upgrading the Algonquin pipeline to increase capacity to a level adequate to meet the region's alleged energy needs with little or no adverse environmental impact in Massachusetts, and no impact on environmentally sensitive areas in western Massachusetts. The NED pipeline project is a new route that will be very destructive to local ecologies and watersheds, with a proposed 100-foot right-of-way for construction and a permanent right-of-way of 50 feet in width for the entire length of the pipeline, to be maintained with pesticides, mowing and other intrusive means, plus large intermittent boosting facilities along the entire route. If there are alternatives less destructive to our valuable environmental resources, those alternatives should be pursued.

Second, is this proposal being conducted in a legal manner? I am neither a professional attorney nor an expert on MA environmental law. However, it is my understanding that protected conservation lands, at least those designated as Article 97 lands, cannot be turned over to private interests without a two-thirds vote of the MA legislature. Yet this pipeline plan is sited to cross Article 97 lands and through other areas strongly protected by conservation restrictions as well as sensitive wetlands and watersheds. These siting decisions have been made by intention, to cross through realms of lower population density so there will likely be fewer landowners to object to the project. Yet no provisions have been made (to my knowledge) for such legislative approval. Such a flouting of the State Constitution is unconscionable.

Third, and perhaps most importantly, what will be the impact on MA's remnant populations of native brook trout? The proposed course of this pipeline involves many stream crossings, which can be engineered in multiple and diverse ways, all of which impose some major risk to the watersheds involved in these crossings. One hundred years ago, much of New England, and certainly all of the Berkshire region and Pioneer Valley, had healthy brook trout streams. Today, after decades of land development, brook trout have entirely disappeared from 7% of their historical habitat, have been greatly reduced in another 28% of this habitat, and reproducing populations are unknown in another 42% of their historical habitat. (<http://www.mass.gov/eea/agencies/dfg/dfw/fish-wildlife-plants/fish/trout-information.html>)

Furthermore, according to the 2006 Eastern Brook Trout Joint Venture Report on the status and threats to the species, analysis reveals that in only 5% of the wild and native brook trout's historical habitat does a fully sustaining brook trout population exist, with a reduced but sustaining level in 9% of this historical habitat. (<http://easternbrooktrout.org/>) Virtually all of these intact populations reside in the western part of the state where the NED project will be located. This is another important argument in favor of finding alternatives to this ecologically destructive proposal. But if it is indeed pursued, then someone must speak for the trout to

assure all stream crossings will be built for minimum impact.

Here are some of the issues that should be addressed in FERC's Environmental Impact Study (EIS) with regard to the proper protection of these few remnant wild and native trout populations in our Massachusetts watersheds:

- A full evaluation of the potential impacts on native and wild trout populations and their watersheds is needed, especially with regard to the effects on water temperature and trout reproduction of silting and land clearance. This should include the impact which deforestation of thousands of acres will have on water temperatures in the affected watersheds (i.e., Hoosic, Housatonic, Westfield, Deerfield, Millers, and Connecticut Watersheds) at the level of first order tributaries through to the large rivers. In addition, approximately 15 different direct negative effects from sedimentation have been demonstrated to impact trout and salmon, ranging from stress, altered behavior, reductions in available invertebrate prey, reductions in growth and direct mortality. There must be an assessment of the quality and turbidity impacts of any proposed efforts to mitigate the potential for erosion and sedimentation effects from construction of the NED pipeline on MA trout streams' water quality and aquatic life.
- The FERC EIS should include a detailed analysis of alternative routes and construction methods that avoid or minimize impacts to native and wild trout populations and their watersheds, including smaller rights-of-way (e.g., 50 foot rather than 75 foot and 150 foot rights of way), which might be made feasible by using alternative construction methods, a careful study of which should be conducted as part of the approval process.
- Complete stream restoration plans must be made for each stream crossing, based on the best available science, that work to restore these streams and streambeds to their original status with harmful long-term impacts avoided. Stream crossing methods should be determined on a site-by-site basis founded on a study of field conditions and stream characteristics at each crossing, and with an accounting of potential flood conditions. These analyses should be based upon actual field conditions and not just a desktop analysis. The wet crossing method should not be used for any crossings on native and wild trout streams. If dry crossing methods are specified, then the type of dry crossing method should be identified as each type of dry crossing has unique impacts that must be identified in the EIS so that appropriate mitigation measures can be included therein. Also, adequate information about stream characteristics should be collected at each proposed stream crossing, which should include, at the very least: proximity to the nearest confluence up and downstream; stream discharge, channel gradient, channel sinuosity, stream substrate, cross-sectional surveys, channel debris; sediment storage, and stream order; information about bed and bank stability, scour depth and depth of pools; and a scour depth analysis to determine the potential for vertical or lateral adjustment of each stream. Any stream not previously assessed by the Massachusetts Division of Fisheries and Wildlife for fish bearing status should have this status determined and have careful protections set in place for all species of fish therein. Further, all stream crossing installations must be able to handle a certain percentage of the 10-year, 50-year or 100-year stormflow, based upon site specific conditions at each stream crossing. This is the only way to limit potential flooding impacts. A critical shear stress analysis for all sites with any definable risk of bed scour is needed to ensure that the stream bed remains stable under flow conditions associated with 100-year storm events and that the pipeline company is using the best engineering practices to assure that stability. No crossing should compromise channel stability.
- The FERC EIS should insist on geotechnical feasibility studies for each stream crossing to determine if horizontal directional drilling, Direct Pipe™ or other conventional bore methods are appropriate and feasible in each case, and the depth that the pipe is buried beneath the stream must be determined on a site-by-site basis, based upon the potential for vertical or lateral adjustment of the stream. Also Kinder Morgan should be required to observe the setback requirements for vegetation cutting promulgated by the Massachusetts Rivers Act.

The impact of this pipeline proposal should not be allowed to destroy what few are left of MA's remnant and surviving populations of native and wild brook trout, just so one big private company can make a profit

exporting natural gas for a short period of time. There is an enormous effort underway by many governmental and non-profit NGOs to bring back these special native species of wild brook trout to our state waters throughout the northeastern United States. This NED pipeline proposal should make every effort not to undermine these ongoing efforts and must protect these watersheds!

In sum, I've asked three questions. First, is this pipeline necessary, if its primary purpose is for one large energy company to profit by piping natural gas to Canada for export to Europe in order to get a much better price than is available in the domestic U.S. market, while local rate-payers foot the bill for this project's construction? Second, is this NED pipeline proposal being conducted legally, if it flouts the provisions for protecting conservation land as specified very clearly in our State Constitution? Third, are the few remaining remnant native brook trout habitats in this state being properly and duly protected in this proposal, along with the watersheds they need to survive, or will what is left of our wild native brook trout be extirpated by this ill-conceived project? Who will stand up to speak for our trout and their watersheds?

Given the fact that the Massachusetts attorney general seeks time to understand the needs and alternatives more thoroughly, and the fact that there are several proposed alternatives to this ecologically destructive pipeline project, I respectfully request that FERC reject the NED project, or at least extend the comments period to allow the results of our attorney general's study of need to be fully and properly accounted for in this decision, despite Kinder Morgan's attempts to fast-track this project.

Because this construction project is clearly adverse to trout habitat and will contribute to its long term degradation if not the potential extirpation of wild and native trout populations in this state, your diligence in ensuring that the effects of this pipeline are mitigated, remediated, or eliminated is of critical importance. Consequently, I would respectfully request that FERC vote to reject this NED pipeline proposal and take "no action" thereon.

Sincerely,

Frederic B. Jennings Jr., Ph.D.

## **20150831-5105**

Penny Schultz, Haydenville, MA.

The pipeline will have a negative and disruptive effect on the land through which it is built: deforestation, pollution of streams, many acres of conservation land torn up, sensitive ecosystems threatened, private land taken against the wishes of the owners.

The claim that New England needs more natural gas capacity, especially in peak periods, and therefore needs this pipeline, is a fallacy. Most of the gas that will move through it is slated to be sold overseas.

Given the urgency of climate change, building another natural gas pipeline is the wrong thing to do. First, fix the well-documented leaks in the current pipelines. Doing that, in addition to the government and people in Mass investing in more solar installations and more energy conservation, will go a long way towards solving New England's energy needs.

On a personal note, my church is located a few miles downhill from the planned compressor station in Windsor. I also have many friends who live within a small radius of it. This compressor station is of a scale so huge that nothing anywhere in the Hilltowns is equivalent to it. The noise it will generate, and the powerful lights which will burn 24/7 will ruin the rural quality of life for miles around, and the lives of the people who have chosen this spot to live in for the exact qualities that will be destroyed by it.

Finally, who is paying for installing this pipeline? The gas customers of Massachusetts are paying through their gas bills. So, the public is paying twice- through loss of farmland, damage to conservation land, and pollution, as well as through the pocket book.

**20150831-5106**

Evelyn Taylor, New Ipswich, NH.

I just took this from Kinder Morgan's web site: "We ensure public safety and safe pipeline operations through employee training, regular testing, right-of-way aerial and foot patrols and adherence to our comprehensive Integrity Management plan and procedures."

FERC needs to review the history of safety violations by Kinder Morgan/Tennessee Gas as it does not show they ensure public safety. To ensure is to make certain and they have done that as people have been harmed. Furthermore, test procedures and results are not public and thus there is no proof of being safe. Pipeline activities are under protective cover similar to what we faced with cigarette companies.

They also state "We are committed to operating our assets in a safe, ethical and transparent manner." They are not transparent as they do not disclose the full nature of accidents and harm. Non-disclosure prevents proper investigation and studies to fairly evaluate the harm that is being done. These techniques are not transparent at all. FERC needs to bring the truth forward.

**20150831-5107**

Stuart Sargent Jr., Dalton, MA.

My name is Stu Sargent Jr.

I was a Dalton, MA selectman for 5 years.

I was on the board when the board voted unanimously to allow Kinder-Morgan surveyors.

I was the most outspoken, reminding my board members that there was a debate about liquid gas coming into Boston harbor on ships after 9/11.

I thought the pipeline would be a safer way to supply energy east of Berkshire County.

In May I stepped down. In June a special meeting overturned the permission to survey. Since then, the only voice you've heard is the opposition. I can tell you that there is a silent voice out there in Berkshire County. Residents with natural gas are happy with the cost. Businesses are happy that the cost of doing business is cheaper.

The opponents keep saying that the experts aren't being truthful about the lack of gas in Massachusetts. One county over they are having a 3 to 5 year moratorium on new gas hookups.

Also, with the local power plants shutting down...Mt. Tom, Yankee nuclear, etc., I can't see New Englanders making enough energy with solar in the wintertime.

I, myself went with gas first and we now also have solar. I use the natural gas as a bridge to a greener home. I feel we should use natural gas as the next step to a healthier world.

The way I see it, if our energy plants, our vehicles, buses, trucks, cars, are all run on natural gas or propane we would cut our carbon footprint in half and be way ahead of our global goal.

One last thing, the protesters keep saying solar and wind...the New Englanders I know that have natural gas use it for heating their homes and cooking.

Thank you for your time.

Stuart Sargent Jr.

**20150831-5108**

Susan Bentley, Averill Park, NY.

Re: NED Pipeline PF #14-22

I am writing to urge FERC to not approve the NED Pipeline. I am a resident of Burden Lake in the Towns of Sand Lake and Nassau, New York. The pipeline and compressor station is proposed to be built 2000 feet from the south end of Burden Lake.

Burden Lake is a recreation lake. It is home to hundreds of families and many species of wildlife. I have lived on this lake for over 50 years. My lakefront property has been in my family for three generations. I want to ensure that myself, my nieces and nephews and great nieces and nephews continue to enjoy the same quality of life. Surrounding the lake, the landscape is farmland, forested and country lanes. People live here because they do not like the hustle and bustle and pollution of city life. My cousins always comment on the starry nights we enjoy.

There are many reasons why this compressor station should not be placed on Clark's Chapel Road in Nassau, New York.

- Safety is first and foremost. NYS has banned fracking because it does not want to subject its citizens to toxins associated with fracking. Therefore, why should the citizens get a compressor station that emits the same toxins. Kinder Morgan has a very poor safety record with many leaks and explosions. These leaks affect contaminate the ground and water, pollute the air, and affect the health of nearby residents, wildlife and plant life. Our water is supplied by individual ground water wells. I fear what will happen when our wells become contaminated.
- Our country lake setting will become an industrial site. We live here because of the beauty, quiet and clean environment. We can start our day with our morning coffee on our deck overlooking the lake and watch the fish jump, the birds fly, the duck swim, the eagle soar and the frogs ribbit. The noises we hear are those of nature not an industrial plant.
- Fracked gas is not in alignment with President Obama's Energy Policy. President Obama recently announced his proposal to cut emissions of methane gas in half in order to reduce impact on climate change. The compressor station contributes too much to climate change. We should not be building more fossil fuel infrastructures. We should be building renewable energy infrastructures. How will approval of this project align with the President's energy policy? I will not and, therefore, should not be approved.
- Eminent domain should not be granted to a private company for its own gain. None of the natural gas transported through the pipeline is intended for those being affected. None is intended for residents of Sand Lake or Nassau, or any resident of New York. This natural gas is for exportation. Yet residents along the pipeline and particularly those close to the compressor station will be bearing the extensive and dangerous burdens of this project. Solely so Kinder Morgan can make more money. This is not only an unconstitutional application of eminent domain – but its un-American. Our forefathers fought long and hard for protection against this kind of injustice.
- Property values will drop. Who is going to pay nearby residents for the decreases in their property values. Payment for easements do not come close to paying residents for the increased safety and health issues. Moreover, only those residents directly on the pipeline will receive payment. What about those of us nearby but not directly on the pipeline? Our property value will be affected. Our health and safety will be affected. Our quality of life will be affected.
- All municipalities involved are opposed this project. Shouldn't FERC defer to these municipalities? After all, they are best to determine what is best for their residents and communities.

We have struggled the past few years with weed growth in our lake resulting from aging septic systems. Both the Towns of Sand Lake and Nassau have spent a lot of money installing sewer lines so that the residents can get off septic and onto sewers in order to improve the water quality of the lake. It seems this expense to the Towns would be for naught if this compressor station is built 2000 feet from the lake since this compressor station.

Scoping meetings were held before Kinder Morgan submitted its impact report. Further, many of the impact in the report was to be determined. FERC should not approve this project without all the information.

**20150831-5110**

Frederick Snell, Andover, MA.

Kimberly D. Bose  
Secretary Federal Energy Regulatory Commission  
888 First Street NE  
Room 1 A  
Washington, DC 20426

re: Tennessee Gas Pipeline Company, L.L.C., Docket No. PF14-22-000

Dear Secretary Bose and Members of FERC;

Please vote to deny permission to build the Northeast Energy Direct pipeline proposed by the Tennessee Gas Pipeline (TGP) company.

1. TGP says that the pipeline will reduce gas and electric prices in New England. In reality it is uncertain whether this is true. In the winter of 2013-14 when New England experienced price spikes in natural gas, there were also large spikes in Pennsylvania where the gas is coming from. So how can a pipeline help pricing? TGP itself has discussed exporting gas in its literature to shareholders. Exporting to Europe and elsewhere will drive up gas prices all across the US as well as in New England. The citizens of Australia discovered a huge increase in domestic gas prices once LNG exports began. Going forward, they predict a 30% increase in domestic retail gas prices.

2. TGP says that this project will bring 3000 jobs to our region. A friend showed a photo of a survey truck with the name of an engineering firm from Holyoke on the side working on the pipeline route. But a look at the license plate revealed the truck (and likely the surveyor) was from Louisiana.

To operate the incredibly complex equipment to dig and lay the pipe as well as the horizontal drilling rigs to go under rivers and highways requires very specialized workers who travel around the country following pipeline jobs. Many more permanent jobs would be made fixing the many leaks in our existing gas infrastructure and in the growing renewable energy industry.

3. The conversion of our old coal and oil fired electric generating plants to gas is said to help the carbon footprint. But some scientists say that the methane that escapes during the drilling and transportation of the gas may make natural gas conversions not that much better. We get over 44% of our electricity from natural gas today and increasing that fraction may lead us to over-dependence on gas which historically has had volatile price fluctuations. FERC needs to investigate the global warming consequences of this proposed pipeline both upstream for methane emissions and downstream for combustion effects.

4. TGP says that much of the revised route goes along existing utility corridors. What they don't mention is that the pipe cannot go down the center under the poles but will be placed outside of the corridor. In Andover MA, this means that many family homes that were screened from a view of the power lines by trees will get a direct view of five huge electric transmission lines once the trees are cleared permanently for the gas line.

5. TGP says that this pipeline is needed to meet a growing need for gas for power generation and heating. There are other competing pipeline projects that appear to more than meet projected needs by expanding existing lines. Even this capacity may not be needed if we fix gas leaks, convert to LED lighting, convert to more efficient furnaces and boilers, import renewable electricity from Canada, expand solar and wind generation, use existing LNG import facilities to meet the 30 or so days when there is pipeline congestion, and better manage auctions for gas and electricity. A study of gas needs sponsored by Attorney General Healy of Massachusetts is expected to be complete in October 2015. No action on the environmental report by FERC should take place until this is released.

6. The NED pipeline is not wanted by the residents of the area. In the July report to FERC by TGP, it said that only 37% of the property owners along the Market Path agreed to a survey. The Town of Andover voted at Town Meeting in May to oppose this project as well as nearly every city and town through which it passes in MA and NH.

This proposed pipeline is clearly not in the public interest. If built, it will cause untold emotional and finan-

cial stress to family farmers, suburban dwellers, and others who just want a quiet place to come home to. It will enrich only the already wealthy pipeline owners and their shareholders. FERC, please do your job and stop this pipeline.

Sincerely,

Frederick Snell

Cc: Governor Baker

US Senator Warren

US Senator Markey

US Representative Tsongas

MA State Senator L'Italien

MA State Representative Lyons

### **20150831-5112**

Mary Compton, Hamden, CT.

August 30, 2015

Dear Secretary Bose,

I am writing in regards to Docket number PF14-22-000, Kinder Morgan's Northeast Energy Direct (NED) project.

This project fails to take into consideration the environmental impact of producing and using natural gas as an energy source. Methane is 34 times more potent than carbon dioxide at trapping heat in the atmosphere. Fracked gas poses serious environmental and health risks and the rate of leaks and spills is high. The International Energy Agency revealed that a switch from coal to gas would lead to a global temperature rise of more than 3.5 degrees Celsius, a result that is regarded by the scientific community as catastrophic. According to the Pipeline Hazardous and Safety Material Administration, leaks and explosions are not uncommon and have increased in frequency in recent years.

Why is this scientific research ignored? The environmental impact of this project on our communities is too costly and is not a valid solution to our energy needs. Sustainable, renewable energy is possible and along with conservation, is a step towards a future-this project puts on an environmental degradation slide into a future of polluted air and water.

A concerned environmentalist,

Mary Compton

### **20150831-5113**

Kristen Campbell, New Ipswich, NH.

The compressor stations for the pipeline will be minimally staffed if not fully automated and will become a soft target for terrorism.

### **20150831-5114**

Kristen Campbell, New Ipswich, NH.

The natural gas that will be transported through this pipe is not for NH. It is destined for Nova Scotia, where it will be converted to liquid natural gas and exported. So those who believe this gas will lower their energy costs are mistaken. We will be paying world market prices, which are monumentally higher than what we pay now. This pipeline is all risk and no benefits for NH. We should not have to pay for and suffer with it.

**20150831-5115**

Kristen Campbell, New Ipswich, NH.

Pipelines require compressor stations, and compressor stations are ginormous polluters. Their emissions do not have to be disclosed. They do not have to be monitored or managed. Compressor stations are exempt from such regulations. Recent studies of populations in the vicinity of compressor stations show increases in all manner of health issues, from constant bloody noses to cancers to still births. I don't know how this can be ok. These pipeline companies say they want to be good neighbors but they poison their neighbors with all the emissions and no one is held accountable. Why are they exempt from these regulations?

**20150831-5116**

Kristen Campbell, New Ipswich, NH.

Kinder Morgan has, in its FERC application, requested that the costs of building this pipeline be passed on to us. Yes, the people who host this pipeline also get to pay for building it, even though the gas is not for us, even though it will dramatically increase our air pollution. This will most likely come in the form of a tariff on the electric bills that the pipeline supporters think are already too high. I can't figure this out. First they are going to take land away from people to build the pipeline, then they are going to poison us with the emissions from the compressor stations, and we also have to pay to build and maintain this monstrosity?!? With all the money Tennessee Gas Company has, why can't they pay for their own project? Why can't they maintain it? While our taxes rise from this project, our property values decrease. How is this ok?

**20150831-5117**

Kristen Campbell, New Ipswich, NH.

Kinder Morgan has to demonstrate NEED by signing on customers. Liberty Utilities has signed on. But Liberty Utilities is a subsidiary of Algonquin, and Algonquin is in partnership with Kinder Morgan in the construction of this pipeline. So what we have here is a game of smoke and mirrors, not evidence of need. Only a fraction of this gas may be going to Americans in MA. This gas is mostly for export overseas. I thought that FERC has to have clear public need for projects like this. I don't think there is enough public need to warrant this project. Why destroy so many communities so the gas company can make money. This project does not help America!

**20150831-5118**

Kristen Campbell, New Ipswich, NH.

Southern NH has been deemed a "low kill zone," so this section of the pipeline will be built using thinner walled pipe and many more miles between shut off stations. It will leak. It will pollute. It could explode! It may not be as high density here as in a city, but our lives still matter! Why do they get to half ass the project? And the citizens still have to pay for it!? I feel like that alone should stop this pipeline all together. The lack of concern for human life.

**20150831-5119**

Kristen Campbell, New Ipswich, NH.

The gas company will cover any costs of repairing and mitigating for any affected wells within 200' of the pipeline. Blasting can affect aquifers 30 miles away. What about damage to everyone else's wells? This project will negatively effect people for miles!

**20150831-5120**

Kristen Campbell, New Ipswich, NH.

Southern NH has been deemed a "low kill zone," so this section of the pipeline will be built Using thinner walled pipe with many more miles between shut off stations. How is this ok? If there was an accident, our

pristine conservation land would just burn! The whole point of conservation land is to let nature do what nature does and save these places for our children to enjoy. This project would devastate many miles of conservation land and those animals which inhabit it.

**20150831-5135**

**Mason Conservation Commission**

16 Darling Hill Road

Mason, N.H. 03048

August 28, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

Dear Ms. Bose:

The enclosed letter expressing concerns about the Northeast Energy Direct natural gas pipeline project (FERC docket PF14-22-000) was written jointly by a group of conservation commissions in New Hampshire. Thirty-five New Hampshire conservation commissions signed the letter. The Mason Conservation Commission agreed to distribute the letter on their behalf, and will act as liaison to this group should you wish to communicate on this matter. We agreed to serve in this role solely for logistical reasons, to provide a single point of contact. The letter itself is very much a collective effort, and the Mason Conservation Commission is but a single signatory.

Respectfully,

Robert Dillberger  
Mason Conservation Commission

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August 28, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

Dear Ms Bose:

As conservation commissions for the state of New Hampshire, we are dedicated to protecting the natural resources of our towns, and have taken an oath to that effect. New Hampshire state law (RSA 36-A:2) authorizes the creation of conservation commissions “for the proper utilization and protection of the natural resources and for the protection of watershed resources” within their respective towns. We, the undersigned, find that the Northeast Energy Direct (NED) pipeline project (FERC docket PF14-22-000) threatens to damage these resources in many ways. Furthermore, if approved in its current form, the project threatens our ability to perform our duties in the future. We therefore believe our responsibility requires that we oppose the project for the reasons described herein.

**Impact on Future Conservation Efforts.** As currently proposed, the NED pipeline will cross at least 34 conservation properties in 15 New Hampshire towns. Most of the land being crossed by this project was acquired either by gift or by fee purchase authorized by the relevant towns. The protection of this land was made possible by citizens, voters, and donors who believe strongly that New Hampshire’s natural environment is worth protecting now and for future generations.

In many cases, money used to protect these lands came in part from state funds created for this purpose. In particular, the Land Conservation Investment Program (LCIP, established by RSA 221-A, since repealed)

and the Land and Community Heritage Investment Program (LCHIP, established by RSA 227-M) have both provided public matching funds without which some of these lands would have been lost to development. The intent of these laws is clear, as illustrated by this excerpt from RSA 227-M (emphasis added):

The general court finds that **in order to maintain New Hampshire's quality of life and economic vitality for its citizens**, growth and development should be balanced with careful protection of the state's most important natural, cultural, and historical resources. **Permanent protection of these resources**, through acquisition of lands, buildings, and other physical assets, or interests in these assets, must be accomplished along with their planned long-term stewardship .... The intent ... is to conserve and preserve this state's most important natural, cultural, and historical resources .. **for the primary purposes of protecting and ensuring the perpetual contribution of these resources to the state's economy, environment, and overall quality of life.**

Going still further, both programs create a public trust that bestows upon the State of New Hampshire the responsibility to protect these lands in perpetuity (emphasis added):

Resource assets acquired under this chapter through the use of the trust fund for the program **shall be held in public trust and used and applied for the purposes of this chapter**. Notwithstanding any other provision of law relating to the disposal of publicly-owned real estate, **no deviation in the uses of any resource asset so acquired to uses or purposes not consistent with the purposes of this chapter shall be permitted.** -RSA 227 -M:

14

It's worth noting that the law does provide for an exception to this mandate. Specifically, RSA 227-M:13 allows for these lands to be used for minor adjustments to state highways. However, the exception includes a strong qualifier: "Approval shall not be granted if reasonable and prudent alternatives exist nor if individual or cumulative approvals are likely to materially impair the conservation or preservation purposes for which the parcel was originally protected." This wording makes clear that even in the case of an allowed exception, conservation concerns take priority.

Also germane is Article 12-a of the New Hampshire State Constitution which states:

No part of a person's property shall be taken by eminent domain and transferred, directly or indirectly, to another person if the taking is for the purpose of private development or other private use of the property.

Because NED is a private development project, Article 12-a applies. This article is not specific to conservation land but rather applies to all real property within the state. Thus, unlike the LChiP and LCHIP programs, it provides some protection for lands currently being considered for conservation, or for which conservation plans are underway but not yet finalized. Several properties along the pipeline route fall into one of these two categories.

Citizens of New Hampshire have a right to expect these commitments to be upheld, and could lose faith in such protections if NED is allowed to proceed as planned.

The immediate destruction of this land, and the effects on adjacent land, watersheds, and wildlife habitat is bad in itself; we describe these effects in the remainder of this letter. Beyond that, we expect that the loss of even part of this land to a private (i.e., non-governmental) for-profit project by a private company (Kinder Morgan and its affiliate Tennessee Gas Pipeline) will undermine the towns' and state's ability to acquire such protected lands in the future. It seems reasonable to ask why anyone would give such a gift, or authorize such a purchase, if a key justification for such acts-perpetual protection-can be so easily dismissed in direct violation of state law?

Completion of this project as currently planned will send the strong message to the conservation-minded public that state laws can be ignored and protected land taken for private use if a private corporation wishes to use that land for a profitmaking venture.

**Impact on Water Resources.** NED has the potential to adversely affect groundwater and surface water along the proposed route. Both resources are of great concern.

Groundwater is a vital resource in all areas of human habitation, and particularly so in southern New Hampshire where a large proportion of citizens rely on private wells as their sole water supply. Some towns do

have public water, but those public supplies are themselves fed from in-ground wells.

Approximately 18 miles of the planned pipeline route (25% of the total length in New Hampshire) lie within known stratified drift aquifers, yielding 320 acres of pipeline right-of-way (ROW) within aquifer boundaries<sup>1</sup>. Approximately 9 miles of the pipeline route (13%) is planned to pass through soils where blasting is likely to be required<sup>1,2</sup>. Some of these potential blasting zones are near or within these stratified drift aquifers. The remainder of the likely blasting zones are equally troubling, lying within or near the bedrock aquifers from which many private wells derive their water.

Surface waters too are at risk. The pipeline ROW will directly disturb approximately 440 acres<sup>1</sup> of known<sup>3</sup> wetlands across southern New Hampshire. Among their many irreplaceable environmental services, these wetlands collect rainwater that ultimately contributes to aquifer recharge. Additionally, 70 water bodies (streams, brooks, rivers, ponds, and lakes) of varying size will be crossed.

The potential impacts from NED to water resources within these critical and sensitive areas include:

- Well contamination from nitrites or nitrates introduced during blasting.<sup>4</sup>
- Well contamination from previously bound naturally occurring pollutants (such as arsenic and radon) released by blasting.”
- Loss or reduction of well output through changes in bedrock channels caused by blasting. (Many private wells are bedrock wells, although the exact proportion of wells fed from bedrock aquifers and stratified drift aquifers is unknown.)
- Contamination through prolonged herbicide use to control vegetation in certain parts of the ROW.<sup>5</sup>
- Contamination through fluids leaked from construction vehicles operating in wetlands and above aquifers, or fluids spilled during fueling or maintenance.<sup>6</sup>
- Direct disruption of hydrology through soil disturbance (dig and fill), particularly in wetlands where necessary soil layering takes centuries to develop and is difficult to recreate once disturbed.
- Direct disruption of hydrology through changes in topology, affecting runoff patterns and rainwater accumulation needed to recharge aquifers.
- Direct drawdown of aquifers due to hydrostatic testing that might require more water than many of these aquifers normally produce.<sup>7</sup>
- Erosion and sedimentation during construction of water crossings affecting fish and stream life. <sup>8,9</sup> Of special concern is the time period between when construction ends and vegetative cover is re-established. With personnel no longer regularly on-site, the beginnings of erosion can go unnoticed and develop into serious problems that could have been prevented if caught early.
- Increased ground temperature in the vicinity of the pipeline, changing the thermal characteristics of traversed water bodies and potentially affected associated biological communities.

In summary, the cumulative effect on groundwater and surface waters of temporary (during construction) and permanent (post-construction) disruption within these areas is potentially great, yet difficult if not impossible to predict. In our view, the potential (and unproven) benefits of the project are insufficient to justify the risk involved.

**Impact on Wildlife Habitat.** Twenty-four miles of the proposed pipeline route, nearly one-third of its total length in New Hampshire, passes through wildlife habitat rated by the New Hampshire Wildlife Action Plan as “highest ranked” within New Hampshire or our biological region.<sup>10</sup> This habitat is outstanding for its high-quality streams, productive wetlands, and unfragmented forests that sustain a great variety of wildlife species, some of them rare, others threatened or endangered. Healthy fish and wildlife populations that support traditional activities such as fishing and hunting depend on New Hampshire’s highest-ranked wildlife habitat.

In total, the proposed pipeline will directly (i.e., within the planned ROW) affect 421 acres of this important

resource (the area of indirect effect will be much larger), destroying forest buffers that shade trout streams, obliterating vernal pools needed for amphibian reproduction, disrupting natural wildlife corridors that connect feeding with breeding areas, choking streams with sediment from long stretches of exposed soils, diminishing the wetlands' ability to function by compacting wetland soil with heavy equipment, threatening the health of wetland species with the use of herbicides for ROW maintenance, and introducing invasive species that out-compete native wildlife foods.

**Impact on Air Quality.** Potential adverse effects on air quality come in two forms:

1. Direct release of methane into the atmosphere, and
2. Additional air pollutants released at compressor stations as a side effect of burning hydrofractured gas to provide power.

Regarding the first point, methane is a potent greenhouse gas. When burned it produces about half as much carbon dioxide as coal or oil, but when released in its raw form, the effect is far from benign. According to the Environmental Protection Agency, methane has a “global warming potential” twenty times that of carbon dioxide over 100 years<sup>11</sup>, Methane loss has been measured in distribution systems, and at compressor stations (via leaks and deliberate “blow downs”), valve stations, and metering stations along supply lines. Methane loss from leaks in production, storage, and transmission systems is well documented, and recent studies show the amount lost due to leaks is greater than previously thought.<sup>12, 13, 14, 15, 16</sup>

The exact amount of methane lost to “fugitive emissions” remains an elusive figure but no study of the problem finds the amount is zero. On the contrary, estimates on the high end approach 8% of total annual shale gas production volume.<sup>17</sup>, and loss from a single compressor station blow-down releases on average 15,000 cubic feet of methane<sup>18</sup>, Of course, predicting how much gas will escape from the NED pipeline in particular is almost impossible. But given what is known about gas leaks in general, it is unrealistic to think that NED will not contribute to this problem.

As a charter participant in the Regional Greenhouse Gas Initiative (RGGI), New Hampshire has a demonstrated commitment to addressing this issue. Supporting projects like NED would contradict the fundamental principle underlying RGGI.

Regarding the second point (air pollution at compressor stations), numerous reports exist of air pollution near compressor stations (where “near” means as far away as one to two miles). Some pollutants (most notably nitrogen dioxide, which contributes to ground-level ozone production) are produced by burning natural gas. Others (known as “air toxics”, some of which are known carcinogens) such as benzene, toluene, ethyl benzene and xylene are presumed to be mixed with the methane as a byproduct of hydraulic fracturing<sup>19</sup> and are released along with fugitive emissions of methane. Collectively, these and other pollutants contribute directly to adverse health effects such as asthma and other respiratory illnesses, eye, ear, and throat irritation, headaches, cognitive complaints, and many other maladies.<sup>20, 21, 22, 23</sup>

Adding to our concern is the fact that a portion of the proposed pipeline route lies within a region already identified as a “nonattainment area” (NAA) which fails to meet ambient air quality standards defined by the U.S. Environmental Protection Agency.<sup>24</sup> Introducing a known source of air pollution-one that could release measurable quantities of a significant greenhouse gas<sup>25</sup> - would undermine the very standard that established this area as an NAA and under these circumstances seems unconscionable.

Given these data, we think it's clear that NED has the potential to adversely and measurably affect air quality at both a local and a global level. As with our previously stated concerns about impacts on water quality, the precise degree of impact is impossible to predict-although we know it won't be zero-but the lack of proven benefit from NED to potentially affected communities seems poor reason indeed to proceed with the project given these very real risks.

## **Other Impacts**

**Construction Impacts.** In addition to the construction-related issues already described, construction activi-

ties can trigger additional adverse effects including:

- Removal of biological material along the ROW leaving bare mineral soil, a habitat conducive to establishing invasive plants such as Japanese knotweed and oriental bittersweet. These invasive species outcompete native species and reduce the biodiversity essential to a healthy ecosystem.
- Introduction of invasive plants through plant materials inadvertently brought to the site on construction equipment or within fill material. That is, not only will this project create sites conducive to establishing invasive plants, it has the potential to deliver those plants to the sites.
- Fugitive dust and diesel exhaust from trucks and heavy equipment on roadways (southern New Hampshire has many miles of dirt roads which are often the only means of access to planned construction sites). Both pollutants contribute to or exacerbate respiratory problems.<sup>26,27</sup> Indeed, according to the U.S. Environmental Protection Agency, diesel exhaust is already a concern in New England: “Pollution from diesel engines is a widespread problem across New England and it significantly contributes to air pollution ...”,<sup>28</sup>

**Farmland Impacts.** Some evidence suggests that soil disturbance and increased ground temperature in the vicinity of natural gas pipelines (gases in general release heat when pressurized) contributes to long-term yield reductions.<sup>29</sup> The proposed pipeline route includes almost 28 miles that cross important farmland soils within New Hampshire.<sup>30</sup> Although a small percentage of this land is currently under cultivation, the degradation of these soils will have long-lasting effects on agricultural potential.

**Noise Impacts.** Federal guidelines establish a maximum day-night average noise level for compressor stations of 55 dB at the closest noise-sensitive area<sup>31</sup> and we have no doubt that NED compressor stations will comply with this nominal statutory requirement. However, averages can be misleading. For this particular impact, we believe that peak noise level is a more relevant and important metric because the loudest noises at compressor stations occur sporadically (such as during blow downs), not continually.

Peak noise levels of 100 dB have been measured in the vicinity of compressor stations.<sup>32</sup> For comparison, the nominal requirement of 55 dB is roughly equivalent to the sound produced by a modern dishwasher. In contrast, 100 dB is about as loud as a jackhammer.

Noise alone is sufficient to cause health problems including hearing impairment, cardiovascular and other physiological effects, mental health effects, and sleep disturbance.<sup>34</sup> Here, sleep disturbance is of particular concern. Because compressor stations operate 24 hours a day, the potential exists for nighttime sleep disruption. Inadequate sleep is a proven cause of many health problems, and chronic sleep loss “has serious consequences for health, performance, and safety.,<sup>33</sup>

Evidence suggests that the difference between a loud noise and the ambient noise level is a more important factor in sleep disturbance than the absolute magnitude of the loud noise<sup>34,35,36</sup> This fact is another reason we believe peak noise is more important than average noise in this case. Much of the pipeline route in New Hampshire passes through decidedly rural areas where the typical nighttime noise level is around 35 dB. In these circumstances, a nighttime noise of 100 dB would be jarring indeed (being perceived as roughly 90 times louder than the background noise) and is easily loud enough to disturb sleep in most people.<sup>35,36</sup>

Also of concern is the low-frequency noise (LFN) produced by compressor stations.<sup>37</sup> Low-frequency noise (below 100 Hz) has been linked to numerous psychological, emotional, and physiological complaints.<sup>34,38,</sup>

<sup>39</sup> In some ways, LFN can be worse than noise at higher frequencies. In particular, LFN need not be considered “loud” to cause annoyance and irritation, and is found to be more difficult to ignore than higher frequency noise.<sup>40</sup>

In addition to the potential psychological and physiological effects of loud noise on humans, evidence suggests that wildlife might also be adversely affected by loud noise. Laboratory experiments show reactions in some animals similar to those of humans after prolonged exposure to loud noise. Other studies show that anthropogenic noise can interfere with vocalization and communication in some species, leading one author to conclude that “The inability of creatures to successfully communicate or otherwise employ their auditory

senses is detrimental to the long-term survival of these displaced creatures and the overall biological integrity of the environment.”<sup>41</sup>

## **In Conclusion**

Perhaps it’s true that New England needs more energy. However, New Hampshire, as a net exporter of electricity, does not. New Hampshire’s recently completed Ten Year Energy Strategy identifies what the state does need to prepare for the future, that being (among other things) electric grid improvements (including increased use of sustainable energy sources such as wind and solar power) and improved energy efficiency. Efficiency improvements in particular yield the cheapest, cleanest, most plentiful energy source with no adverse environmental effects. And New Hampshire has much room for improvement here; it lags behind neighboring states in adopting energy efficiency measures.<sup>42</sup>

What New Hampshire does not need is an expensive, short-term fossil-fuel fix that diverts us from energy efficiency and energy alternatives and simultaneously destroys wetlands and wildlife habitat, disrupts farmlands, degrades water quality, adds to air and noise pollution, and directly contradicts the legal mandate to hold above all else our precious conservation lands in the public trust.

We the undersigned conservation commissions of New Hampshire believe that the protection of our natural resources is a fundamental right, and that this private taking of these natural resources not only violates this right but is an egregious act against our constitutional guarantee to be protected by the State for the “enjoyment of ... life, liberty, and property”<sup>43</sup>

In closing, we acknowledge that energy unquestionably contributes to our quality of life. But the natural environment is the source of that life. Surely nothing is more important than protecting the source.

**Acworth Conservation Commission**  
**Amherst Conservation Commission**  
**Belmont Conservation Commission**  
**Bethlehem Conservation Commission**  
**Brookfield Conservation Commission**  
**Brookline Conservation Comm**  
**Campton Conservation Commission**  
**Cornish Conservation Commission**  
**Deerfield Conservation Commission**  
**Dorchester Conservation Commission**  
**Exeter Conservation Commission**  
**Fitzwilliam Conservation Commission**  
**Greenfield Conservation Commission**  
**Greenville Conservation Commission**  
**Hudson Conservation Commission**  
**Jaffrey Conservation Commission**  
**Kensington Conservation Commission**  
**Lyndeborough Conservation Commission**

**Mason Conservation Commission**  
**Merrimack Conservation Commission**  
**Middleton Conservation Commission**  
**Milford Conservation Commission**  
**Nottingham Conservation Commission**  
**Pelham Conservation Commission**  
**Peterborough Conservation Commission**  
**Piermont Conservation Commission**  
**Rindge Conservation Commission**  
**Sullivan Conservation Commission**  
**Temple Conservation Commission**  
**Troy Conservation Commission**  
**Walpole Conservation Commission**  
**Washington Conservation Commission**  
**Wilmot Conservation Commission**  
**Winchester Conservation Commission**  
**Windham Conservation Commission**

## Notes

- 1 Derived from publicly available GIS data obtained from GRANIT at the University of New Hampshire (UNH).
- 2 Blasting is expected to be required in any soil of type Lyman-Tunbridge-Rock outcrop complex as identified in the Soil Survey Geographic (SSURGO) database for New Hampshire available at UNH GRANIT.

- 3 Rick Van de Poll, Ph.D., a wetlands scientist currently with Ecosystem Management Consultants, estimates that National Wetlands Inventory (NWI) data accounts for only 50-70% of actual wetlands. Personal communication, June 29, 2015.
- 4 “Rock Blasting and Water Quality Measures That Can Be Taken To Protect Water Quality and Mitigate Impacts,” New Hampshire Department of Environmental Services, 2010.
- 5 “Tennessee Gas Pipeline Company Commonwealth of Massachusetts Five-Year Vegetation Management Plan 2011-2015”, Tennessee Gas Pipeline Co., 2010.
- 6 “Best Management Practices for Fueling and Maintenance of Excavation and Earthmoving Equipment”, WD-DWGB-22-6, New Hampshire Department of Environmental Services, 2010.
- 7 As it does for many critical statistics, Tennessee Gas Pipeline Company’s “Resource Report 2: Water Use and Quality” lists the exact amount of groundwater withdrawal for hydrostatic testing as “TBD” so it is not yet possible to predict the exact impact of this activity on groundwater supplies. Transmissivity of affected aquifers is available in the Natural Services Network dataset at UNH GRANIT.
- 8 “Senator calls for rehearing on pending pipeline project in West Milford, Ringwood,” David Zimmer, NorthJersey.com, 2012, describes a particular example of issues with sedimentation from pipeline construction by Tennessee Gas Pipeline Co.
- 9 “AFS Policy Statement #12: Construction and Operation of Oil and Gas Pipelines,” American Fisheries Society, available at [http://fisheries.org/docs/policy\\_statements/policy\\_12f.pdf](http://fisheries.org/docs/policy_statements/policy_12f.pdf).
- 10 “New Hampshire Wildlife Action Plan,” New Hampshire Fish & Game Department, 2010. 11 From information available at <http://www.epa.gov>.
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### **20150831-5137**

Photos showing apparent survey trespass on the property of Carol & Greg Blais New Ipswich, NH.

On 24 May 2015, my wife & I walked our property to post our land, and discovered a survey marker and several blaze marks along our property line (see attached photos). The location of the marker is along the power line which is the proposed NED pipeline route. This property line borders the land of Robert Sundstrom, who has also recently submitted a filing on 28 Aug 2015 in opposition to this project. This is not only our property line, but is also the town line between New Ipswich & Rindge, and is also the county line between Hillsborough & Cheshire Counties. We immediately called Patty Quinn, of Percheron Field Services, LLC who is the Contract Land Agent to TGP LLC. We got her voicemail & left a message and we did not get a return call for a few days. She denied any knowledge of a survey on our property. We had filed a deny survey permission letter on 3 Feb 2015, so did not expect any survey to occur on our property. The interesting thing is there is no public right of way access to this area without crossing private property. Our property is posted and we will not tolerate any trespass on our property.

*{3 photos omitted}*

**20150831-5144**

James Brokenshire Moody (home owner), Richmond, NH.  
Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426

Docket#PF14-22-000

August 27, 2015

Dear Secretary Bose,

I am writing to state that I do not want a pipeline in my back yard – it is sacred ground! No doubt your office has received many letters stating similar concerns. I'm certain you understand the technical reasons a high pressure gas pipeline should not be built within yards of a home as is the case in our situation – our family is within the blast zone should an explosion occur. Since we're rural the pipe itself is thinner than in a more populated area. You know the facts.

It is critically important our message be heard, understood, and taken into consideration to stop the pipeline from being built on its proposed route & across our property. My great grandfather, U.S. Navy Commander Rev. John J. Brokenshire, purchased our homestead we call Hillside over 100 years ago. He served in WW I in the U.S. Navy as a Chaplain with a long and distinguished naval career. All of his sons enlisted in the U.S. Military and served in WW II; Admiral Douglas Brokenshire U.S. Navy (he served on the U.S.S. Sicily) and Gordon Brokenshire, his wife & daughter- all are buried just yards from the proposed pipeline path. The land they rest on is certain to be destroyed. Our memorial to Lieutenant Commander Dr. Hebert Cecil Brokenshire U.S.N.R. is at risk of being decimated by this pipeline. Brokenshire Hospital in Davao City, the Philippines is named after Hebert who stayed behind to help the U.S. war effort & the people of the Philippines after the Japanese invaded on December, 8th 1941. He became a POW, forced to trek in the Bataan Death March, and died on a Japanese 'Hell Ship' serving his country. He received the Purple Heart and other medals from the DOD as did his brothers. We owe it to these men of valor to respect their resting places.

I visited the WWII Memorial in Washington DC this week while dropping off my daughter who is a freshman at George Washington University. I have great respect for how our country honors our war heroes. We have war heroes on this property and I respectfully request our land be not be ravaged by corporate interests. Our community really needs you as a voice of our government to step up to stop this misguided corporate interest – who does not care about our heritage.

Hillside is being passed down to its fourth generation now and is in Brokenshire Trust to stay in our family for generations to come. We care for our land and the environment. A Pipeline means 40 +/- archers of our land will be clear cut and dug up – permanently. It means disruption to owl, bobcat, bear, deer & moose habitat, blasting will put at risk our wells, destruction of tree lines will mean pesticides will be sprayed into Sandy Pond watershed and end up in our water and food. Stone walls & cellar holes from the 1700's - the birth of our nation - will be completely destroyed. This is not just open land – it is your heritage and my families. We are all stewards of this land; we must demand this pipeline not be allowed to pass through our sacred ground!

Sincerely, James Brokenshire Moody (Brokenshire Trust - home owner), Vice President, MBA HealthGroup  
119 Sandy Pond Road  
Richmond, NH 03470  
603-239-4838  
jimmoody@gmail.com

**20150831-5151**

Kimberly D. Bose, Secretary

Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426  
Docket#PF14-22-000

August 30, 2015

To Kimberly Bose and the Federal Energy Regulatory Commission:

There are few places on earth to which I feel so deeply connected as I do in Richmond, New Hampshire. My dad's side of the family owns a home there: Hillside. It was built around 1810, and shows it. Cold air seeps through walls and floorboards, families of mice have taken up permanent residency in the attic, and there is always a surface that needs to be scraped and repainted. Some of my earliest memories are of summers spent at Hillside's gas stove, making pancakes shaped like salamanders we collected from Sandy Pond, which I crossed the road to swim in every day. My sisters and I would lie on the dock and fish salamanders out with our fingers and nets, name them, and race them.

Unlike the house, the water, fields, and forest surrounding Hillside remain pristine since my relatives first moved in. The grassland spanning in front of Hillside's porch blooms with wildflowers each summer, and our view of Mount Monadnock is still covered by the towering pines. The woods of Richmond are expansive and untouched: the epitome of natural purity.

Tomorrow I will embark on my career as a first-year college student. As I settle into my dorm room at Foggy Bottom, it's difficult not to become nostalgic for the places where I feel the most at home.

I urge you to consider my letter and those of my family members as you decide whether or not to approve the proposed pipeline route through Richmond, New Hampshire. Beyond the negative affect the pipeline would have on my family's property, the route's proximity to a home that shelters multiple children is also concerning. The pipeline will be severely detrimental to the well being of Richmond's community, its land, and our larger global environment. I hope our voices will persuade you to oppose the Northeast Energy Direct natural gas pipeline.

Thank you for your time.

Sincerely,

Izzy Moody  
119 Sandy Pond Road Richmond, NH 03470

## **20150831-5152**

I am writing in regards to Docket number PF14-22, Kinder Morgan's Northeast Energy Direct (NED) project.

Before approval of any part of the proposed Northeast Direct (NED) pipeline I request that the FERC require comprehensive, third party, studies and testing of, but not limited to, the following, in regards to impacts of the pipeline throughout its entire proposed 71 miles through New Hampshire and the proposed compressor station in New Ipswich, NH:

1. Acoustic readings done throughout the year and in all weather and wind conditions for more that 72 hours at a time to determine current average noise levels at various locations including residences, farms, hiking trails, wetlands, and the elementary school near the proposed compressor station site. As well as studies to determine how far noise from the compressor station could potentially carry. The final plans for the compressor station must include noise reduction methods sufficient to not disturb nearby residents and wildlife and preserve the very low noise levels of the rural area of New Ipswich and Temple in which it is proposed.
2. Night-time light level readings to determine the current amount of ambient night-time light in the area of the compressor station and ensure that this is not exceeded. If it is determined that outdoor 24 hour lights must be used on the compressor station property they must conform to local dark skies initiatives and be kept to an absolute minimum.

3. Detailed water quality analysis and testing of all wells within 2 miles of the pipeline as well as studies to determine how blasting may affect those wells, aquifers, the watershed for the Greenville Reservoir, which the proposed compressor station is within, and the Greenville Reservoir itself, the supply line for which will be crossed by the proposed pipeline. Studies to determine where any pipeline related leaks or run-off are likely to flow and how that will affect wells, aquifers, the Greenville Reservoir and its watershed. If the pipeline is approved, there should be regular testing of wells during the construction process and yearly after installation for the lifetime of the pipeline to ensure that water quality has not been compromised in any way.
4. A study detailing how the long and short term effects of drinking, cooking, watering crops with, and otherwise using water contaminated with pipeline-related emissions affects the long term health of any humans, animals, or plants that come in contact with the water.
5. Air quality testing and a detailed report of all potential emissions from the construction process, the pipeline, and compressor station, both under normal running circumstances and in the event of an emergency such as a leak or explosion.
6. Studies detailing and how exposure to emissions from the pipeline, pipeline construction, and compressor station, over the short and long term effect the health of humans, including a separate study for the effects on young children; domestic animals; livestock, including livestock raised for meat and for breeding; crops, including organic, grown for food and animal feed; wild mammals, birds, reptiles, and amphibians; and wild plant life of all types.
7. Any additional studies to determine the impacts of the fact that the proposed compressor station is between 1 and 2 miles of the reservoir that provides water for the Town of Greenville and between .7 and 1.5 miles of the Temple Elementary School which serves as an emergency shelter.
8. A third party investigation into Kinder Morgan's safety record on all of its currently running pipelines.
9. A comprehensive emergency plan including training of local emergency services and police, taking into account that these are largely volunteer organizations in this area and enumerating actions and equipment needed for dealing with any pipeline related emergency that might arise including, but not limited to, leaks and explosions. This emergency plan must also take into account that the towns of Greenville and Temple share a police force and that officers may at any given time be on the opposite side of the pipeline route from where an emergency occurs.
10. Kinder Morgan be required to use thicker pipe to prevent leaks, not allowed to use thinner pipe because this portion of the pipeline is in a rural area. That Kinder Morgan also be required to install shutoffs more frequently than every 20 miles and that said shutoffs are easily accessible to local emergency personnel and that emergency personnel are trained in the use of shutoffs.
11. All studies, testing, plans, training, or other actions needed to complete these requirements be paid for in their entirety by Kinder Morgan and no financial burden for any pipeline related activity should fall on the local citizens, taxpayers, or governments. And that Kinder Morgan be required to put money in escrow to cover costs of studies, testing, plans, training, and any future reparations or damages caused by the pipeline, pipeline construction, or the compressor station during normal operation or if an accident occurs. The amount of funds to be determined by an independent third party and approved by local governments as being sufficient.

I encourage the FERC to consider this pipeline not in a vacuum but in relation to the fact that environmental impact of NED is also larger than just the immediate area of the pipeline route. There is also the environmental impact of the fracking process, which has begun to be banned around the world, and the fact that, though better than coal, natural gas is still a fossil fuel and contributions to climate change.

I further encourage the FERC to do an analysis of alternatives to building the NED pipeline focusing on renewable energy, energy conservation, already existing infrastructure, and other proposed pipeline expansion projects already being considered in the region to determine whether this project is even really necessary.

Thank you for the opportunity to comment.

Sincerely,

April Walker  
659 Darling Hill Road  
Greenville, NH 03048

**20150831-5153**

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426

Docket#PF14-22-000

August 27, 2015

Dear Secretary Bose,

I am writing to state that I do NOT want a pipeline in my backyard because I am the wife of the current owner and mother of future owners of the home and property at 119 Sandy Road, Richmond, NH 03470. This home and property was purchased by my husband's great-grandfather in 1910 and generations have owned and taken care of it since. I worry about the spoiling of land, water and resources I have grown to love for the past 20 years.

This pipeline is a bad idea for several factual reasons. One critical reason is that Richmond has only a volunteer fire department and no ambulances at all, should any emergency happen. Most of the pipeline would not be accessible by road, and firefighters would need to carry water in by foot or on ATV vehicles.

Another reason is the health of Sandy Pond. Herbicides would run off to the lake and cause damage similar to that of the weedle problem in the 80's. Dynamite blasts could damage the brook and block the source of water to the pond as well.

A third and more feeling reason is that I have concern for the grave site that is on our property. Our beloved, deceased family are interred there. A pipeline would disturb their peace.

The Tennessee Gas Pipeline Company, LLC (a Kinder Morgan Company), its representatives, contractors, sub-contractors or associates do NOT have permission to enter our private property for any purpose to further the pipeline infrastructure project. Any attempt to do so will be considered unauthorized and treated as trespassing.

Sincerely,

Shana Hopkins, wife of current owner and mother of future owners  
119 Sandy Pond Road  
Richmond, NH 03470

**20150831-5154**

**Patricia Larson**  
173 Athol Road  
Orange, MA 01364  
plarson24@hotmail.com - 978-575-1226

August 30, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission (FERC)  
888 First Street NE, Room 1A  
Washington, D.C. 20426

Re: Tennessee Gas Pipeline Company, LLC (TGP)

Docket No. PFI4-22-000, Northeast Energy Direct Project -- Comments on Environmental Issues regarding

## Environmental Impact Statement (EIS) for NED

Dear Secretary Bose and Members of the Commission:

I have many concerns about the proposed TGP Northeast Energy Direct gas pipeline. I do not believe that the need for this new proposed huge and expensive gas pipeline has been demonstrated and is thus unnecessary. Recently Tennessee Gas (TGP) scaled back its proposed project crossing Massachusetts and southern New Hampshire from 2.2 billion cubic feet per day of gas to 1.3 billion cubic feet per day. Yet it still has contracts for only 550 million cubic feet of gas per day. This is not near capacity for such a large project and does not point to need. Thus, permitting by FERC for this project should be denied.

### Alternatives

There are many alternatives that should be researched before approving a large scale gas pipeline which continues our use and reliance on fossil fuels. In light of issues regarding greenhouse gas emissions and climate change we cannot afford as a society to continue on this path. Thus, I request that FERC investigate and research the impact of a No Action Alternative relating to the proposed NED project.

### Concerns

A few alternatives to examine include:

- 1) Please investigate and report on the cumulative effect of energy efficiency and conservation. How does this reduce the current demand for gas in generating plants for electricity in the next five years?
- 2) Please investigate and report on the cumulative effects of renewable energy such as solar, wind and hydropower. How does this reduce demand for gas in the next five years?

### A Bit of Background Information on Possible Alternatives

**Energy Efficiency:** Massachusetts has ranked #1 in the country in energy efficiency for the past four years. If Massachusetts continues to strengthen such programs as MassSAVE, upgrade equipment and encourage less use of energy, then this can be one alternative among many that helps lower the need for more gas infrastructure in Massachusetts. The MA Energy Efficiency Advisory Council's annual report for 2013-14 states: "In 2013, the integrated statewide electric and natural gas energy efficiency programs delivered electric savings of over 1.1 million MWh, natural gas savings of 25 million therms, and greenhouse gas emissions reductions of nearly 660,000 metric tons. In other words, Mass Save helped customers save the same amount of electricity as all households in Lowell, Springfield, Taunton and Waltham collectively use in a year. The natural gas savings are equal to heating nearly every single household in Framingham for a year." (I)

**Renewable Energy:** Supporting renewable energy is another alternative way to deal with energy needs in Massachusetts. The graph below shows that in Massachusetts over 900 MW s of solar capacity have been installed, and 107 MW of wind capacity (<http://www.mass.gov/eea/energyutiliti ties-clean -tech! energy - dashboard/>).

*{graphic "Installed Renewables (2008-2015)" omitted}*

Examination of other concerns related to alternatives and the lack of need for the proposed NED project by Tennessee Gas include the following:

### Fixing Gas Leaks in Massachusetts

- 1) Please investigate how gas leaks would cut down on need for new gas infra-structure such as the Northeast Energy Direct (NED) project proposed by Kinder Morgan/TGP.

**Some Background Information:** In the last two years studies have been completed documenting the number of gas leaks in existing pipes in Massachusetts. These studies include a report compiled for U.S. Senator Ed Markey in 2013. According to an analysis completed for the Markey report, "consumers in the United States paid at least \$20 billion from 2000-2011 for gas that was unaccounted for and never used. Natural gas is primarily comprised of methane, a greenhouse gas that is at least 21times more potent than carbon dioxide." (2) In another study released in January, 2015 by a group of atmospheric scientists at the Harvard School of

Engineering and Applied Sciences (SEAS), the study stated that “about 15 billion cubic feet of natural gas, worth some \$90 million, escapes the Boston region’s delivery system. This means that 2.7 percent of the gas that is brought to the Boston region never makes it to customers; it escapes into the atmosphere each year. That is more than twice the lost rate that government regulators and utilities estimate.,(3) Both the Markey study and the Harvard study point to the concept that fixing gas leaks in the distribution system rather than building new gas pipeline infra-structure is the wiser path. Also a recent article in the Boston Globe (August 20, 2015) revealed the presence of 20,000 leaks which need to be fixed in Boston. By law (passed by the MA State Legislature in 2014), the utilities are required to repair immediately leaks that pose a risk of explosion. This state law also requires utilities to repair minor leaks on streets that are under construction or near a school zone. According to the Globe article, “The utilities used to allow those leaks to seep indefinitely, because they didn’t see them as an imminent threat.,(4)

Winter Reliability regarding energy usage and other concerns regarding gas powered generation plants for electricity

1) Please investigate how Massachusetts can meet their gas and electricity needs in the winter without NED. What would the cumulative effect be if the alternatives were considered?

Some Background Information: Studies do exist or are underway to help answer this question. Massachusetts Attorney General Maura Healey has called for a regional gas capacity study to evaluate the need for additional gas capacity and how new natural gas capacity would affect our ability to meet mandatory greenhouse gas reduction goals put in place through the 2008 Massachusetts Global Warming Solutions Act (GWSA, Chapter 298 of the Acts of 2008)(5). This study will “examine options to address electricity reliability needs in New England region through 2030, evaluate costs and benefits of all available energy resource options” and is to be completed by October, 2015 (6). The Attorney General’s study will also investigate other ways to meet energy needs, including energy efficiency and renewable energy generation as well as updating existing infrastructure.

In another recent study, Energyzt Advisors, LLC prepared a study for GDF SUEZ Energy North America on Analysis of Alternative Winter Reliability Solutions for New England Energy Markets. Energyzt’s review and analysis of the current energy situation in New England concluded that lack of pipeline infrastructure is not the problem. For one the report states that during peak times of extreme winter weather “high prices from the winters of 2012/13 and 2013/14 reflect a peaking problem and lack of commercial arrangements with existing infrastructure, not a base load issue that justifies new pipeline capacity.” During the winter of 2014-2015 these peaks were dealt with by better using existing infrastructure. The Energyzt study also points out that federal and state policies do not support new gas pipeline infrastructure as both levels of government deal with the issues of climate change by promoting “non-gas-fired generation such as renewables, low load growth from energy efficiency and demand response, and market-based performance incentives in New England’s competitive capacity markets to ensure electric generation capacity is available when it is needed most. These programs are projected to flatten if not decrease natural gas consumption from the electric generation sector. Emerging technologies such as distributed generation and battery storage are likely to further moderate peak demand.” (7)

Also in the ISO-New England 2014 Regional System Plan released in November, 2014 they forecast that the demand for electricity shows “slow growth in both summer and winter peak demand times with an annual energy use rise of 1 %.,(8) With more energy efficiency and conservation added to the mix along with many other alternatives, there does not seem to be a need for new, large gas infra-structure. With close to over 50% of electric generating plants now using natural gas to make electricity in Massachusetts, it does not seem wise to continue on this path. Diversification of fuels for electricity generation should play into the mix at this time.

A thorough study of alternatives which Tennessee Gas dismissed in their Alternatives section of Resource Report 10 is necessary before saying this project is needed in New England. (9) I believe that using a combination of several alternatives can work, and thus this new gas pipeline is not needed.

In terms of other issues for the Draft Environmental Impact Statement (EIS) issued by FERC, I have many other concerns about the proposed NED project. I want to highlight only a few which concern land use, recreation and sense of place. These are places along the proposed route that I know from living in Franklin County for almost 40 years.

### **Land Use and Recreation**

Crossing of Millers River from Montague (Millers Falls) to Erving - It appears that Tennessee Gas proposes to cross the Millers River from Montague to Erving by going down a rocky steep embankment and using horizontal drilling to cross the Millers River and then up another steep embankment to then go under Route 2 and continue into Erving and Poplar Mountain. The Millers River is a tributary of the Connecticut River and flows for 50 miles from lakes in Ashburnham MA area into the Connecticut River. For the many years after industrial pollution of the river, volunteer citizen groups joined with town and state government agencies to clean up the Millers River. The Millers River is once again a clean living river and a place for fishing, kayaking, paddle board sports, an annual canoe race and other water sports for many people including people from other parts of New England. The Millers River Watershed Council (10) and other groups continue to monitor the quality of the river.

#### **Concerns:**

- (1) Please investigate the effect of possible extensive blasting in the area. How can the impact of blasting be avoided in terms of de-stabilizing steep rocky banks?
- (2) Please investigate the effect of drilling under the Millers River. How can possible impacts on fish and the cleanliness of the river be avoided or mitigated in case of contamination and other water issues?

### **Montague Plains in Montague**

The Montague Plains Wildlife Management Area (MPWMA) has as its primary purpose the protection and preservation of a dry outwash pitch pine-scrub oak barren natural community, its associated biota and its ecological processes. To manage this unique pine barren and its biodiversity in Central Massachusetts, the state in 2000 started doing small prescribed burns for ecological management. These prescribed burns (6-8 a year) take place every year and help in the management and study of this unique area. The burns are necessary to maintain this unique area. (11)

#### **Concerns:**

- (1) Please investigate and report on the impact of a pipeline crossing part of this important and sensitive eco-system so that Tennessee Gas must avoid areas where future management burns might need to happen.
- (2) Continuing prescribed burns for management of pine barren - What are the risks and how can this continue in the future without problems with a gas pipeline?

### **Northfield Conservation Land and Hiking Trails- New England Trail**

In the 1950s, Professor Banfield from the University of Massachusetts first designed the Metacomet-Monadnock Trail- the M&M Trail. For over 50 years this trail which runs through Erving, Northfield and many other towns in Massachusetts continued as an important hiking trail in the region. In 2009 the M&M Trail became part of a 215 mile National Scenic Trail from Long Island Sound in Connecticut through Massachusetts into New Hampshire, now called the New England Trail. This trail is still maintained and supported by a volunteer structure. But federal funds have also help support some aspects of the trail since it became a National Scenic Trail. Many hikers from outside the area as well as local residents use the New England Trail (NET) in Northfield year round where the NED gas pipeline would cross the trail and a proposed compressor station could be constructed.

In a recent issue of AMC Outdoors, Marc Chalufour (senior editor) writes about his experience of hiking this section of the New England Trail and waking from a night at the Richardson Zlogat Cabin on the trail: "Golden light spills over the shoulder of Mount Grace, and Monadnock beckons in the distance. A thin ceil-

ing of clouds divides the crisp blue sky from the lush green forest below .... Right now we stand still, watching the colors grow more vibrant, marveling that this unblemished view, like the trail, has survived.” (12) And it must survive without the hindrance of construction of the Kinder Morgan/TGP NED gas pipeline.

#### Concerns:

- 1) Please investigate and report on ways that there will be no impact on the New England Trail and its surrounding landscape.
- 2) Please investigate and report on ways there will be no impact for the 10,000 hikers who use the New England Trail each year in hiking through Northfield, Erving and Warwick.

#### Conclusion

Concerns about building large new gas infra-structures are not just related to a need for energy in many locations. Larger questions relating to climate change and how we as a society deal with this must be asked and answered now. As a society we must shift our thinking and mind sets to become stewards of the Earth who stop extraction and our ravaging of the Earth. It falls to us to begin the long journey and think in new ways as a society and country. There is no one alternative that will be the answer to the crisis of climate change, no new gas pipelines, but there will be many alternatives which together can get us to rely less on fossil fuels. All alternatives must be investigated with detailed reporting in the Draft Environmental Impact Statement. Such an investigation will hopefully show that the Tennessee Gas NED project is not needed in New England (Massachusetts and New Hampshire).

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([http://www.markey.senate.gov/documents/markey\\_lost\\_gas\\_report.pdf](http://www.markey.senate.gov/documents/markey_lost_gas_report.pdf)).
- (3) Published in January, 2015 in Proceedings of the National Academy of Sciences (PNAS), <http://www.pnas.org/content/112/17/1941.full.pdf>.
- (4) “Project Reveals 20,000 Leaks in MA Gas Lines,” David Abel, Boston Globe, August 21, 2015, [http://www.bostonglobe.com/metro/2015/08/20/new-law-casts-light-state-natural-gas-leaks/qJJPCjRZITc5aiOJeHNOqO/story.html?s\\_campaign=S315](http://www.bostonglobe.com/metro/2015/08/20/new-law-casts-light-state-natural-gas-leaks/qJJPCjRZITc5aiOJeHNOqO/story.html?s_campaign=S315)
- (5) Global Warming Solutions Act-- <http://www.mass.gov/eea/air-water-climate-change/climatechange/massachusetts-global-warming-solutions-act> plus <https://legislature.gov/Laws/SessionLaws/Acts/2009/Chapter29S>
- (6) <http://www.mass.gov/ago/news-and-updates/press-releases/201512015-07-06-regional-gascapacity-study.html>
- (7) Analysis of Alternative Winter Reliability Solutions for New England Energy Markets, Report by Energyzt Advisors, LLC (Tanya Bordell and Zander Arkin), Prepared for GDF SUEZ Energy North America, August, 2015.
- (8) 2014 Regional System Plan, ISO-New England, November, 2014, p. 4. <http://www.isone.com/system-planning/system-plans-studies/rsp>
- (9) Draft Environment Report - Resource Report 10 for Northeast Energy Direct (FERC Docket PF 14-22) by Tennessee Gas Pipeline (Kinder Morgan/TGP), July, 2015
- (10) <http://millerswatershed.org/>
- (11) Managing Fuels in Northeastern Barrens, <http://www.umass.edu/nebarrensfuels/mabarrens/montaguel>
- (12) “The Scenic Route,” Marc Chalouf, AMC Outdoors, September-October, 2015.

#### **20150831-5156**

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE  
Washington, D.C. 20426  
August 31, 2015

Re: Tennessee Gas Pipeline Company, LLC Docket No. PF14-22-000  
Northeast Energy Direct Project

Dear Secretary Bose,

Attached please find the manuscript of my article published in Commonwealth Magazine on April 3, 2015, with accompanying footnotes. The article outlines the weaknesses in the case for need, in particular focusing on the capacity of liquefied natural gas resources to provide the necessary hedge against winter electricity price spikes, making pipeline expansion unnecessary.

The practice of eminent domain to support a private corporation's plan to export natural gas to global markets is simply wrong, especially as there are alternatives to insuring the reliability of New England's electricity supply. The proposal goes against every moral fiber underlying our United States Constitution. You know it. Your Commissioners know it.

Please review the case for need. Verify what the numbers clearly show-the Northeast Energy Direct project is neither necessary, nor convenient. If called upon to do so, I stand ready to appear before your Commission to present the argument, and debate the merits, in an open, transparent, and public forum. Energy industry executives and independent system operators are not the only stakeholders that have done their homework regarding the expansion of natural gas infrastructure in the region.

I know that I speak for thousands of homeowners and landowners across Massachusetts and New Hampshire when I urge you, Commissioners Bay, Clark, Honorable, LaFleur, and Moeller, to adopt the "no build" option when considering the Northeast Energy Direct application in the coming months.

Respectfully submitted,

Vincent E. Premus, Ph.D.  
Pepperell, MA

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**Gordon Van Welie, do your job-LNG makes pipeline expansion unnecessary'**

**Vince Premus**

**Revised: April 5, 2015**

The U. S. Energy Information Administration (EIA) is a federal agency that "collects, analyzes and disseminates independent and impartial energy information to promote sound policymaking, efficient markets, and public understanding of energy [policy]". According to the agency's data, the six New England states consumed a total of 889 billion cubic feet (Bcf) of natural gas in 2013.<sup>3</sup> The data also show that New England's natural gas inflow capacity is currently 1,709 Bcf/yr, exclusive of the region's three liquefied natural gas (LNG) import facilities, which in the past have contributed additional capacity of up to 150 Bcf/vr." So why, despite a natural gas inflow capacity that is nearly twice the region's annual demand, does Gordon Van Welie, the CEO of the region's power grid operator ISO New England, persist in his claim that we must expand our gas pipeline infrastructure to keep electricity prices down and avoid the threat of rolling black outs in the future?

Recent data on winter price spikes in electricity has shown that, during a handful of days per year, there are episodes where regional demand for natural gas causes prices for gas on the spot market to increase. As a result, generators in New England who have not contracted for firm pipeline capacity may be forced to sit idle on these days."

The way the gas-electric market works, generators that do not commit to long-term contracts with their suppliers are lower on the priority list than local distribution companies that commit to firm supply contracts for gas to heat people's homes. What this means is that electricity price spikes in winter have much more to do with market practice than pipeline constraints, especially given that the same winter price spikes have been observed in parts of the United States where supply and access to natural gas is abundant."

If you were to add up all of the gas required to get through these so called "peak-shaving" intervals during

the course of one year, it is estimated to total on the order of 5-10 Bcf, or about 1% of the region's annual natural gas consumption-roughly the equivalent of one or two LNG tankers.'

To the gas company executive looking to export natural gas to global markets, a massive overbuild of pipeline infrastructure looks like the ideal solution to New England's peak shaving problem. However, to the landowner about to be subject to a forcible land taking via eminent domain, a pipeline expected to deliver in excess of 800 Bcf/yr of natural gas to solve the peak-shaving problem is tantamount to driving an eight penny nail with a 2,000 lb sledgehammer. If ISO New England is truly agnostic with regard to the fuel source that drives our power generation, then the grave impact that this sledgehammer will wield over the thousands of working American families living within this pipeline's projected path demands that we ask: "Is there another way?"

We already know the answer. This year, ISO-NE's 2014-15 Winter Reliability Program (WRP) included tariff-based incentives for gas-fueled generators to stockpile LNG reserves. As it turns out, downward pressure on oil and LNG prices in the global market provided sufficient incentive of their own for power generators to burn LNG-as of March 1, zero LNG was burned under the WRP.<sup>8</sup>

Either way, access to LNG reserves helped keep winter peak electricity prices to roughly 30% of the historic peak prices seen one year ago.? This during what has been reported by climatologists at the National Oceanographic and Atmospheric Administration (NOAA) as the second coldest winter the Northeast U. S. has seen in the last 80 years."

Clearly this winter as a case study shows that, whether the incentives are market-based or tariff-subsidized, access to LNG during peak-shaving periods can provide the sought after hedge against winter electricity price spikes. ISO deserves some credit for expanding their WRP this time, however, they did it only after pressure by ratepayer advocates and LNG interests to expand the previous year's WRP fuel diversity mix. In fact, ISO New England's 2013-14 WRP actually precluded LNG from participating as an alternate fuel source during peak shaving intervals out of concern that "compensating natural gas resources for incremental [liquefied] natural gas could reduce opportunity costs, and thus wholesale electric prices, at times of high natural gas demand, thereby sending the wrong signal during times of natural gas scarcity."!

The desired result was achieved. Electricity rates spiked in December, 2013 and January, 2014 during periods of very high demand when gas-fueled power generators could not gain access to sufficient gas supplies on the spot market." To the informed layperson, this gives the impression that ISO New England may have knowingly attempted to manipulate market pricing signals during the winter of 2013-14, so as to strengthen the case for expansion of gas pipeline infrastructure." This is fuel source agnostic?

On December 16, 2014, Mr. Van Welie graciously hosted a roundtable discussion at ISO's Holyoke headquarters with a delegation of anti-pipeline coalition leaders to discuss the group's concerns over his advocacy for new pipeline infrastructure. At that meeting, which lasted over 3 hours, Mr. Van Welie admitted that ISO's public messaging could be more balanced. Suggestions put on the table included increasing the attention directed by ISO New England toward alternative resources such as wind, solar, demand response, and energy efficiency, and even pitching the state legislatures to consider increasing the carbon tax on gas fueled generation to quantify its environmental impact in terms of a metric that everyone can relate to: cost.

However, in the three months since that meeting, there has been little movement in the message traffic coming out of ISO's Holyoke headquarters. So, out of fear that our December discourse has gone for naught, we now ask this: Stop managing New England's power grid like a man who believes the climate tipping point is a foregone conclusion. Have the courage and foresight to advocate for a strategic energy policy that balances the region's demand for electricity against the impact to our environment, our water supply, our neighborhoods, and our families' health and safety.

Follow the lead of the New York Public Service Commission, whose model introduced in April 2014, re-thinks the central-station utility paradigm and recasts the ISO as a Distributed Systems Operator (DSO).<sup>14</sup> This concept urges the grid operator to view renewables, efficiency, and demand response as "preferred resources," blessed with beneficial impacts rather than as "disruptive technologies".

The DSO assumes responsibility for balancing supply and demand variations at the distribution level and linking wholesale and retail market agents. Make no mistake, this new paradigm will present significant technical challenges, such as large scale production of battery storage technology, and the adaptation of an electrical distribution network largely designed for one-way transmission. However, these are technical challenges that we are confident New England's engineering, technology, manufacturing, and business communities are well poised to tackle.

Not only will these new technologies diversify our energy resource mix as more coal-burning and nuclear assets retire, they will bring thousands of long-term, well-paying jobs to New England, and enhance the region's economic competitiveness for decades to come.

To further embrace natural gas-fueled electricity generation is a policy choice. And a misguided one at that. Ann Berwick would seem to agree. In her recent op-ed piece published in *The Boston Globe*, the former Chair of Massachusetts' Department of Public Utilities wrote, "Natural gas now accounts for about half of the electricity produced in the region, compared with 15% in 2000 ... just as we diversify financial investments, we need to avoid becoming over-dependent on one source of energy." <sup>1</sup>

Reliance on natural gas in the near term as a bridge fuel, through the leveraging of existing LNG resources, is one thing. However, construction of new pipeline infrastructure that further ties us to natural gas for the long term is quite another. An opportunity exists here for ISO New England to establish itself as the standard bearer for large scale integration of distributed, renewable energy resources, and to begin weaning the region off of fossil-fueled power generation. Why not take it?

As an independent, not-for-profit company, ISO New England has a responsibility to serve the interests of the millions of ratepayers throughout New England, not just a handful of corporate stakeholders. We challenge Mr. Van Welie and ISO New England to step up and own this responsibility.

Develop and execute a plan to decarbonize the region's power supply. Do it NOW. Put away the "easy button" and DO-YOUR-JOB! Stop advocating for a solution that is predicated upon eminent domain land takings for private enterprise. Stop advocating for a plan that will irreversibly damage our most precious natural resources. Stop advocating for the sledgehammer because it makes your job easier. Start working with the state legislatures, the business and manufacturing communities, and the ratepayers, to develop and execute an energy policy that is truly sustainable. The climate tipping point is not a foregone conclusion, Mr. Van Welie. Millions of ratepayers across New England are depending on you. Please don't let them down.

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<sup>1</sup> Originally appeared in *Commonwealth Magazine*, April 3, 2015.

<sup>2</sup> Natural Gas Consumption by End Use, <http://www.eia.gov/dnav/ng/ngconssumaEPGOVCommfca.htm> (last accessed March 23, 2015).

<sup>3</sup> Ibid. See also David Gilbert Keith memorandum to Attorney Cristobal Bonifaz, February 3, 2015 under section, "Natural Gas Consumption & Demand in New England."

<sup>4</sup> <http://www.northeastgas.org/about/Ing.php> (last accessed April 1, 2015)

<sup>5</sup> Gordon Van Welie, "Infrastructure Needs: Electricity-Natural Gas Interdependencies," Regional Energy Forum, June 30, 2014, Manchester, NH

<sup>6</sup> Peter Shattuck, "An Electric Solution to a Gas Problem," Restructuring Roundtable on Gas Supply & Electricity Rates in New England, November 21, 2014, Boston, MA

<sup>7</sup> <https://jstrausscenter.org/hormuz/lng-tankers.html>

<sup>8</sup> NEPOOL Participants Committee Meeting Minutes at pg. 8, March 6, 2015, [http://www.iso-ne.com/staticassets/documents/2015/02/npc\\_20150306\\_initial.pdf](http://www.iso-ne.com/staticassets/documents/2015/02/npc_20150306_initial.pdf) (last accessed April 2, 2015).

<sup>9</sup> ISO New England Monthly Market Operations Report-January and February 2015, Market Analysis and Settlements, February 17, 2015 and March 16, 2015

<sup>10</sup> <http://www.ncdc.noaa.gov/sotc/national/> (last accessed March 26, 2015)

<sup>11</sup> FERC docket ER13-1851, Motion to Intervene and Comments of Algonquin Gas Transmission, LLC and Maritimes and Northeast Pipeline, L.L.c., 3 (quoting ISO-NE filing at 7) (July 19, 2013)

<sup>12</sup> Ibid. 5 at 44-Maximum (average) hourly market regulation clearing prices reported by ISO-NE in January, 2014 were \$1,407.40 (\$48) per MWh. For the same time period one year later, in January 2015, maximum (average) clearing prices reported were \$381.13 (\$16) per MWh.

13 See also “New gas pipelines can be avoided,” Kathryn R. Eiseman, Commonwealth Magazine, January 20, 2015  
14 <http://www.fortnightly.com/fortnightly/2014/06/iso-dso> (last accessed December 16, 2014) 15 “Don’t fall in love with natural gas,” Ann Berwick, The Boston Globe, March 26, 2015

*Vince Premus is a Massachusetts resident and member of Stop the Northeast Energy Direct (StopNED), a coalition of concerned citizens and utility ratepayers opposed to Kinder Morgan’s Northeast Energy Direct pipeline proposal.*

**20150831-5158**

### **Turners Falls Fire & Water District**

August 31, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

Re: Docket No. PF14-22-000 Northeast Energy Direct Pipeline Project (Project)

Dear Secretary Bose:

Please accept these comments on the above named Project’s intended Environmental Impact Statement (EIS). The Turners Falls Water Department (TFWD) is committed to providing a safe and reliable supply of high quality drinking water to its customers in the Turners Falls Fire & Water District. It is our duty to provide water that meets and often exceeds all state and federal standards set for quality and safety as well as ensuring conservation and protection of our water resources.

As the TFWD has jurisdiction over the town’s water resources and special expertise with respect to the water resources and associated environmental issues, we formally request cooperating agency status to fully participate in the preparation of the EIS. The official contact for that purpose is:

Kenneth Morin, Steve Call and Bruce Merriam, Water Commissioners  
Michael S. Brown, Superintendent  
Turners Falls Water Department  
226 Millers Falls Road  
Turners Falls, MA 01376-1605  
Phone: (413) 863-4542, Fax: (413) 863-3175  
Email: [turnerswater@yahoo.com](mailto:turnerswater@yahoo.com)

### **WATER RESOURCES and WETLANDS**

The Project seeks to bisect the Hannegan Brook Water Supply Protection Area that supplies water to over 2,500 households as well as commercial and industrial businesses in the Turners Falls Fire & Water District and the route impacts at least two wetlands and crosses two major rivers in Montague – the Connecticut and Millers. The TFWD is concerned about possible contamination of public water supplies and damage to wetlands and water bodies. We respectfully request all Massachusetts regulations and procedures pertaining to wetlands, water resources and water quality be followed and applied to the Project. We reserve the right to comment more completely in this area when complete information on the Project’s environmental impacts is known.

### **GEOLOGY and SOILS**

The project seeks to bisect the Montague Plains Wildlife Management Area – also called the Montague Sandplains (Plains) - a fifteen hundred + acre, state wildlife refuge and unique ecological area. The Plains area located on a large sand delta that was formed more than 10,000 years ago when melt water streams from the retreating glaciers emptied into Glacial Lake Hitchcock, a huge lake that covered much of Montague and the Connecticut River Valley during the glacial period. Source: [www.montague.net](http://www.montague.net). We are

concerned about the safety of the Project in sandy soils and the environmental impact to this unique ecological area during construction and operation. Further, the Project seeks to traverse areas with shallow bedrock between Route 63 and the Miller River. Depth of pipe should be at a level to not negatively impact farming, recreation and natural resources.

The TFWD requests specific studies are made in order to protect the Town's water resources and identify associated environmental impacts. Specifically the Project should conduct an analysis of impacts on private and public water supplies and water resources related to construction (blasting and drilling), pipeline operation and hazardous materials storage and use.

### **Reasonable Alternatives and Measures to Avoid or Lessen Environmental Impacts**

TFWD concerns about the Project include:

- 1.) The blow-off of gas to the atmosphere. Some customers have expressed concern there are valves throughout the system blowing off gas while it is our understanding this occurs only at the compressor stations when they are off. Perhaps any gas release can be done into a vessel or tank that can handle the pressure then burn it off or reuse it.
- 2.) Noise pollution generated by the compressor station. The station in Northfield could be built deeper into the ground with dense plantings of conifers (i.e. white pine) to help with natural sound deadening and/or noise pollution.
- 3.) Equipment during construction near the resource area because of soil porosity. Fueling and/or storage of equipment as well as leaking or ruptured hoses need to be addressed with extra caution and care.
- 4.) Concern for soil erosion. When working on TFWD land near the recharge area, extra caution and care should be taken for soil erosion. There are steep slopes/grades and the soil is sandy. The site should be kept clean and stock piling of materials limited. Work in this area should be completed in a timely manner and re-seeding and slope stabilization should be completed as soon as backfilling is complete.

Thank you for the consideration.

Sincerely,

Michael S. Brown, Superintendent  
Turners Falls Water Department

Kenneth Morin, Steve Call and Bruce Merriam, Water Commissioners  
Turners Falls Fire & Water District

### **20150831-5159**

PF14-22

Compressor Station in New Ipswich, NH

I own **Amazing Flower Farm in New Ipswich**, a grower-retail nursery and garden center. In addition to ornamental plants, we grow vegetable starts for our customers, and we raise organic vegetables for local restaurants. We have built such an excellent reputation for healthy plants raised without pesticides that our plant customers come from well beyond the half-hour travel radius typically associated with garden centers. Annually we hire 7 seasonal workers and 2 permanent workers in addition to family members working the farm.

We also raise a unique breed of poultry for meat consumption which we have developed over the past 30 years to meet our customers' specifications. We have up to 1800 chickens at any given time. Our chicken customers come from Massachusetts, Connecticut and Rhode Island. This breed of chickens does not exist anywhere else, and it cannot be replaced through commercial (or hobby) channels, and it would take years to re-create.

I have serious concerns about the proposed compressor station in New Ipswich. Although we are not abutters, our prevailing winds come from the direction of the compressor station site. I am very concerned about

emissions from blowdown events drifting over our land and affecting the health of my workers, my family, my customers and my poultry. I am very concerned about blowdown event emissions being deposited on our organically-tended cropland via weather patterns, polluting the soil and also the food it produces, potentially to the point where my land becomes un-usable and my livelihood is negatively affected. These emissions contain imported and hazardous chemicals that will directly affect our ability to produce organic food for my customers. I am concerned that FERC's method of measuring harmful emissions by averaging does not take into account the serious in-the-field consequences of high levels of pollutants being released into the environment with each blowdown event.

I am very concerned that there is no viable means for me to cleanse my land once it has been polluted by compressor station emissions. I am very concerned that Kinder Morgan will successfully be able to argue in court that it has no obligation to compensate me for the damage the compressor station may do to my land and my livelihood.

I am concerned that I am going to be losing customers simply because our farm is located in the same town as a polluting compressor station. Every time a blowdown event occurs, everyone on our farm is going to hear it and be reminded of what it means: repeated reminders of shale gas-fracking pollution being deposited in New Ipswich. It will be like hearing the fire horn from the fire station in the center of town, only a lot more often.

I have more concerns. Two of my workers live in the town of Greenville. The compressor station abuts Greenville's aquifer and these blowdown events, as well as the pipeline itself and the construction phase (with its ground disturbances and possibly blasting,) threaten to pollute Greenville town water with both imported pollutants, and with excessive radon released from our granite during the construction phase. I am concerned about both my workers' health and also time and capabilities lost to my business when their health degrades from drinking, cooking with, and bathing in water polluted with chemicals imported from fracking fields.

My first preference obviously is that FERC denies the pipeline permit. We did not ask for these hazards to come to our town, we derive no benefit whatsoever from this project. We cannot use the natural gas (contrast this with eminent domain takings for electric lines and highways, which everybody directly benefits from.) Any property tax gain will be offset by our town's increased road maintenance and emergency services costs, and our property values have already gone down. So economically it is a wash and there is no benefit to us; in fact, our taxes are probably going to go up. More importantly, please recognize that no monetary gain can compensate us for the loss of our clean air and water, and the loss of our rural quiet.

So, if FERC does decide to approve a compressor station in New Ipswich, PLEASE, PLEASE require it to be installed AND continually updated with the most advanced anti-pollution technology: insulated buildings and noise cancellation technology; state-of-the-art containment buildings to eliminate blowdown event emissions from escaping into our environment. We are getting no benefit from this project, please require that we suffer no harm.

## **20150831-5162**

Stan Brownell, Troy, NY.  
Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

Ms. Bose:

Re: Northeast Energy Direct Docket #PF14-22

Please note the below comments in opposition to the construction of the Kinder Morgan Pipeline and compressor station in Southern Rensselaer County.

We are writing as **County legislators** representing constituents residing in Southern Rensselaer County. The concerns that we have for the pipeline and compressor station are not only our own, but the same concerns that our constituents have conveyed to us in emails, letters, town halls and phone calls. As a result, we are convinced that the project as proposed is not in the best interests of the residents of Rensselaer County.

As stewards of county finances, we are concerned over the loss of private property due to the construction of both the pipeline and the compressor station. The project, as it stands, may impede future economic development as well as the accompanying reductions in taxable returns to the municipalities and county due to acreage needed for the project and the subsequent easements needed for the construction.

We also believe that the property owners affected by the project will not receive adequate compensation for their loss of property and rights over their land. Many of these properties are rural agricultural areas; division and construction on the lands will cause great disruption to the business and quality of life to property owners. In addition, the project could cause disruption for emergency services operating in the affected communities.

Communities most impacted by the proposal will not have access to the natural gas transported by the proposed pipeline; any benefit will be felt outside of this region and overseas. Furthermore, the long term fiscal, environmental and quality of life issues of the proposed project will not outweigh the benefits, compensation and mitigation offered by the developers of the project to our constituents.

Sincerely,

Stan Brownell, Acting Chairman, Rensselaer County Legislature  
Judith Breselor, Legislator, District 4  
Lester Goodermote, Legislator, District 5  
Martin Reid, Legislator, District 4  
Alex Shannon, Legislator, District 4

**20150831-5166**

### **Rensselaer Land Trust**

Kimberley D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

August 30, 2015

Ms. Bose:

In reply to the request for comments regarding environmental issues related to Tennessee Gas Pipeline's Northeast Energy Direct Project (docket number PF14-22-000), I would like to note some environmental effects that should be evaluated in the Environmental Impact Statement (EIS) for this project. As President of the Board of the Rensselaer Land Trust, my comments will focus on Rensselaer County, New York, but the issues I present are pertinent along the whole length of the proposed pipeline route. Environmental impacts should be evaluated not only of the construction and standard operation of the pipeline and compressor stations, but also of accidental leaks or spills.

#### Wetlands and Aquatic Systems

In Rensselaer County, the proposed route crosses, or passes very close to, hundreds of streams, ponds, and wetlands. The EIS should assess the potential impacts to these resources, including changes in hydrology, siltation, soil compaction, and degradation of water quality, from pipeline construction, trenching, use of heavy machinery and vehicles, and leakage of chemicals and materials. The degree to which the spread of invasive species into these wetlands will be facilitated by the construction, both through disturbances to the substrate and vegetation which result in favorable conditions for invasive species, and through vehicles and machinery transporting seeds and propagules of invasive species to the pipeline site, should be evaluated.

In addition to evaluating impacts on individual wetlands, impacts on aquatic networks should also be addressed. Aquatic networks are systems of connected streams, ponds, and wetlands, and adjacent riparian areas that are critical to the sustainability of the system's aquatic fauna, its good water quality, and its ecological integrity. For example, during the preparation of the Rensselaer Plateau Regional Conservation Plan, two aquatic networks were ranked in the highest conservation priority category for aquatic systems on the Plateau, due to their large size, excellent landscape context (predominantly forested watersheds), and their high water quality capable of supporting native trout and other native plants and animals: the Tsatsawassa Creek network (Town of Nassau) is crossed by the proposed pipeline route in five locations, and the Black River network (Town of Stephentown) is crossed at one location. Impacts of pipeline construction and operation on the ecological functioning of these and other aquatic networks should be addressed.

#### Significant ecological communities (habitats)

The wetlands through which the proposed pipeline route passes through or very near in Rensselaer County include many ecologically significant community types. For example, Crumb Pond (along the proposed route in Stephentown) is a bog lake surrounded by dwarf shrub bog and inland poor fen. These habitat types are uncommon in New York State, and the examples at this site are among the highest quality in Rensselaer County in terms of intact condition and native species diversity.

The wetlands at the outlet of Stump Pond in Stephentown are directly crossed by the proposed pipeline route, and are one of the largest wetland complexes along the route. The Stump Pond Outlet Wetlands contain dwarf shrub bog (and associated uncommon bog flora), inland poor fen, sedge meadow, shrub swamp, red maple-hardwood swamp and hemlock-hardwood swamp. Because the proposed route crosses this wetland, potential impacts need to be evaluated particularly carefully here, including the potential introduction of invasive wetland species such as Phragmites and purple loosestrife.

#### Rare Species

The inland poor fen at Crumb Pond supports the rare Angerman's peat moss (*Sphagnum angermanicum*), which is rare throughout its range, and found predominantly in coastal regions. Although not state or federally listed, potential impacts on this species should be evaluated.

Potential impacts should also be evaluated on species that are rare in the counties through which the proposed route passes. For example, Crumb Pond also has a record for hatpins (*Eriocaulon aquaticum*), a plant rare in Rensselaer County. Stump Pond Outlet Wetlands supports the county-rare alpine cottongrass (*Scirpus hudsonianus*). In the Town of Schodack, the proposed route crosses a sandy site that is unusual in Rensselaer County, and which supports the county-rare plants Bicknell's sedge (*Carex bicknellii*) and scrub oak (*Quercus ilicifolia*), and other plants uncommon in the County.

#### Quality of life

Most residents of Rensselaer County enjoy very high air quality and low levels of ambient noise. The EIS should address the impacts on air quality and the increase in noise resulting from the pipeline construction and of the operation of the compressor stations, and the resulting impacts on residents' quality of life.

More information on ecological and biodiversity resources in Rensselaer County is available from the Rensselaer Plateau Regional Conservation Plan (<http://www.rensselearplateau.org/#!/conservationplan/c8s>), and from the Rensselaer Land Trust (my contact info is below).

Sincerely,

Nick Conrad  
Rensselaer Land Trust  
279-1963  
nbconrad@msn.com

**20150831-5167**

August 27, 2015

Dear Secretary Bose,

I am writing to state that I do not want a pipeline in the backyard of my family's summer house. This house and the land around it has been in my family for so many generations. I have grown up visiting this part of New Hampshire since I was a baby. My earliest memories take place right at this house. I can vividly remember my dad taking me into the backyard to teach me and my sister how to ride a bike. Even though she learned just moments before me, I will never forget the feeling of accomplishment that I had that day. I can remember going on small hikes with my cousins. We would venture into the piney woods behind our house, collecting leaves in the fall. In the winter my sisters and I would cross country ski in the woods, creating paths through the deep snow and exploring the amazing wildlife tracks. When I think of my beautiful home on Sandy Pond Road, I am overwhelmed with so many wonderful memories of friends and family. I am 16 years old and have enjoyed spending every year of my life at my family house. Just a month ago, I spent the week at my family's summer house. While I was there with my dad and great aunt, I realized that right there on Sandy Pond Road is the one place that puts me at complete peace. This feeling made me think of the classic elementary school assignment where your teacher would ask you to draw or describe your "happy place". And every time that this assignment was given, I would describe my family house. It is a place that I know like the back of my hand. A place that makes me feel safe and secure. I want to live the rest of my life feeling that same way. I want to visit my family house, and know that I can still be safe there. I want to ensure that the future generations of my family will have the chance to have a second home that makes them feel just as content and safe as I did for these 16 years. And five years from now, if I am asked to describe my "happy place", I want to be able to say "Sandy Pond Road" without a moment of hesitation.

If pipelines are installed into my backyard, I know that everything will change. I know that the trees that make up my backyard will be cut down. This extreme action will cause so many environmental impacts, from interfering with the carbon cycle to altering the habitat of wildlife such as deer, Barn owls, and bears. Those trees are the trees that make up the woods where my cousins and I once endlessly explored. The precious woods that my sisters and I happily skied through. I have such a deep appreciation these cherished memories, the environment, and for everything in Richmond, New Hampshire, and even though I do not live my life full-time here, I will defend every part of this highly adored community.

Sincerely,

Katherine Moody,  
119 Sandy Pond Road  
Richmond, NH 03470

**20150831-5172**

*{Letter from 35 NH Conservation Commissions to Governor Hassan, see 20150831-5135 above}*

**20150831-5178**

Karen Malloy, Averill Park, NY.  
PF14-22

To whom it may concern:

As a lifelong resident of Averill Park, NY I am deeply opposed to Kinder Morgan's proposed pipeline project and urge you to deny their application.

I am genuinely concerned with the effects the compressor station and the pipeline will have on my children, my grandchildren, as well as our community.

My family has lived in this area for nearly a century. We love this area for its serene, quiet, beautiful neighborhoods filled with trees, lakes and an abundance of wildlife- deer, bears, owls, red tailed hawks, snapping

turtles, wild turkeys, butterflies, bees, woodpeckers, and an assortment of beautiful birds, including the beloved Bald Eagle. The eagles nest on beautiful burden lake, which is located within the half mile buffer zone of the proposed compressor station. All of those animals will be forced to relocate to a less polluted and less noisy area. We raised our children here in Averill Park because we felt it was the safest, healthiest place and with generations here, why move? We have the same hopes and wishes for our grandchildren – to be raised in a safe area where they can breathe clean air, drink clean water and enjoy nature’s beauty. However, with the proposed compressor station less than a half mile from my grandchildren’s house those hopes and wishes are diminishing. They will be forced to inhale deadly toxins. My daughter, my son-in-law and my two grandchildren (ages 5 and 7) live in the incineration zone – Can you assure me they will be safe if there is an explosion?

The pipeline and the compressor station are putting unnecessary risk to me, my family and my community with absolutely nothing to gain. Will there be any benefits to us? What is Kinder Morgan’s incident rate? Has anyone other than Kinder Morgan looked into how many incidents occur each day, month or year? How often will the pipeline be evaluated for cracks or leaks? Gas pumps have to be inspected, will the pipeline have to be inspected on a regular basis?

I ask you to please consider denying Kinder Morgan’s proposed pipeline project. This pipeline/compressor station will ruin the quality of life in our small upstate community. Would you want your family to live in close proximity where fracked gas is being transported? Would you want to endanger your family knowing that the pipe could explode at any time? Would you want to breathe air filled with Methane, Radium and Formaldehyde? Would you want to drink water filled with cancer causing carcinogens? Would you want your homes in your neighborhood to devalue? Please stop Kinder Morgan from ruining our beautiful community.

Thank you for your help with this matter.

Respectfully,

Karen Malloy  
37 Edgewood Dr.  
Averill Park, NY 12018

**20150831-5179**

*{18 pages} {skip to end of 20150831-5179}*

**PEOPLE FOR A BETTER MASSACHUSETTS**

08/30/2015

RE: Northeast Energy Direct Project, PF14-22-000

To FERC:

We began a petition on November 06, 2014 in opposition to the Northeast Energy Direct Project. Since that time we have collected 1960 responses all opposed to this pipeline.

The petition reads:

*Deny the Northeast Energy Direct Project (FERC Docket No. PF14-22-000) proposed by Kinder Morgan and the Tennessee Gas Pipeline Company, LLC. The Northeast Energy Direct Project proposed by Kinder Morgan and the Tennessee Gas Pipeline, LLC is a “greenfield” natural gas pipeline that crosses Massachusetts. This project will have a devastating and lasting impact on people, communities, conservation land, and the environment throughout Massachusetts.*

*Massachusetts continues to be a leader in clean renewable energy solutions [such as solar, wind, and geothermal]. We need to support efforts to foster clean renewable energy and reduce our dependency on fossil fuel such as natural gas.*

*We, the undersigned, do not support this or any project that has such a negative impact on Massachusetts, especially if it is not aligned with commitments for delivering clean renewable energy to the people*

*of Massachusetts.*

The names and cities of each of petitioners and their comments have been provided in an attached document. We ask that you give their concerns the proper attention. You may view the petition on Change.org at <http://bit.ly/savemass>.

Sincerely,

Richard Crane

Signatures: {organized by year-month of signature}

**2014\_11**

Richard Crane Groton, MA	sean Leary Mays Landing, NJ	Tim McCormack Allston, MA
Joshua Malone weymouth, MA	Christopher Kirby Sutton, MA	Karen McCarthy Groton, MA
Keith Dawson Groton, MA	Carole Bouchard Groton, MA	Concerned Citizen New City, NY
Nicola Crane Groton, MA	Patrica Parker-Roach Groton, MA	Lynn barcomb West Townsend, MA
Ginger Vollmar Groton, MA	Steve Kalter Groton, MA	David Davis Dery, NH
Robert Fournier Groton, MA	Liam Spaeth Lincoln, MA	Kristian Gentile Groton, MA
John Placais Boston, MA	jared faugno athol, MA	shannon Fox North Falmouth, MA
Joan Parker-Roach Groton, MA	Colleen Sullivan Groton, MA	Tyler M Hanson, MA
Martha Schwope Concord, MA	Eric Davies Concord, MA	Sophia garney Concord, MA
S G Concord, MA	Robert Brooks Concord, MA	Jeffrey Kerr Concord, MA
Sara Brydges Concord, MA	Linda Mueller Concord, MA	Nancy Harrison Concord, MA
Richard Warren Wheeler Concord, MA	Catherine and Richard Parmelee Concord, MA	William Greene Concord, MA
Martha Gruson Concord, MA	Patrick Marchand Concord, MA	Mark Hanson Concord, MA
Alan Budreau Essex, MA	Karen Belinky Concord, MA	Christie Martin Bedford, MA
mark gailus Concord, MA	Donald Smith Carlisle, MA	Bob Wallhagen Carlisle, MA
Frank McGovern Bedford, MA	Maryam Kamangar Williamstown, MA	Abbie Champeau Southbridge, MA
Mark Ouellette ROWLEY, MA	William Breymann Worthington, MA	Joan Campbell Boxford, MA
jason walsh woburn, MA	Melissa Ludtke Cambridge, MA	Alphonse Baron Ashburnham, MA
Elias Bassila Brockton, MA	Ruth Stankiewicz Marblehead, MA	Bridget Spann Williamstown, MA
Marion Overgaard Erving, MA	Doris Sommer Cambridge, MA	Michael Ullman boston, MA
Shannon MacEwen Hopedale, MA	Ainsley Donaldson Melrose, MA	Aaryn Blain Northampton, MA
charles Papsadore Brookline, MA	Ari Danae Worcester, MA	Kristen Lofgren North Brookfield, MA
Carol Maynard Beverly, MA	Jacquelin Chalas Lynn, MA	susan czernicka Westport, MA
Patricia Sterner Arlington, MA	Douglas Bashaw Orleans, MA	melissa callahan somerville, MA
Karen Miller Somerville, MA	Malkah Notman Brookline, MA	Crystal Conley Westborough, MA
Nancy Tenney Ludlow, MA	Rebecca Axelrod Essex, MA	Patricia Javidi Wellesley, MA
Karina Lagstrom Pembroke, MA	Tripp Shaw Worthington, MA	Erika Fox Cataumet, MA
Dawn Luis Peabody, MA	Lisa D Thompson Amherst, MA	Michael Dobias Montague, MA
Andrew G TEWKSBURY, MA	Walter Armstrong Blackstone, MA	Jane O'Rourke Lexington, MA
Elisabeth Jurkiewicz Natick, MA	Linda Belliveau Worcester, MA	Deirdre Maher Norton, MA
Hartly Helms Framingham, MA	Stacey Keumurian Tyngsboro, MA	Jonathan Aronstein Holyoke, MA
Heather Barboza Fall River, MA	christopher mason Springfield, MA	jeana ward Watertown, MA
donna folam Boston, MA	Kristina Spinney Somerville, MA	Patti Moreno Boston, MA
Susan Lopinto Springfield, MA	diane palladino florence, MA	Freddie Estremera Fairhaven, MA
Wendy Ward Vineyard Haven, MA	Andrei Smarandoiu Somerville, MA	Janet cooke taunton, MA
Abigail Doyle Groton, MA	Susan buckley medfield, MA	Linda Tasker West Newbury, MA
Rebecca King Concord, MA	Renée North Groton, MA	Angie C Tewksbury, MA
Lori Badura Berlin, MA	martha crook groveland, MA	Nicole Hanafin Somerville, MA
Erin Reardon Framingham, MA	Donald Cronin Somerville, MA	Lucie McCormick South Deerfield, MA
Christine Lilienfeld Chestnut Hill, MA	April Grout Petersham, MA	Jason DeMedeiros New Bedford, MA
Anna Taylor wellfleet, MA	Kylie Sparks Watertown, MA	Marcia Schloss Concord, MA
Cynthia Rosenfeld Hingham, MA	Jeffrey Loughlin, Worcester, MA	Stevie Converse Florence, MA
ms forest northampton, MA	Lesa Spinazzola Worcester, MA	Shannon Cardillo Cambridge, MA
Laurie Wodin Upton, MA	Joseph Chimi Easthampton, MA	David Bryant Ipswich, MA
Janet London North Truro, MA	vincent petryk jamaica Plain, MA	Amanda Starfield Northampton, MA
Adrienne Tedeschi Holbrook, MA	James Wilson Roxbury, MA	Blanca Mercado Quincy, MA
Marianella Queiruga New Bedford, MA	Perry burwell westport, MA	Kyle Ahlers Ashland, MA
Laura Thomas New Bedford, MA	irene karayan newton, MA	Frank DeMello Lakeville, MA
Camila Azuero Boston, MA	Laura Gulley West Roxbury, MA	Alicia Hunt Medford, MA
John Metzger Groton, MA	Timothy Moran Onset, MA	Elizabeth Wallace Hanson, MA
Mike McCool Millbury, MA	JoAnn Zarnoch Lee, MA	Kate Gagnon Chicopee, MA
Jean Laplante Northampton, MA	Danielle thompson Lunenburg, MA	Georganne Greene Pelham, MA
Stephanie Cole Brookline, MA	daniela cojocarú wellesley, MA	Brittany Lannan Haverhill, MA
Alejandro Cimadoro Boston, MA	Helen Wise Northampton, MA	David Clifford Douglas, MA
Sara Molyneaux Dover, MA	Ann Herbes Grafton, MA	James Cayon Easthampton, MA
Nancy DeMars Springfield, MA	Carmen Christiano Chelmsford, MA	Lory Hough Melrose, MA
Anya Klepacki Florence, MA	Gina Hahn Brookline, MA	Dianne Gove Orleans, MA
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Gunita Singh boston, MA	Robert Ribokas South Weymouth, MA	Vigny Fong Chestnut Hill, MA
Scott MacDonald Andover, MA	Robert Gamache Lowell, MA	Lisa Callaway W atertown, MA
Philip Mamber Peabody, MA	Sarah Marter East Sandwich, MA	julie guido Hopedale, MA
Reid Nichols Quincy, MA	Helen Randolph Great Barrington, MA	Deborah Hood Dracut, MA
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 Kathryn Kogan Hingham, MA  
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 Jeremy Deane South lee, MA  
 Laura Segel Needham, MA  
 Jeff Robinson Melrose, MA  
 Karen Puglia East Walpole, MA  
 Diane Jones Easthampton, MA  
 Bonnie Waterhouse Barre, MA  
 catherine anderson quincy, MA  
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 Tina Tardy West Springfield, MA  
 Catherine Concannon Ashland, MA  
 Peter Albertson Pittsfield, MA  
 John McHugh Worcester, MA  
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 Sister Carol Proietti Worcester, MA  
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 Sherry Fendell Sudbury, MA  
 Tim Farrell Medford, MA  
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 Thomas Gallagher Foxborough, MA  
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 Melissa Beers Holliston, MA  
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 Cindy Daniels Braintree, MA  
 Brendan O'Brien Hull, MA  
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 Bernie Baker Deerfield, MA  
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 Rebecca Behizadeh Somerville, MA  
 Juan Ortiz Millis, MA  
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 Donna Stern greenfield, MA  
 Luke Harding fall river, MA  
 mar gur chestnut hill, MA  
 Jerry Vovesco e. bridgewater, MA  
 Matthew Burton Boston, MA  
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 Kate Brill Williamstown, MA  
 Heidi Winter Medford, MA  
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 Gertrude Carter Edgartown, MA  
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 Cheryl Burtch Acushnet, MA  
 A Augustine Watertown, MA  
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Margaret Curtin Hyde Park, MA  
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E Lavery Sudbury, MA  
Margaret Noyes Sturbridge, MA  
David Gladstone Montague, MA  
Roseanne Schettino East Boston, MA  
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Beth Ryan Falmouth, MA  
Kathleen Rowe-Clapp Greenfield, MA  
Janice Odonnell Dunstable, MA  
Inger Neumann Sheffield, MA  
Gay Ferguson Boston, MA  
Lynne Winnett Pepperell, MA  
Matthew Hemingway Worcester, MA  
Patricia Colcord Hopedale, MA  
Eleanor Perry Forestdale, MA  
George Charles Easthampton, MA  
Lauren Carroll Boston, MA  
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andrew johanson brighton, MA  
Tatiana Cruz Pittsfield, MA  
donna hebb harvard, MA  
Zachary Paquette Abington, MA  
MICHAEL HUSSIN PELHAM, MA  
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Joan Holliday Northampton, MA  
Andrea Channer Waltham, MA  
Louise Lazare Waban, MA  
Stefan Grabowski Jamaica Plain, MA  
anmarie chinn east bostpn, MA  
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Joan Canterbury Andover, MA  
Deborah L. Bailey Harwich, MA  
latoya Berger Worcester, MA  
Nicole Snape Easthampton, MA  
Max Gordon Pepperell, MA  
Jo-An Courtemanche North Hatfield, MA  
Deborah Hall Dorchester, MA  
Priscilla Almquist-Olsen North Easton, MA

Wieslaw Orłowski Gt. Barrington, MA  
Erin Silva South Dennis, MA  
Bryan Corbett Revere, MA  
Marie Margarone Milton, MA  
Merilyn Allen Brookline, MA  
Heidi Quinn Whitinsville, MA  
Carin Baskin Framingham, MA  
Kara Osselmann Boxborough, MA  
Connie Carter Oakham, MA  
Kelley Determan Cambridge, MA  
Laurie Pimental Bellingham, MA  
Jessica Mcgeary Winthrop, MA  
Lloyd Guptill Westport, MA  
Amie Charland Ipswich, MA  
John Shane Wayland, MA  
Julie Johnson Raynham, MA  
Rachel benson Grotton, MA  
Judith Clark Cambridge, MA  
Jacob Rich Arlington, MA  
Abbie Jenks Amherst, MA  
Carol Roy Palmer, MA  
Lisa McDowell Sterling, MA  
Kathy Clark Bellingham, MA  
Helen Pichette South Dartmouth, MA  
AnnMarie Duchon Springfield, MA  
Martha Birkenshaw Newburyport, MA  
Ernest Wilson Easthampton, MA  
nicholas van vactor cambridge, MA  
Thomas Musco Royalston, MA  
Jessica Donahue Beverly, MA  
Bristol Maryott East Dennis, MA  
Elizabeth Devereaux Cambridge, MA  
Caroline Buhl Ipswich, MA  
sandra musella woburn, MA  
Viola Sheehan Swansea, MA  
Lana Hoover Weymouth, MA  
Jared Katsiane B, MA  
Alice Jardine Cambridge, MA  
Katharina Zuellig Concord, MA  
Lorraine Pieterse Arlington, MA  
William Ward springfield, MA  
Nikki Ransom Salem, MA  
Nicole Bernier Lowell, MA  
heather bruce Arlington, MA  
Marissa Delorey Halifax, MA  
Katherine Brobeck Lincoln, MA  
Melissa McLaughlin Wareham, MA  
Elizabeth Wells Springfield, MA  
terre young vineyard haven, MA  
Stephen La Serra Stoneham, MA  
susan plourde feeding hills, MA  
Lisa MacGeorge Boston, MA  
Teresa Rawan Worcester, MA  
Seth Bernier Maynard, MA  
Janet Street Northampton, MA  
NK Acevedo Dorchester, MA  
Burton Klein Newton, MA  
Gaven Cade Cambridge, MA  
Emily Ross Quincy, MA  
Patrick Bobell Worcester, MA  
Forrest Richardson Newton, MA  
Lea Delacour West Tisbury, MA  
Nelia Perry Fall River, MA  
Diana Belouin Clarksburg, MA  
Laura Bodet Boston, MA  
Damian Adshead Auburn, MA  
mary Miller Hopedale, MA  
Janis Byers W. Yarmouth, MA  
Mary Ann Faughnan Lunenburg, MA  
Betsy Kelly McCormick wayland, MA  
Steven Picheny Great Barrington, MA  
Melissa Chaikof Newton, MA  
Andrew Quinn Southbridge, MA  
Jay Santana Brighton, MA  
Peggy Kocoras Granby, MA  
Janet Campbell Somerville, MA  
Susan Margot Ecker Malden, MA  
Caroline Williams Somerville, MA  
Ann Rosenkranz Vineyard Haven, MA  
Webb Brightwell Boston, MA

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Tracy Rossi Brookfield, MA  
Ailsa Wu Waltham, MA  
Phyllis Hersch Dedham, MA  
Allison Argo Brewster, MA  
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Steve Bradley Greenfield, MA  
Gayle Simmons Dorchester, MA  
elena peckham worcester, MA  
Rabbi Jeff Foust Newton, MA  
Sara C Hopdale, MA  
Cynthia Ingelfinger Ipswich, MA  
harriette johnson shelburne falls, MA  
Raechel Lugo Boston, MA  
Edwin Nesman Bolton, MA  
Debora Ellsworth Hinsdale, MA  
Nissa Miguel Brockton, MA  
Sean Barfield Salem, MA  
Mayra Coll Boston, MA  
Stephanie Nesbitt Lee, MA  
Peter A Medford, MA  
Roxy Gray Canton, MA  
mala galper concord, MA  
Gloria Watts wellfleet, MA  
Rhonda Cushwa Sheffield in Berkshires, MA  
sean wheeler Danvers, MA  
Rashaan Keeton Boston, MA  
Lisa Silva-Gallant Lowell, MA  
Keith Seidel Norton, MA  
Robin Dwyer Pepperell, MA  
Feroze Sidhwa Boston, MA  
Ron Danklefs Hyde Park, MA  
Kate Bunker-Neto Somerville, MA  
Melissa Bonnice Boston, MA  
Christopher Boivin Clinton, MA  
Dana Ortégón Jamaica Plain, MA  
James Smith Boston, MA  
Eric Palmer Scituate, MA  
Philip McCarthy Chicopee, MA  
Mark Webb Natick, MA  
devin ingersoll Easton, MA  
jon higgins southwick, MA  
Natalie Calcagni Boxborough, MA  
Lucy Scanlon Cambridge, MA  
geraldine zagarella brookline, MA  
Deborah Butler Framingham, MA  
Susanna Opper Alford, MA  
Elsie Anim Worcester, MA  
Michael O'Connor Rockport, MA  
Janet Kenney Boston, MA  
Susan Gross boston, MA  
Roz Forman Gt. Barrington, MA  
David McAnulty West Roxbury, MA  
Naomi Turbidly Jamaica Plain, MA  
Iris Wheaton Easthampton, MA  
Melissa Nischan North Chelmsford, MA  
Don Thompson Cambridge, MA  
charles sheehan cotuit, MA  
Carolyn Furr Framingham, MA  
Anne Gyles Boxford, MA  
Alfran Polanco methuen, MA  
nina vinogradskaya east boston, MA  
Michael Robbins Holyoke, MA  
Dr. Tom Neilson Leyden, MA  
Jennifer Shuemaker Brewster, MA  
Sally Conant South Deerfield, MA  
Linda Lang-Gunn Pelham, MA  
Charles Pfeifer Wuburn, MA  
Nancy Smith Brighton, MA  
Janice Parady Beverly, MA  
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Audra Thompson Waltham, MA  
Nina Arnold Lunenburg, MA  
Bridget Dickson Westford, MA

David Polstein Newton, MA  
Julian Salvucci Waltham, MA  
e loula, M.D. brookline, MA  
Laura Mendel Belmont, MA  
Teresa Anastasi Medfield, MA  
Francine Traniello Middleboro, MA  
Joanna Ciampa winthrop, MA  
Lisa Pattison Newton, MA  
Janet Denton Folger Otis, MA  
Jamie Borges North Easton, MA  
Jose Roman Westfield, MA  
Sonia White Arlington, MA  
William Stenzel SUNDERLAND, MA  
Nancy Huntington Ware, MA  
Isadora Coimbra Somerville, MA  
Gabbie Furtado Taunton, MA  
Tove Silver Cambridge, MA  
Tanya Crowley Lincoln, MA  
wendy allen Templeton, MA  
William Stason Lincoln, MA  
Karen Johnson Groton, MA  
Scott Bempkins Groton, MA  
theresa price-frank dorchester, MA  
Matthew Minier Lincoln, MA  
Mini Singh Groton, MA  
Greg Charney Pepperell, MA  
M. K. Dawson Groton, MA  
Ariana Summit jefferson, MA  
Linda Conte Somerville, MA  
Steve Schnapp Medford, MA  
Elaine Bravo Watertown, MA  
Jillian Forschner Hudson, MA  
Marissa Lapadura Newton, MA  
Andrea L. Topsfield, MA  
Ricky Cordero Malden, MA

#### 2014\_12

Janet Schulz Pepperell, MA  
Tina Mendousa Orleans, MA  
Carol Varsano Northampton, MA  
Towbee Keyes Leverett, MA  
Laurie Powers Billerica, MA  
Michael Stahlberg Granby, MA  
Nina Mazza Agawam, MA  
Cosmo LaViola Savoy, MA  
Eugene Daidone Melrose, MA  
Randy D'Souza Tewksbury, MA  
Brittany Murphy Bourne, MA

#### 2015\_01

George Bradbury Salem, MA  
Hilary Templeton Deerfield, MA  
michelle bryan Colrain, MA  
Hannah Kingsley Lanesboro, MA  
Becky Wandrei Windsor, MA  
Nicole Wallace Windsor, MA  
Cara Pease Worthington, MA  
Martha bruso Pittsfield, MA  
Allison LaFleur Townsend, MA  
Adam Larson Lee, MA  
Susan Sobon Windsor, MA  
Bonnie Capogna Hinsdale, MA  
Marissa Hatch MA, MA  
Paige Harrington Dalton, MA  
Devon Torrey West Townsend, MA  
Amanda McLeod Dalton, MA  
Brie Lohnes Windsor, MA  
Amanda Clark Dalton, MA  
Anna Kohler Cambridge, MA  
Jessica Dennis Pittsfield, MA  
Evan Webb North Adams, MA  
Meagan Leduc Lyndonville, VT  
Adrienne Westwood Brooklyn, NY  
Kelly Szalewicz Lanesborough, MA  
Monica Bliss Pittsfield, MA  
Renee Poplaski Lanesborough, MA  
Audrey Huggon Westport, MA  
Lyndon Moors Lanesborough, MA  
Janess Sheets Pittsfield, MA  
Nathan Ivanowsky Dalton, MA  
Tom Kochanski Cortez, CO  
William Leavenworth Searsmont, ME

Mark Anderson Canton, MA  
Susan Wolk Williamstown, MA  
Christine Gerzon Concord, MA  
patrick burke Hanson, MA  
Maria Perez Milton, MA  
Danyelle Mooradian Cambridge, MA  
Mary Hachem Methuen, MA  
Mike Johnson Melrose, MA  
Sarah Kahoun Dover, MA  
Julius McMahon Cambridge, MA  
Kelly Cornell Taunton, MA  
Christopher Jordan Grafton, MA  
Toolan George Cambridge, MA  
Michael Curtis Medford, MA  
Andrea Reynes Lincoln, MA  
Margaret Olson Lincoln, MA  
Deenah Jacques Billerica, MA  
Susan Perciballi Groton, MA  
Delia Watts Northampton, MA  
Belinda Gingrich Lincoln, MA  
Susan Lubianez Worcester, MA  
Sabrina Blonigan Westwood, MA  
jenne sindoni SAUGUS, MA  
Sandra White Concord, MA  
Richard Goonan Groton, MA  
FeFe Fitzgerald Woburn, MA  
Sharon Yang Auburn, MA  
Gena Reyes Salem, MA  
Douglas Clapp Greenfield, MA  
Jennifer Souza Attleboro, MA  
Eric Ranvig Acton, MA  
Paula Ferreira Indian orchard, MA  
M Natália Vieira South Dartmouth, MA  
Carletta Traylor Northampton, MA  
Yuriy Tributysyn Acton, MA

Robyn Sharpe Boston, MA  
jean beattie Canton, MA  
Sharon Souza Fairhaven, MA  
Samuel O'Brient stockbridge, MA  
Amanda Ward Danvers, MA  
janet azarovitz Falmouth, MA  
Mas Kimball Oak Bluffs, MA  
Kay LaViola Savoy, MA  
Stacy Rogers North Truro, MA  
Judy Eddy West Stockbridge, MA  
Ruth Rogers Woolwich, ME

Jordan Agent Cabridge, MA  
Kevin Leonard Lanesborough, MA  
michelle bryan greenfield, MA  
Matthew Driscoll Weymouth, MA  
Sadie Koczela Windsor, MA  
Brian Wallace Windsor, MA  
Kristie Drosehn Abington, MA  
Laura Drake Hinsdale, MA  
Steven hamill Becket, MA  
Tim Bachli Dalton, MA  
Richard Degiorgis Windsor, MA  
Stephanie Salvini Pittsfield, MA  
Jayna Larson Hinsdale, MA  
Peter Sternerup Windsor, MA  
Hannah Bushway North Adams, MA  
Jenna Spirt Allston, MA  
Marnie Meyers Windsor, MA  
cheryl hopkins Colrain, MA  
NaNcy doolan Hinsdale, MA  
James Younis Reading, MA  
Katie Bodnar North Adams, MA  
Hanna Sobon Windsor, MA  
Alice Moszczynski Madison, NJ  
Erica Wetherell Lanesborough, MA  
James Bassett Sandwich, MA  
Isade Salcedo Brighton, MA  
Tammy Hayward Pittsfield, MA  
Jared Polens North Adams, MA  
Jennifer Munoz North Adams, MA  
Amelia Chandler Pittsfield, MA  
Lindy Dangelmayer Gloucester, MA  
rich girard Somerville, MA

Ruth Major Vineyard Haven, MA  
Greg Pannesco Lanesborough, MA  
nancy fish greenfield, MA  
Gregory Burdett Boston, MA  
Fran Marrone Everett, MA  
Stephanie Graber Ipswich, MA  
Joseph Gomes Winthrop, MA  
Danielle H Norwood, MA  
Rena Mae Gagnon worcester, MA  
William Hill Jamaica Plain, MA  
Jessica Smith-Rohrberg Somerville, MA  
Lee Apua'latl- alumni Holyoke, MA  
Irma Gendreau Worcester, MA  
Nicole Reasonda Upton, MA  
Katarina Bergh Lincoln, MA  
Carol Lovell Carmody Lincoln, MA  
Eric Fournier Waltham, MA  
Andrew Dickinson Groton, MA  
Jesse Karol stow, MA  
alison leary Newton, MA  
Emily DeLemos Andover, MA  
An Ro Melrose, MA  
Nancy Foley Wilder Groton, MA  
ruth goldenberg Groton, MA  
Brian Cirisi Groton, MA  
Eli Lennox San Diego, CA  
Kenneth Seier Waltham, MA  
Kathleen Garvey Chicopee, MA  
ernest antonioli malden, MA  
Kathy Martin Watertown, MA  
Richard Stafursky Brattleboro, VT  
Gerli Winters Boston, MA  
Arun Nair Elmont, NY  
Faldora Faldor Lynn, MA

Anthony Wong Lexington, MA  
Kevin Fahy Lowell, MA  
turquoise green north adams, MA  
Barbara Jo Metcalfe Northampton, MA  
Mackenna Ward Beverly, MA  
Mary-Jean Miner Vineyard Haven, MA  
Mary Ellen Liacos Dorchester, MA  
Lisa Nowicki Longmont, CO  
brenda k davies davies amherst, MA  
Beth Brady Winsted, CT  
louise berliner Concord, MA

Katherine Byrne Sharon, MA  
Valerie Tallet Lanesborough, MA  
John Kirby Lanesborough, MA  
Sarah Sawyer Gloucester, MA  
Edie Heinemann Brockton, MA  
Kyla Morrissey Huntington, MA  
Jessica O'Brien Essex, MA  
Larissa Sobon Windsor, MA  
Carina Alden Great Barrington, MA  
Nelson Lewis Huntington, NY  
Jared Frienere Windsor, MA  
Laura Pratt Cheshire, MA  
jarred mongeon Dalton, MA  
Cassandra Service Windsor, MA  
Tylor arrington Dalton, MA  
Heather Szklasz Dalton, MA  
Stephanie Drake Hinsdale, MA  
Daniel warriner Cummington, MA  
Judith Butler Dalton, MA  
Christine Ferrari Pittsfield, MA  
Tyler Boraski Dalton, MA  
nikki dimitropolis Windsor, MA  
Erin Murphy Pittsfield, MA  
Ann-Marie Desautelle Washington, MA  
Alfonsina Ramon Monterey, MA  
Mary Bilodeau Methuen, MA  
Michelle Pysen Hinsdale, MA  
Maria Cristina Fernandez Hancock, MA  
Rachel Ivanowsky Dalton, MA  
Carole Castonguay Lanesborough, MA  
Gail Rice Wareham, MA  
Rosemary Wessel Cummington, MA

Sean K Cummington, MA  
Jennifer Markens Ashfield, MA  
Barbara Tiner Leverett, MA  
rufus chaffee northampton, MA  
Rachel Kohn Amesbury, MA  
mindy marion Webster, MA  
Betsy Clark Lanesborough, MA  
Meredyth Banahan Pittsfield, MA  
Gail Spaulding Lanesborough, MA  
Tracy Kenney Pittsfield, MA  
Rene Wendell Pittsfield, MA  
Matt Bresette Barnstable, MA

**2015\_02**

Patricia Wallace New Haven, CT  
Susan Torres Carmel, NY  
James Berkheimer Fremont, CA  
sharon kenthack Bethesda, MD  
Kenneth Robertson Kansas City, MO  
Brian Roderick Albuquerque, NM  
Matthew Palmer Long Beach, CA  
Josette Martin Palm Coast, FL  
Diana Anderson Roseburg, OR  
Marsha King Topeka, KS  
Manuel Morais Arlington, MA  
Michele Villeneuve Kingsport, TN  
sandie whyte whitinsville, MA  
maria szmauz New Ipswich, NH  
Linda Cote Wilmington, MA  
Marsha Johnston Berlin, MA  
Michael Trepp Seattle, WA

**2015\_03**

Olivier Resca Lenox Dale, MA  
Margaret Benoit Rutland, VT  
Julius Melbin Townsend, MA  
Stephanie Engel Stephentown, NY  
Nancy Champoux Northfield, MA  
Ethel Leider West Palm Bch, FL  
Karen Morgan Northfield, MA  
Margaret Babbitt Northfield, MA

**2015\_04**

Joshua Paradise Brookline, MA  
Nolan Kitfield Northfield, MA  
Marlene Znoy Conway, MA  
Phoebe Bushway Cummington, MA

**2015-05**

Kathleen Reine Cambridge, MA  
Brenda Palla Northampton, MA  
Blake Scyocurka Ludlow, MA  
Amber Miller Cedar Rapids, IA  
Linda Baker-Cimini Pittsfield, MA  
H John Fisher Cummington, MA  
David Dorwin Williamstown, MA

**2015\_06**

Sean Mooney West Suffield, CT  
James Willitts Bellingham, MA  
bonnie Gage-Anderson Hudson, NH

**2015-07**

Kimberly Longey Plainfield, MA  
Mike Rancourt North Reading, MA  
Jean Nigro Arlington, MA  
Robert Dickerman Northfield, MA  
Jennifer Goselin Greenfield, MA  
Megan Adams Northfield, MA  
Cicily Corbett Springfield, MA  
Melinda LaBelle Erving, MA  
Donna Dove Conway, MA  
Deborah Osowski Northfield, MA  
Deborah Wagner Brookeville, MD  
Gay Roberts Northfield, MA  
Faith Peirce Spring Lake, MI  
Jason Ellis Bernardston, MA  
Virginia Ansbergs Plainfield, MA  
Maureen Spaulding Easthampton, MA  
JoAnn LeBlanc Greenfield, MA  
Susan Dunham Worthington, MA  
Bruce Scofield Amherst, MA  
catherine woolner Northfield, MA  
Robert Jonas Northampton, MA  
Grayce McCreary South Portland, ME  
Thomas Guertin Milford, MA

Kathleen Padden Warwick, MA  
Melissa Vanek Holyoke, MA  
Julia Blyth Northfield, MA  
kenneth weiss2015-01-23  
Jennifer Drew Jefferson, MA  
Debbie McCarthy Andover, MA  
April Jenks Pittsfield, MA  
Annette Hunkler Pittsfield, MA  
Dave Losee Florida, NY  
donna kingsley Lanesborough, MA  
william spaulding Lanesborough, MA

dawn odonnell greenfield center, NY  
Linda moore farmington, NY  
kim clemens Reading, PA  
Robyne Venable Indianapolis, IN  
william toner McGraw, NY  
Jacquelyn Sorby Stockton, CA  
Connie xiong Saint Paul, MN  
Maryann Piccione Holiday, FL  
Michael Deer Tulsa, OK  
Carol Garber Red Lion, PA  
Dan Gagen Redwood City, CA  
Kathy OBrien Redway, CA  
Melissa Cover Shorewood, WI  
Barbara Plater Indianapolis, IN  
Tyler Schenck Shutesbury, MA  
Mark Creighton East Greenbush, NY  
Paula Heckman Acton, MA

jason mitchell taunton, MA  
Penina Seigel Sharon, MA  
Susan Wall Egremont, MA  
Ashley Seto Andover, MA  
Erin Jaworski Northfield, MA  
Jennifer Chabott Northfield, MA  
Nan Derby Chatham, NY  
Nathan Zhao Wayland, MA

Lisa Wheeler Northfield, MA  
Jennifer Lowe Boston, MA  
gordon lovelace Northfield, MA

Sebern Fisher Northampton, MA  
carol czapienski2015-05-06  
Randall Lyle Cedar Rapids, IA  
Catherine Rule2015-05-06  
Stephanie Hoadley Lanesborough, MA  
miriam kurland mansfield center, CT  
emily sper Newtonville, MA

Seth Hansell Northfield, MA  
marte augusto Northfield, MA

Vaughn Wollney Columbia, MD  
ROBERT E. ARENDT JR. Pittsfield, MA  
Elena Ricci New Orleans, LA  
Stephen Balazs Northfield, MA  
Helen Adams Greenfield, MA  
Kenneth O'Brien Northfield, MA  
Kimberly Barry Northfield, MA  
Nadia Marti South Hadley, MA  
Stacy Welsh Northfield, MA  
Robin McKeon Northfield, MA  
Pat Fiero Leverett, MA  
Amanda Nash Gloucester, Minor Outlying Islands  
Douglas Mayo Greenfield, MA  
Peter curtis Ashfield, MA  
Cecelia Jordan Greenfield, MA  
Jaimw Parse Orange, MA  
Jim McCrory Myrtle Beach, SC  
Hetty Startup Adams, MA  
Robert Pasteris Northfield, MA  
Laurence Sheehan Ashfield, MA  
Jean Wagener Northfield, MA  
Leatra Harper Senecaville, OH  
Shauna Lynn Shelburne Falls, MA

George Burnett Plainfield, MA  
Patricia Lemon Warwick, MA  
Sylvia Snape Plainfield, MA  
Cathy Kristofferson Ashby, MA  
Liz Trombley Ferndale, MI  
Jes Sisco Fitchburg, MA  
Lisa Donovan Pittsfield, MA  
William Kipp Lanesborough, MA  
Kelly cobb Pittsfield, MA  
Lisa Healey Pittsfield, MA  
Gina Frey Amherst, NH

Leslie Sharlock Butler, PA  
Barbara Gibson Philadelphia, PA  
Bonnie McAllister Rockville, MD  
jayne feshold henderson, NV  
Siddu Navaneetha West Lafayette, IN  
Jacqui Foster Belleville, IL  
Anthony Buch oak harbor, WA  
Andrea Tierno North Reading, MA  
Joe A. Briones BEACHWOOD, OH  
Norman Murphy Oceano, CA  
Kevin Lyerla Murphysboro, IL  
Constance Heym Montauk, NY  
Cindy Borske Mason City, IA  
Debbie pomerleau Parker, CO  
stephen philbrick Windsor, MA  
Sandra Nathan Stephentown, NY

Suzane Sullivan Wilmington, MA  
Emily Miller Pittsfield, MA  
Alice Arena Weymouth, MA  
Bruce Kahn Northfield, MA  
Elizabeth Whitcomb Northfield, MA  
JoAnn Coutu Northfield, MA  
Cheryl George Northfield, MA  
Joe Graveline Northfield, MA

alissa shea Gill, MA  
M Patterson Field Northfield, MA  
Holly Lovelace Northfield, MA

Licia Sky Boston, MA  
Ellen Shaw-Smith South Hadley, MA  
Peggy Braun Pittsfield, MA  
Linda Kaye-Moses Pittsfield, MA  
Marilyn Vieu Pittsfield, MA  
Jeanne enis Woburn, MA  
Joseph Lanza Winthrop, MA

Stockman Deborah East Schodack, NY  
Vivienne Mann Ridge Spring, SC

Laura Rancourt North Reading, MA  
Holly Taylor Housatonic, MA  
Jacy Birdsong Greenfield, MA  
Tammy Pelletier Northfield, MA  
Louis Anson Northfield, MA  
Melissa Gamache Northfield, MA  
Cynthia Frado Amherst, MA  
Alan Eldredge Northfield, MA  
Susan Callahan Ashfield, MA  
Hattie Nestel Athol, MA  
Walter and Susan Cudnohufsky Ashfield, MA

Said Abdallah Fairview, NC  
karen sullivan ashfield, MA  
john hann Winchester, NH  
Ellen Barfield Baltimore, MD  
Emily Howard Plainfield, MA  
Diane McAvoy Turners Falls, MA  
francena dwyer Avon, CT  
Walter Jaworski Northfield, MA  
Helen Johnson Northfield, MA  
Clifford Phillips Northfield, MA  
David Greenberg Colrain, MA

Rick Walter Austin, TX  
Lucia Sturup Belchertown, MA  
Paula Lyons Shutesbury, MA  
Elaine Dove Readsboro, VT  
Michael Suter Shutesbury, MA  
Anna Cullen Northfield, MA  
Stephen M. Power Bernardston, MA  
Deborah Andrew Shelburne Falls, MA  
Greg Augustine Gill, MA  
Jennifer Piescik Greenfield, MA  
Maud Geng Plainfield, MA  
caleb kissling Bernardston, MA  
Kathleen Nutter Bernardston, MA  
Cassandra Jones Erving, MA  
Andrea Moran Mashpee, MA  
Zach Holmes tf, MA  
Patricia Worth Royalston, MA  
Judy Wolter Northfield, MA  
Alison Wahlstrom South Deerfield, MA  
denise schine Pittsfield, MA  
Ava Gips Deerfield, MA  
Robert English Ellendale, MN  
Crystal LaPoint Littleton, MA  
August Rulewich Bernardston, MA  
Thomas Matsuda Conway, MA  
Jeffrey P Smorzewski Biddeford, ME  
Peter Coggeshall Kissimmee, FL

#### 2015\_08

Mary Boyle Boston, MA  
Maria Lane Dracut, MA  
Peter Samal Montague, MA  
Michael Veit Pepperell, MA  
Stew Whittaker Kent, WA  
Dawn Hammond Holliston, MA  
Maggie Madole Sunderland, MA  
Margot Grossman Townsend, MA  
Roy Pincus Lynnfield, MA  
Amy Feinberg Lynnfield, MA  
Dennis Gauvin New Ipswich, NH

Stephen Bushway Cummington, MA  
Genevieve Fraser Orange, MA  
Steven Tower Northfield, MA  
budinich Budinich Northfield, MA  
terrance McKeon Northfield, MA  
Terence Ellen Pikesville, MD  
Keith Streeter Bernardston, MA  
Emily Rowan Northfield, MA  
Margaret Livingstone Greenfield, MA  
Kathleen Spencer Ashfield, MA  
Jill Arnel Portland, OR  
Jeanne Sisson Northfield, MA  
jennifer saxton Becket, MA  
Sharon Raymer Northfield, MA  
Sarah Doyle Turners Falls, MA  
jeanne dowd Greenfield, MA  
Janel Nockleby Turners Falls, MA  
Max Paronich Erving, MA  
Sharon Feeney Greenfield, MA  
john ausikaitis Easthampton, MA  
Andra Rose Amherst, MA  
Ken Lederman Arlington, VA  
Guine R. Leverett, MA  
Jane Shaney Ashfield, MA  
Jenny Caron Wendell, MA  
M Neville Wall Northfield, MA  
audrey greene Windsor, MA

Terrence O'Reilly Dracut, MA  
Deidra McMorrow Dracut, MA  
Robert Ford Fitzwilliam, NH  
Cynthia Lawton-Singer Conway, MA  
Meghan Stanley Maynard, MA  
James Kowalsky Plymouth, MA  
Lillian Carone Deerfield, MA  
Logan Gamache Northfield, MA  
Ruth Julian Shelburne Falls, MA  
Eli Gonell Haverhill, MA  
Kathleen Gauvin New Ipswich, NH

Caddie Alford Bloomington, IN  
Mararet Anderson Granby, MA  
cheryl fox Turners Falls, MA  
P Lysitt Putney, VT  
Tommy Byrnes Bernardston, MA  
Peri Good El Cajon, CA  
Ken Purdie Orange, MA  
Dale Moss Shelburne Falls, MA  
Benita Campbell Burgettstown, PA  
Linda Lau Shutesbury, MA  
Nancy Grace Gloucester, MA  
Cody Sisson Northfield, MA  
Emily Koester Northfield, MA  
michael fairney florida, MA  
Joann Donnelly Northfield, MA  
A Morris Leverett, MA  
Joan White Belchertown, MA  
Susan Flores Plainfield, MA  
Peg Keller Plainfield, MA  
Amanda Lewis Northfield, MA  
Anna Fessenden Ashfield, MA  
Matt Lewis Northfield, MA  
Ferne Bork Northfield, MA  
Ted Cahill Shelburne Falls, MA  
Pauline Harding Attleboro, MA  
Susan Williams Northfield, OH

Pam O'Reilly Dracut, MA  
Ruth Marra Stoneham, MA  
Caroline Yunta Peabody, MA  
Susan Landon Tewksbury, MA  
Elizabeth Tighe Lowell, MA  
Amber Burke El Dorado, AR  
Lauren Price Brooklyn, NY  
Cassandra Nawrocki Ashfield, MA  
Melissa McBride Boston, MA  
M Neville Wall Warwick, MA  
Julie Orfirer Ashfield, MA

#### Comments from petition signers:

Richard Crane Groton, MA 2014-11-08 This pipeline project is a "greenfield" project which means that the entire route for this pipeline will be taken through eminent domain. The lands involved include a significant number of homes, farms, schools, conservation land, water supplies, and much, much more. The negative affects of this project will be felt for generations.

Tim McCormack Allston, MA 2014-11-08 I want my children to have a land unpolluted by gas leaks and fracking.

Keith Dawson Groton, MA 2014-11-09 There is nothing right about this proposal. It would devastate land that the entire population of the state has spent money, time, and energy to protect in perpetuity. The gas is from fracking sources. The pipeline would derail sustainable energy initiatives. Most of the gas could be exported from Canada. There is no guarantee the pipeline would lower gas prices, in fact it is more likely to raise them.

Nicola Crane Groton, MA 2014-11-09 This pipeline crosses schools in a number of towns. It has been proven that natural gas pipelines are dangerous and those risks increase when located so close to people. It is unacceptable to locate pipelines near schools, libraries, community centers, places of worship, and other locations where people congregate.

Ginger Vollmar Groton, MA 2014-11-10 There is no reason to allow this pipeline to go through miles of conservation land when existing rights-of-way can be used.

Steve Kalter Groton, MA 2014-11-10 We need to protect our environment -- especially from Corporate Greed!

Liam Spaeth Lincoln, MA 2014-11-10 Pipeline routing is poorly designed.

John Placais Boston, MA 2014-11-10 The cost outweighs the need

jared faugno athol, MA 2014-11-11 It affects my community.

Tyler M Hanson, MA 2014-11-14 There are energy alternatives that won't destroy the environment.

Richard Wheeler Concord, MA 2014-11-16 The appropriation of the land to insert the pipeline poses too many threats to the natural habitats and conditions. The pipeline is also a potential threat to neighbors. This is a replay of what is going on in middle of of the United States. We do not want this nor do we need it. Richard W. Wheeler

William Greene Concord, MA 2014-11-16 I'm signing because this pipeline is a 180 degree turn in the wrong direction for the people of Massachusetts and America. Profits over people is the name of the game for these greedy, money hungry Oligarchs

Mark Hanson Concord, MA 2014-11-17 We need renewable energy not natural gas exports!

ALAN BUDREAU Concord, MA 2014-11-17 We don't need another pipeline

mark gailus concord, MA 2014-11-17 We should not sacrifice our land and safety just to lower costs for a particular gas supplier. What is the safety of our homes and towns worth? Why invest precious land in a soon to be obsoleted energy source?

Bob Wallhagen Carlisle, MA 2014-11-18 We don't need more fossil fuels. It is imperative that we start cutting back NOW.

Frank McGovern Bedford, MA 2014-11-18 During the "polar vortex" New England suffered greatly from a shortage of natural gas - power plants went off line - and some actually burned jet fuel due to the shortage - natural gas is relatively cheap and plentiful , but there is a huge transportation constraint getting the fuel to New England - 67% of Connecticut's kWh are produced by nat gas . A pipeline would solve this constraint problem - now electric prices are doubling through out New England - consumers will see a doubling of rates due to limited transport - I own an electric company and have nearly 100,000 electric customers all "on wind" and started a solar company and drive an electric vehicle - but realistically for the next two decades natural gas is the best solution to support the energy needs of 12 million people in New England with solid steps towards solar and wind - ( note - people should buy wind electricity from Clearview Energy and others - approxi-

mately every time 1,000 homes switch to wind another windmill is built , but builtin places more optimal for wind like Texas and Nebraska etc the natural gas pipe line is critical in New England )

Ainsley Donaldson Melrose, MA 2014-11-18 I'm signing because I support renewable sources of energy, not the continued destruction of our natural environment.

melissa callahan somerville, MA 2014-11-18 I'm signing because my children and yours deserve a future not wholly distorted by the previous generations ignorance.

Karen Miller Somerville, MA 2014-11-18 I live in Massachusetts. It's environment has already been too compromised by development.

Erika Fox Cataumet, MA 2014-11-18 Increasing needs for energy must be met by renewable energy sources.

Lisa D Thompson Amherst, MA 2014-11-18 Invest the time, energy and natural resources in safe and clean RENEWABLE energy like solar and wind. This is destructive and time limited.

Jane O'Rourke Lexington, MA 2014-11-18 we have start paying attention to our environment

Freddie Estremera Fairhaven, MA 2014-11-18 This bothers me because it is the first order of business that these oil backed chosen politicians put on the table in congress. Putting this pipeline up will not affect U.S. oil prices and save us anything except put more dollars in these oil tycoons. I am surprised the American public is just standing by and being totally oblivious to this.

Lucie McCormick South Deerfield, MA 2014-11-18 A short term positive isn't worth the long term negative effect.

Stevie Converse Florence, MA 2014-11-18 I'm signing this petition for two reasons: I don't want a pipeline going through some of the most beautiful land in Massachusetts, which will devastate the land, hurt the wildlife and weaken communities. And I don't want to perpetuate non-renewable energy. I want Massachusetts to invest my tax dollars into renewable energy.

Lesa Spinazzola Worcester, MA 2014-11-18 No more dirty energy!

Laurie Wodin Upton, MA 2014-11-18 We are crazy to keep making fossil fuel infrastructure when we need alternative fuels to be developed instead. I certainly am opposed to paying for this pipeline. They are trying to make a new tax to pay for it, so the companies that own it only profit while we pay for it with our money and our health.

David Bryant Ipswich, MA 2014-11-18 Global Climate Change threatens to plunge our world into increasingly powerful storms, extended droughts, more frequent and wide spread tornadoes, as we extract more natural gas by fracking. While we should be converting our grid to renewable energy the crash in NG prices threaten to expand CO2 emissions to record levels. Are we sacrificing our children's future for cheap energy and threatening water quality of millions of people?

irene karayan newton, MA 2014-11-18 Clean energy is the only way to go to avoid devastation of our environment .Reducing our consumption by eliminating the excess lighting of buildings , excess heating and cooling of businesses and apartments buildings is our responsibility .

Elizabeth Wallace Hanson, MA 2014-11-18 I think it will spoil the environment.

Danielle thompson Lunenburg, MA 2014-11-18 I do not agree with the development of the pipeline

James Cayon Springfield, MA 2014-11-18 .....while I remain firmly against actions that profoundly impact in a negative way those who are least demographically capable of adjusting to them even IF sensitive to the environment, this project does NOT significantly benefit citizens of the Commonwealth given it is primarily for the purpose of supplying an INTERNATIONAL market; we do not need NOR want such a disruptive, damaging and potentially disastrous undertaking HOWEVER much Kinder Morgan continues to insist the right-of-way is least threatening to people (less so for OTHER life)!

Scott MacDonald Andover, MA 2014-11-18 This pipeline would be devastating for the communities that it would run through. In my town of Andover, it is planned to run right through our conservation land and water shed! We should not be further investing in fossilfuel infrastructure, especially when this pipeline will be carrying gas meant to export, not for Massachusetts communities. Lastly, this pipeline will be dangerous - it is a "high-pressure" pipeline, unlike the ones that have been built in the past. The existing "low-pressure" pipelines leak all the time, causing fires and extreme harm to the environment. Just imagine what could come of this! It's frightening that a company such as Kinder Morgan could be so selfish - endangering our communities, and the world's environment, for their sole benefit.

julie guido Hopedale, MA 2014-11-18 isn't there a way to do things without harming the environment and it'l wildlife.....

Helen Randolph Great Barrington, MA 2014-11-18 This pipeline would be the worst thing ever to happen to Berkshire County, and to the entire state of Massachusetts. Do not allow it.

carleen cordwell New Bedford, MA 2014-11-18 This is about big business, not community!

Marina Vrouvlianis Newton, MA 2014-11-18 save our beautiful state.... this pipeline is NOT necessary....

Kathleen Lique Salem, MA 2014-11-18 We need to support efforts to foster clean renewable energy and reduce our dependency on fossil fuel such as natural gas. The marketing idea that natural gas is "clean" is absurd if you know anything about fracking which is where most of it comes from these days. NO on this pipeline.

Kathryn Kogan Hingham, MA 2014-11-18 This pipeline moves us in the wrong direction.

Jodi MacDonald Andover, MA 2014-11-18 This is not the right solution to our energy needs.

Ann Hulsing Newton Highlands, MA 2014-11-18 The time has arrived to discontinue supporting & investing in fossil fuels.

Chris Powicki Brewster, MA 2014-11-18 Building out natural gas infrastructure runs counter to state law mandating drastic cuts in greenhouse gas emissions

Ann Van Dyke Leverett, MA 2014-11-18 Keep the pipeline out!

Selwyn Oskowitz Brookline, MA 2014-11-18 We must invest in alternate energy instead

derek brown e, MA 2014-11-18 i just saw the movie "interstellar"

Marian Kelner Greenfield, MA 2014-11-18 This pipeline is unnecessary and part of a paradigm that doesn't work. Berkshire Gas has reported there is enough natural gas for the present level of consumption. Let us not raise that level. In fact, let us lower consumption and leave the beautiful environment to the animals, plants, and humans who call this place home.

Jerry Vovcsko e. bridgewater, MA 2014-11-18 "greenfield" my ass...

Donald Allen Carlisle, MA 2014-11-18 I support this and other attempts to stop increased energy production because we waste huge amounts of energy in this country, because it is kept artificially cheap (e.g., drivers don't pay for the environmental costs of driving through proper taxation). I say make a major effort to reduce the waste before doing anything about increased supply.

Linda Breitman Westborough, MA 2014-11-18 We have the technology to shift our dependence on additional fossil fuels to clean energy. This project causes immediate destruction of the lands it travels through, and continued destruction of the planet in the future.

MJ Gosselin Rowley, MA 2014-11-18 No pipeline. It is unnecessary. We need to focus on renewables and stop raping our countryside. I live in Mass and will fight this to the end.

Kate Kenner Jamaica Plain, MA 2014-11-18 I live in MA and do not want this toxic plan to go through. We want clean energy here and a healthy environment,

Tanya Wheeler Westfield, MA 2014-11-18 I care about our environment and I support clean energy. This Pipeline does not meet the goals of providing clean energy to the citizens of Massachusetts.

Carl Osborne Natick, MA 2014-11-18 We need to focus on long term strategies that deliver renewable energy. More natural gas is a band-aid and short term solution to our immediate energy needs but one that sinks us into the deeper problem of climate change.

Matthew Carter Rowley, MA 2014-11-18 Think of the environment and people!

zelda gamson chilmark, MA 2014-11-18 Our beautiful land should not be used for this purpose. Let's use it for green energy!

Cheryl Lutzca Pepperell, MA 2014-11-18 This is devastating to our communities.

Peter Wildermuth Ashfield, MA 2014-11-18 This pipeline will permanently damage pristine landscapes and will contribute to global warming. There are better alternatives including renewable energy and energy efficiency.

Dawn Tesorero Roslindale, MA 2014-11-18 I sign this petition because our current pipelines are broken. We need repairs not new pipelines. We need to invest in a sustainable energy future, not one that kills humans and our environment.

Karen Sheaffer Shelburne Falls, MA 2014-11-18 I'm signing because I live in Massachusetts.

Maximilian Kreisky Lexington, MA 2014-11-18 I live in Massachusetts and I do not want our state to be poisoned by natural gas, nor do I want to support the use of it as a resource. I want a commitment to clean energy, not more malarkey.

rosemary gaskell winchendon, MA 2014-11-18 My town will have the pipeline going through it. Morgan Kinder did almost nothing to inform the town's people of this project and we had to scramble to build a protest group to fight back. It won't help and I firmly believe that they will go ahead anyway, and with the states governments approval. This pipe is cutting property in half and impacting the property values of residents. We are just an ordinary working class community and our homes are mostly our only financial assets. KM knows we don't have pockets deep enough to mount an effective legal battle.

Pamela Ross Haverhill, MA 2014-11-18 I support renewable energy before these impactful projects.

william hernandez Boston, MA 2014-11-18 We need independents from these gas and electric companies. I support wind and solar power.

Sage Freechild Shutesbury, MA 2014-11-18 Natural gas is not a "green" energy. In order to address climate change, we need to shift away from ALL fossil fuels and invest in renewable energy sources. I also oppose any energy project that will encourage more fracking because it is suicidal for us to keep destroying water supplies. And, by the way, the Koch brothers have too much money already, so we need to stop allowing them to influence energy policy to add to their greed accounts.

Connie Carter Oakham, MA 2014-11-18 We're never going to end our addiction to dirty energy if we keep expanding our use of it. Oil and natural gas companies are no better than drug dealers who want us all to stay hooked on their poison because it makes them money. Even though they are well aware it will eventually destroy us (and our home...the only one we have by the way). The devastation this will cause to the affected communities is sickening...all to stuff a companies pockets. How long will our government allow this kind of corporate greed at the expense of the people to continue? Did I mention sickening?

Gayle Simmons Dorchester, MA 2014-11-18 Any plam must blance the development of alternative energy sources with thoughtful environmental protection. I need to see the whole plan.

abigail higgins vineyard haven, MA 2014-11-18 am signing because am fed up with decisions that reinforce the status quo. want to reinforce innovation and sustainability.

Jessica Mcgeary Winthrop, MA 2014-11-18 Massachusetts agriculture is in a tough enough position without having to disrupt it for a pipeline that could ruin everything simply by its construction. This oil is dirty oil that won't help our market or our economy at all. This is not worth it, not even close.

Cynthia Ingelfinger Ipswich, MA 2014-11-18 This is not the direction we should be going with our energy sources. Clean, renewable energy solutions are possible. This pipeline is a step backward and will affect our quality of life and threaten our local natural resources. Just say no!

Lawrence J O'Brien Norwood, MA 2014-11-18 Advocate Renewable Energy

klaus kleinschmidt concord, MA 2014-11-18 Conservation of energy options are being ignored.

Rona Leventhal Northampton, MA 2014-11-18 We need to change imminent domain laws, too!!!!!! No govt should have a right to bully its residents!

Robin Dwyer Pepperell, MA 2014-11-18 I live in one of the pipeline towns, we have spent quite a bit of money to conserve land through out th town , we have loads of wildlife, this will impact them greatly. I do not want my town disturbed by this pipeline

Beth Ryan Falmouth, MA 2014-11-18 This Pipeline is going through my sister's backyard and I can see the devastation.

Ron Danklefs Boston, MA 2014-11-18 We need to kick the fossil fuel habit and go towards solar & wind power.

Patricia Colcord Hopedale, MA 2014-11-18 Pipeline a bad idea and I do not want it in any state, let alone my own.

Eleanor Perry Forestdale, MA 2014-11-18 We feel it is time to use renewable energy and not destroying the beautiful countryside with the laying of yet another pipeline!

jon higgins southwick, MA 2014-11-18 Northeast utilities will build a better pipeline on a pre existing right of way

geraldine zagarella brookline, MA 2014-11-18 This project is wrong for so many reasons.

Deborah Butler Framingham, MA 2014-11-18 Franking shale 2 make Natural GAS=Air Pollution, Degraded Water Quality in Rivers & Risks to Underground Drinking Water #NoFrackedGasInMA

Janet Street Northampton, MA 2014-11-18 I strongly oppose this and other natural gas pipelines because of the detrimental impact on the environment of Massachusetts. We want nonpolluting clean energy, not toxic petrochemicals, for our energy resources.

Anne Gyles Boxford, MA 2014-11-18 Gas will run out-the sun, wind and tide can power can go on forever!

Damian Adshead Auburn, MA 2014-11-18 WIND & SOLAR FARMS - ONLY!

Nancy Smith Brighton, MA 2014-11-18 Massachusetts will be a state providing leadership of sustainable energy for the future. Its not fair to have this pipeline project split her down the middle, injuring our environment and our communities.

Steven Picheny Great Barrington, MA 2014-11-18 This will further ruin our pristine environment for the sake of corporate profits. Run it along the Mass Turnpike!!!

Lisey Russell Royalston, MA 2014-11-18 No pipe line. Don't let the small towns in MA be used in this way.

Mary White Concord, MA 2014-11-18 Protecting our conservation land and wetlands which this pipeline is slated to go through is essential.

Jo-An Courtemanche North Hatfield, MA 2014-11-18 No I do not support this project in any way whatsoever

Ann Rosenkranz Vineyard Haven, MA 2014-11-18 It's all about reducing our carbon footprint and transitioning quickly to renewables NOW!!!!!!!!!!!!!! This is a non-negotiable imperative in order to preserve life on earth as we have known it.

Patricia Grimes Byfield, MA 2014-11-18 Lo

Carol Jussaume Fall River, MA 2014-11-18 Massachusetts needs to set an example just as it has by going green with wind energy and solar power.

james lagomarsino Hardwick, MA 2014-11-18 We have to go green NOW ! Every step we take to continue with fossil fuels is one less step forward for future generations.

Paula Vincent-Cowan Eastham, MA 2014-11-18 Because the preservation of our environment is much more important than money and greed.

K Gordon Mattapan, MA 2014-11-18 If we are to make any real progress in fighting climate change then we must reduce our dependence on

fossil fuels.

Chris K. Medford, MA 2014-11-18 Because I live here!

Mac Newman Grafton, VT 2014-11-18 not in my back yard, thank you very much Amanda Huggon- Mauretti

Brockton, MA 2014-11-18 This is NOT the way to address our energy needs! I do not support an increase of natural gas use when we are not utilizing the alternatives.

Judy Raphael Leverett, MA 2014-11-18 This pipeline should NOT be approved. The environment is at stake as well as people's livelihoods, and good health. Why should people in Mass. PAY a corporation to devastate the land? This gas is going to EUROPE! Mass. may get 23% of the gas. We can do more with SOLAR and WIND for energy, which has NO TOXIC SIDE EFFECTS. A leaky gas pipeline has DEVASTATING, damaging effects on the land and water. Look at places in PA and elsewhere where wells have been contaminated. People can light their water, coming from the tap, ON FIRE! NO PIPELINE FOR MASSACHUSETTS!

Edward Bayne West Tisbury, MA 2014-11-18 We need legislation supporting renewable energy.

Timothy Kane West Newbury,, MA 2014-11-18 It's a bunch of bullshit!

Donna Calvanese Longmeadow, MA 2014-11-18 Because I support renewable energy and protecting conservation land.

Nancy Ames ACTON, MA 2014-11-18 This is another case of a few rich oil companies profiting off the many of us . This looks like it will cause devastation and hardship to property owners and farms tearing up land of many people so a few can profit and what happens when there is a spill the oil companies will do everything they can to not tell the truth and minimize the disaster look at the way BP has acted and there area they have ruined it will never be the same . Oil companies lie pay people off , and have way to much power We the people should have a say in how our land is used and we should be told the truth just say no to the devastationline (pipeline) the billionaire line the lieline the dowhatwepleaseline

David J. LeBeau Sheffield, MA 2014-11-18 I live in one of the most beautiful parts of the USA which I have had the pleasure of serving. I refuse to allow our county and the nation to be degraded by a company and it's minions simply to increase their wealth in this shameful attack. Please join me and thousands of other citizens of the Berkshires to derail this dastardly attack on our beautiful home.

linda cohen west tisbury, MA 2014-11-18 I'm signing because I would like our energy efforts in Massachusetts to focus on alternative energies and supportive infrastructure .

JOHN MCDERMOTT Nantucket, MA 2014-11-18 Kinder Morgan is BAD NEWS. Period! <a href="http://www.familiesagaincancer.org/?id=163" rel="nofollow">http://www.familiesagaincancer.org/?id=163</a>

Nancy Pirman-Weiss CARLISLE, MA 2014-11-18 We already have a major pipeline running through my town (Carlisle) and yet a significant number of residences in the town don't even have access to natural gas!!! How much more can you be to passing off the risk and not providing benefit? Invest in greener resources.

kathleen ward salem, MA 2014-11-18 enough-!!!!

ilana corey Newton, MA 2014-11-18 Mass isn't home im not letting it get destroyed.

Wayne Maiewski Hatfield, MA 2014-11-18 Massachusetts will soon be "taking the pipe" if we don't end our dependence on non-renewable, carbon-based fuel sources altogether.

Scott Plantier Pittsfield, MA 2014-11-18 This pipeline is destined to drain the life out of every town it despoils -time to end the dirty energy cartels.

Amanda Hancock Dionne Newburyport, MA 2014-11-18 We need clean renewable energy solutions. Large Corporations have an abysmal track record for maintenance and repairs on these mammoth pipelines. I do not want this in my state or any other state. Please deny the Northeast Energy Direct Project. FERC docket no. PF14-22-000

Dave Roitman Florence, MA 2014-11-18 If our children and grandchildren are to be able to live healthy lives, we have to shift from relying on fossil fuels. Natural gas has "lifecycle" impacts (e.g. methane released from fracking; impacts on ground-water; etc.) that make natural gas a net negative source of energy. We NOW have the renewable technologies (starting with weatherization!) that can shift MA to a low demand scenario, making the pipeline unnecessary.

Paul Dobbs Roslindale, MA 2014-11-18 If we forced the gas companies to fix their leaking pipes, the saved gas would be more than enough to meet projected needs.

Maria Ritz Cambridge, MA 2014-11-18 We need to move away from a carbon based economy and invest more and more in renewable energy.

Cheryl Andreas Boston, MA 2014-11-18 The time is now to make the change to clean renewable energy!

Carolyn Lewenberg Boston, MA 2014-11-18 We don't need a pipeline! We need to develop renewable energy resources and consume less!

Mallory Colson Watertown, MA 2014-11-18 I care about the world

Karl Heinemann Acton, MA 2014-11-18 In my own amateur / dilettantish estimation, the supply of fracked natural gas that this pipeline will be meant to carry probably will run out after only 40 to 50 years. And I believe that any of our later efforts to restore the environmental wreckage left in the footprint of the pipeline's route will take a much longer period of time. And I have to wonder whether the costs of that restoration and recovery project would, in the long run, cost much more than whatever shortterm profits stand to me made by the supposed convenience of installing this pipeline to transport the fuel, rather than continuing to use more conventional methods of delivery.

valerie clark needham, MA 2014-11-18 It impacts my family members and the kids.

Erika Turner Ipswich, MA 2014-11-18 We must stop being lazy and taking the path of least resistance. The fossil based energy companies need to change their directions. Renewables. Period.

Daniel Miller Halifax, MA 2014-11-18 Massachusetts can do, does and has done better by its people of our Commonwealth. We need to continue to set the example on the cutting edge of technology, especially in the 21st Century, especially in renewable energy! Let's not go backwards.

tanis fletcher north falmouth, MA 2014-11-18 all fossil fuels are dangerous and therefore important in this issue.

Don & Valerie Bonzek Ludlow, MA 2014-11-18 We live in Massachusetts and don't need more to become more dependent on fossil fuels.

eline bakker Somerville, MA 2014-11-18 Clean energy technologies please

Robert S Hakkila Sr Morehead City, NC 2014-11-18 Save our country go solar stop pipe lines

Joann Fleming Ipswich, MA 2014-11-18 I believe renewable energy sources should be explored and promoted.

Gwen Hoffman Boston, MA 2014-11-18 I want our land and water protected. The pipeline will strip our lands, and the potential of destroying our water resources is far to great.

Anni Crofut Housatonic, MA 2014-11-18 The pipeline poses SERIOUS environmental threats and hazards. Those angling to make a profit will minimize these, but the evidence is clear that we should be investing energy funds into alternative energy rather than extraction, transportation and burning of carbon producing fuels. Listen to the communities, not the mammoth corporations with the dollars to influence.

Chris Stockman Plainfield, MA 2014-11-18 Christ stockman

Patrick Patterson Ipswich, MA 2014-11-18 This is not necessary, it will destroy the environment and contribute to global warming. It should not be done!

sayre sheldon natick, MA 2014-11-18 Fossil fuels have to be changed for renewable energy starting now--there is no more time to waste.

Craig Dillon Westford, MA 2014-11-18 Routing is not rationale.

Ronald Gore Medford, MA 2014-11-18 I believe we can find better ways to contribute to the energy issues at hand than running pipelines through our neighborhoods..conserving is the start,..renewable is the way!

Richard Vaillette Westminster, MA 2014-11-18 I'm signing because we need to develop safe and sustainable alternatives.

stephanie westenkatz Norton, MA 2014-11-18 I'm signing because I am afraid of the possible damage this pipeline can cause and we need to put our money into renewable energy.

Nancy Greene Lowell, MA 2014-11-18 This pipeline would run illegally through conservation land, and Massachusetts wants to be green, not only in our ecology, but in our energy sources. We've made great strides in solar and will soon have Cape Wind. My home is lit by hydroelectric power from the mighty Merrimack River. Fossil fuels are for dinosaurs, not for a progressive state like Massachusetts. Also, we suspect this pipeline is only being built so that fracked LNG can be shipped to Europe. It's not for the benefit of New England, only for the profit of Kinder Morgan. We would bear so much risk for little to no reward, and not the reward we're looking for, which is clean, renewable energy.

Lois Whitney Concord, MA 2014-11-18 The pipeline proposal seems to be being pushed thru without consulting the people of MASS.

Herb Kline Holyoke, MA 2014-11-18 It's the right thing to do

catherine hopkins Amherst, MA 2014-11-19 we must move towards regional sustainability, in food and energy-this pipeline is planned to go through beautiful, fragile environments and through people's farms and yards. No pipeline.

Pamela Frorer Newton, MA 2014-11-19 I'm signing this petition because I'm concerned with the effects of this pipeline on the limited natural environments left in MA. We need to focus on renewable energy instead.

Marcia Hutchinson Sherborn, MA 2014-11-19 These pipelines--all over-- are just for the .01% transnational corporations. They are for their bottom lines ONLY. And the environment and public safety be damned. We must put our collective feet down.

deb tobin marshfield, MA 2014-11-19 the money and effort would be better spent educating people about renewable energy solutions

Deborah Couture Gloucester, MA 2014-11-19 I think that natural gas is a hazardous source of energy. I would prefer to support clean, renewable energy solutions.

Jason Mejia Arlington, MA 2014-11-19 I will have to question whether or not I want to bring children into a dead world if the climate continues changing like it is.

Sarah Anderson Gardner, MA 2014-11-19 Short term profit for long term detriment will never be remembered as anything other than an atrocity.

Christina Rawley Falmouth, MA 2014-11-19 It is time to support life on Earth, transition to renewable energy sources and put an end to the plundering of the planet.

Brad Sandler Salem, MA 2014-11-19 Everyday it is more and more critical that a dedicated plan to implement 'renewable' energy alternatives be created. Any resources used to design, extract, build, expand, or transport greenhouse gas emitting fuels and other dangerous energy sources is delaying their demise. Building this pipeline only helps the existing fuel industry, not people.

Blossom Hoag Hingham, MA 2014-11-19 The money spent for this would be better spent on efficiency and renewables. We already have enough capacity without the pipeline if you do the math.

Jennifer Riley Wayland, MA 2014-11-19 Both the pipeline itself and the gas it will carry will seriously damage our future. We can break the addiction to fossil fuels!

Debra Plantier Richmond, MA 2014-11-19 This is important to stop because it is dangerous and goes through too many sensitive areas.

Sky Wild Bridgewater, MA 2014-11-19 The environment is under attack. We must protect our land, our nature, our conservation areas, our communities from poor planning and population pressures. I am against this invasive, anti-environmental pipeline.

Kathy Roberts Cambridge, MA 2014-11-19 The answer is supporting solar , wind and the internal heat of the earth energy sources rather than disrupting, devastating and polluting the land with a gas pipeline. Arsenic and tobacco are natural too---doesn't mean that they are good for you.

Sonia Demarta Lexington, MA 2014-11-19 I believe we have the technology and information we need to move away from fossil fuels. We need to look forward rather than using the old damaging technology from the past, for our children's sake.

Carol Haverly Lakeville, MA 2014-11-19 the emphasis now and going forward should be on renewable energies in order to save our environment. I am totally against this pipeline now and in the future. Wind, Power, Solar. Let's go, MA. Be first in the nation again! Save our state and help save our planet.

Jalalkhan Jalalkhan dorchester, MA 2014-11-19 I am totally opposed to this project.

Stanton Collins So. Lancaster, MA 2014-11-19 It's time to get out from under the dirty energy dictatorship, and get their money out of politics so that they can't basically bribe elected officials.

Tim Brainerd Natick, MA 2014-11-19 our two federal senators also doubt the need for this unneeded infrastructure...

Beth Girshman Danville, CA 2014-11-20 This proposed pipeline will not solve the energy needs of the Northeast - we need a true clean energy solution and this is far from that.

Carol Brunnschweiler Great Barrington, MA 2014-11-20 I'm signing because I want to protect our land and our natural resources.

Melanie Roth Smith Danvers, MA 2014-11-20 I am a proud citizen of the Commonwealth and a firm supporter of the environment. This pipeline only does damage to both!

geetha venkatesan India 2014-11-20 please do not disrupt people for few people's profits

Laurie Rothstein Cambridge, MA 2014-11-20 Invest in renewable and clean energy.

Katharine Overgaard Erving, MA 2014-11-20 I care about my home state.

diane peters Boise, ID 2014-11-20 I have family in New England. Don't want to mar the beauty of that part of the country!

Alexis Ladd Boxborough, MA 2014-11-20 This pipeline takes us in the completely wrong direction. It's expensive, benefits the oil industry, will negatively impact our local environment, and undermines efforts to shift to renewable energy sources.

Dorothy McIver Greenfield, MA 2014-11-20 We don't need this pipeline-it's all a ploy to dismantle the renewable energy efforts, conservation efforts, (the sane approach to climate change) by raising prices of our electricity in the NE and telling us we need this fracked gas, while much of it is destined to go overseas for a huge profit.

Ian Houghtaling Lee, MA 2014-11-20 The money spent on this ludicrous idea o f a pipeline, should be invested in statewide solar.

Brent McGlynn Chatham, MA 2014-11-20 I'm a massachusetts resident who cares about his earth and his state... We need to invest in our future and our children's future, not that of large corporations and Eco-killers.

Richard Heaney North Attleborough, MA 2014-11-20 I'm signing because, I live in Massachusetts. I dont want this.

David Spanagel Lancaster, MA 2014-11-20 I am interested in seeing our public officials protect their constituents against unnecessary environmental risk. I also understand that this project's promised economic benefits will enrich the corporations that are seeking its development, but not meet a demonstrated need of the energy consumers of Massachusetts. Why invest in infrastructure that supports an expansion of fossil fuel consumption precisely at a time when alternative energy sources are becoming increasingly available and economically viable? The pipeline

is an expensive step backward in the quest for clean, renewable energy, and its likeliest result will be to enhance out of state-owned energy companies' ease in transmitting North American fossil fuel supplies to European customers who will pay a premium price for them.

Margarete Couture Gill, MA 2014-11-20 This will have a negative effect on the environment .

Alyssa B Worcester, MA 2014-11-20 No pipelines! There are too many green energy options to look into, will people finally care when there is nothing left to destroy?

Alaina Paterson Nantucket, MA 2014-11-20 We need to stop placing short term economic security and growth before long term environmental health.

Michael de Lacy Beverly, MA 2014-11-20 I live in MA and tired of zero effort to curb reliance on fossil fuels.

SUZANNE Fenn Vineyard Haven, MA 2014-11-21 Its time to get serious about global warming and fossil fuels..our environment needs to be cherished not abused.

Neil Blanchard Maynard, MA 2014-11-21 We need to invest in renewable energy; not fossil fuel. Anthropogenic climate change is the single most important challenge that we face - or have ever faced.

Jeff Pietrini Beverly, MA 2014-11-21 I'm from mass. I'm for the environment. Against big cooperation

Paul Anderson West Boylston, MA 2014-11-21 This pipeline will go through many unspoiled places in northern Massachusetts. I do not want this pipeline in our area.

Gina Meduski Worcester, MA 2014-11-21 Even though I have no children, I am concerned for future generarions. Alternative clean energy is the solutiin.

Dallisson Silva Framingham, MA 2014-11-21 Keep green energy expanding

Geri Spanek Boston, MA 2014-11-21 This project will cause irreparable harm to the environment in Massachusetts and its residents.

Susan Wolk Williamstown, MA 2014-11-21 I abhor environmental damage

Laura Mendel Belmont, MA 2014-11-21 The number of permanent jobs created for the communities is almost nil, the monies generated by the sale of the gas will go the gas companies and shareholders, not the communities. We the people along the pipeline will not benefit. It will create hazardous conditions as the pipeline ages. This is a long term consideration. Please do not allow this pipeline to go through.

Fran Marrone Everett, MA 2014-11-21 Find a better way to get energy. why are still fighting this battle 40 years after the gas shortage of 1974. someone should have figured out of way to get cheap plentiful sustainable energy - stop blaming the average person

Joanna Ciampa winthrop, MA 2014-11-21 I'm tired Watching people destroy the planet there are other ways that are safer for all

Rena Mae Gagnon worcester, MA 2014-11-22 This is too great a risk to our water supply. Rather we should be looking for alternative forms of energy. In addition, this oil will be exported!

Kelly Cornell Taunton, MA 2014-11-22 We need to concentrate on renewable energy and protect the natural resources we have.

Christopher Jordan Grafton, MA 2014-11-22 Alternative energy, stop fossil fuels...Massachusetts is the leading state and model for the energy revolution, let's keep moving forward, not backwards

IRMA GENDREAU Worcester, MA 2014-11-23 Please save our dear planet earth and its people.

Isadora Coimbra Somerville, MA 2014-11-23 It affects not only the environment of my community but also of the world

Margaret Olson Lincoln, MA 2014-11-23 We do not need this. Increasing our dependence on fossil fuels is not helpful to the earth or to Massachusetts.

Carol Lovell Carmody Lincoln, MA 2014-11-23 I'm tired of sacrificing our environment - giving it away for free - to people who are exploiting it in the name of their profit.

Delia Watts Northampton, MA 2014-11-23 This is just wrong. Thank you.

Richard Goonan Groton, MA 2014-11-24 Kinder Morgan has no interest in preserving our conservation lands, our private property or our school property. They are only out to enrich the oil barons and intend to rape our lands.

Gregory Black Pepperell, MA 2014-11-24 Invest in renewables, not carbon pumping for out of state mega-corporations. The impact of this project on Pepperell will be devastating, destroying hard earned Conservation land and our local water sources. There are NO benefits accruing to this community, just immediate and forever ongoing costs and degradation of a lovely area, our home.

Eli Lennox San Diego, CA 2014-11-25 I grew up in Southern New Hampshire and Northern Massachusetts. A pipeline would destroy the environment and the quality of live enjoyed by the people who live and visit there. It's deplorable that corporate greed destroying that quality of life would even be considered- especially cutting through and destroying protected conservation land.

M. K. Dawson Groton, MA 2014-11-25 KM has a poor safety record & does not have to disclose all the chemicals used in this cracked gas. Should there be an explosion, we are exposing our local/regional First Responders to unknown toxins. Why create this potential risk in the first place when it has been proven not to be needed to meet our energy needs in Massachusetts?

Kenneth Seier Waltham, MA 2014-11-25 I am opposed to opening areas to environmental and property damage when existing infrastructure corridors exist. I am opposed to public underwriting of infrastructure that will be used for the profit of private companies. I am opposed to facilitating the monetization of natural resources that are extracted using processes that harm the people and the environment.

Steve Schnapp Medford, MA 2014-11-26 Massachusetts needs to reduce reliance on carbon-based energy and continue to move forward on renewables. Approving this pipeline is a step in the wrong direction.

Richard Stafursky Brattleboro, VT 2014-11-28 Don't destroy Massachusetts species' forests for something that will be obsolete this 21st century.

Faldora Faldor Somerville, MA 2014-11-30 I do not support any decision that is harmful for our community and isnt i the best interest of our communities.

j a west falmouth, MA 2014-12-10 I'm adding my name to this petition because we need clean, green renewable energy which is available to us without using fossil fuels.

Mary-Jean Miner Oak Bluffs, MA 2014-12-10 We need renewables much more. It is time to stop using fossil fuels.

Mas Kimball Oak Bluffs, MA 2014-12-10 We must fight the fossil fuel industry at every turn we can. Otherwise, it's game over for the planet.

Cosmo LaViola Savoy, MA 2014-12-17 In my opinion, our government should be spending time and money on renewable energy and sustainable alternatives, not non-renewable energy such as oil, natural gas, and multiple pipelines running across our country. This pipeline is a short term energy solution with many negative long term effects and really no long term value. It will bring pollution via compressor stations to some of the most pristine areas within the state of Massachusetts and beyond, including the Berkshires. It will run through the headwaters of the Westfield River Watershed. A watershed which is listed nationally as a wild and scenic river, for it's natural beauty, wildlife, and water quality. The Westfield River Watershed is the cleanest in the state of Massachusetts and has two out of its three branches certified as drinking water. In addition, this pipeline will place an 80,000 horsepower compressor station on a 50-100 acre plot of land in the heart of the Northern Berkshire woodlands, an area that contains literally thousands of acres of pristine wildlife preserves and habitats. But at least it will bring jobs to the area, right?!... Wrong. This station will likely not bring a single job to the area, as compressor stations are operated remotely. Compressor stations have been proven to pollute the air, the ground and water around them, and are lit up all night causing light pollution; furthermore, they are noisy and run 24/7. With the state of the global climate and the renewable alternatives and technology we now have, it is clear to me

that this pipeline has no place in Massachusetts nor our country.

Lisa Nowicki Firestone, CO 2014-12-17 I am originally from Berkshire county, most of my family still lives there and I visit whenever I can.

The land should not be ruined with an eyesore and threatened by a potential complication with this gas line.

Judy Eddy West Stockbridge, MA 2014-12-27 This pipeline is unnecessary! Energy efficiency measures alone will prevent the need for it. Join 350ma-Berkshires where we are fighting this pipeline and promoting clean energy!

Katherine Byrne Sharon, MA 2015-01-07 I'm concerned about the impact to the environment.

Michelle Bryan Colrain, MA 2015-01-08 because destruction of the earth is wrong and the idiots way of the world. It is time to smarten up and use clean renewable energy sources

Becky Wadrei Windsor, MA 2015-01-12 Why would anyone want to support a project from a crooked company like this... <http://westcoastnativenews.com/kinder-morgan-law-breaking-pollution-and-cover-ups/>

Sadie Koczela Windsor, MA 2015-01-12 I would rather see solar and wind power

Brian Wallace Windsor, MA 2015-01-13 I believe we should be spending our resources on building renewable energy infrastructure not dangerous and harmful fossil fuel pipelines.

Larissa Sobon Windsor, MA 2015-01-13 Because I don't want the possibility of a gas line in my backyard.

Steven Hamill Becket, MA 2015-01-13 this is just wrong. Why can't it follow mass pike?

Carina Alden Sandisfield, MA 2015-01-13 This is my home. Please don't ruin it.

Adam Larson Lee, MA 2015-01-14 For the children

Susan Sobon Windsor, MA 2015-01-14 Susan sobon

Jarred Mongeon Dalton, MA 2015-01-14 Im signing because this pumping station would disrupt the ballance in the quiet town of windsor. Its a fragile highland ecosystem similar to a Canadian boreal forest. The noise and poisonous run off created would be detrimental to the town and all the life near by. The well water of my family has great potential to be tainted by this facility on account of its building site is proposed to be very close to my families property.

Peter Sternerup Windsor, MA 2015-01-14 I see no reason for us to subsidize the cost of bringing this gas to Boston so I can be shipped abroad.

Cassandra Service Windsor, MA 2015-01-14 taxation without representation was one of the reasons that our founding fathers rose up against the oppression of the British overlords. Forcing us to pay a utility surcharge for a pipeline that will destroy our environment, compromise our health and our property values without bringing any benefit of cheaper heat or utilities to our town is essentially the same thing. Time to rise up in revolution!

Brie Lohnes Windsor, MA 2015-01-14 We need to look for alternatives. We cannot ruin our beautiful country and rural areas this way. We need to respect nature and our environment. Find a better way.

Cheryl Hopkins Colrain, MA 2015-01-14 We do not want Kinder Morgan's pipeline or any other pipeline! This is outrageous! The majority of people in Mass. do not want this! It will destroy environment, animals, birds & peoples' lives! Stop this now! Do what the people want! Don't cave in to special interest groups with big pockets. This will not benefit the people of Mass. !

Nancy Doolan Hinsdale, MA 2015-01-14 i don't want my town ruined

James Younis Reading, MA 2015-01-14 I love Sadie and will help her or anyone she knows who needs help in anyway even in a small gesture like this!!! Hope everything works out and love you and Richard!!

Hanna Sobon Windsor, MA 2015-01-15 This company is trying to put a pipeline right through my family's land and proposes building an awful compressor station in my town, destroying the peace and beauty of the Berkshire Hill Towns! I have lived there my whole life and would hate to see this happen to my beautiful home!

nikki dimitropolis Windsor, MA 2015-01-15 This is outrageous, keep the gas line out. Keep windsor beautiful

Erica Wetherell Lanesborough, MA 2015-01-15 Rural Massachusetts communities need to be protected.... I do NOT want this pipeline running through my town.

Ann-Marie Desautelle Washington, MA 2015-01-15 I live in the Berkshires and do not want this monstrosity destroying our beauty.

Monica Bliss Pittsfield, MA 2015-01-15 I am against the pipeline - everywhere - especially in the Berkshire!

Alfonsina Ramon Bristol, RI 2015-01-15 I'm signing because this is my home

Renee Poplaski Lanesborough, MA 2015-01-15 I'm signing because I don't want this pipeline in my community!

Mary Bilodeau Methuen, MA 2015-01-15 I feel this pipeline is bad for Massachusetts - the environmental impacts are plentiful and the benefit to citizens minimal. I do not want to support the fracking industry.

Audrey Huggon Westport, MA 2015-01-15 We need to take seriously the need to respect and rehabilitate our environment beginning on a local level, expanding to state and federal land( sea and air too). there are so many ways to support this movement. This is one of the easiest and fastest ways to help. Please Sign.

Lyndon Moors Lanesboro, MA 2015-01-16 This proposed pipeline will carry fracked gas, which is not safe, cheap, or needed. The construction of this pipeline will permanently scar the landscape of my town.

Jennifer Munoz North Adams, MA 2015-01-16 Investment should be in renewables, not in escalating efforts to find and deliver fossil fuels.

Gail Rice Wareham, MA 2015-01-18 I can see the damage that has been caused by this.

Rich Girard Somerville, MA 2015-01-20 I think that preserving nature and animal habitats matters to us and our future. despite the yahoos who think they can destroy things with impunity and it won't ever affect them.

Jennifer Markens Ashfield, MA 2015-01-22 This proposed project is overbuilt, deadly, and intended for export. Is the U.S. devolving into an extraction colony for the .01%? This is a massive abuse of public trust, public health, and credulity.

Patricia Lemon Warwick, MA 2015-01-22 It's lucky they will be shipping the gas to Europe, because we don't need it in Massachusetts.

Julia Blyth Sunbury, OH 2015-01-22 This pipeline would affect my community negatively.

Sylvia Snape Plainfield, MA 2015-01-22 This pipeline would create an indelible scar across Massachusetts that could not be reversed and which would cause great harm to the environment.

cathy kristofferson ashby, MA 2015-01-23 I am signing because we need to end the use of fossil fuels and promote the expansion of clean sustainable energy and energy efficiency. Pipelines for increased dependence on fracked gas, or for fracked gas exportation, are a bridge to climate catastrophe.

Rachel Kohn Amesbury, MA 2015-01-24 I value the land, water and air we depend on.

Lisa Donovan Pittsfield, MA 2015-01-29 I'm signing because this pipeline will destroy the untouched land of our beautiful state all in the name of progress.. There is no progress here only corporate greed.. When is enough enough!!

donna kingsley Lanesborough, MA 2015-01-29 "IF" this pipeline goes through it will be 4 house's away from me!!

Lisa Healey Pittsfield, MA 2015-01-29 I want to save our land and wild life and for so many more reasons.

Gina Frey Amherst, NH 2015-01-31 Do NOT build NED pipeline in New Hampshire. This gas pipeline does not support our state, environment,

property owners, or energy needs. It will negate millions of dollars spent in conservation, endanger our water supply, schools, rural quality of life, previously identified endangered species and our quality of life. It will decrease property values, and will create a financial and environmental burden for residents/ Gas companies are currently exempt from the Safe Drinking Water Act and do not have to disclose the chemicals in the pipeline; a pipeline leak could contaminate water sources with undisclosed chemicals. Gas will not benefit our energy prices and the pipeline will cross SIX counties, the Souhegan River, numerous wetland and preservation areas and construction blast will impact school zones and private water wells.

Patricia Wallace New Haven, CT 2015-02-02 I am a Quaker, and I am very concerned that this pipeline will harm the Woolman Hill Conference Center. I also believe that we need to focus on solar and wind energy infrastructure, not destructive infrastructure like this.

maria szmauz New Ipswich, NH 2015-02-04 It will destroy my land! NH does not need this

stephen philbrick Windsor, MA 2015-02-09 this project is all about extracting profit for a corporation at the expense of the lives of all the people. birds, animals and plants in its path: definitely not worth it!

Marsha Johnston Berlin, MA 2015-02-12 We are entitled to our personal property, clean water and air for our children and their children!

Sandra Nathan Stephentown, NY 2015-02-17 All of the health, safety and environmental reasons, as well as the injudicious decision to invest in dirty gas and because I live in the incineration zone

Julius Melbin Townsend, MA 2015-03-16 This project is unneeded and will have a devastating and lasting impact on communities, conservation lands, and the environment

Alice Arena Weymouth, MA 2015-03-23 We need to divest all money from dirty fossil fuel infrastructure and invest in green/renewable energy infrastructure.

Stephanie Engel Stephentown, NY 2015-03-24 The pipeline will be obsolete in the near future. What are Kinder Morgan's plans to remove the toxic pipeline then? Are they just going to leave it in the ground forever when fossil fuels are inevitably outdated and pipeline no longer used?

Elizabeth Whitcomb Northfield, MA 2015-03-28 This pipeline is not needed to meet our energy needs. Its true purpose is to give Kinder Morgan a quicker way to export natural gas to Canada. This past winter proved that we can more than meet our energy needs with the existing infrastructure.

Joe Graveline Northfield, MA 2015-04-01 This project will destroy many culturally and environmentally sensitive spaces and allow the continued use of fossil fuels for the next 50 years just do to the excuse of the cost of the investment. Please stop the taking of private land for corporate profits.

Joshua Paradise Brookline, MA 2015-04-01 We need more renewable energy and I don't want a gas pipeline running through clean rural areas.

Nolan Kitfield Northfield, MA 2015-04-09 I'm signing because I think we need a change: Please ban new infrastructure for fossil fuels and make a move toward a future of renewable energy.

Holly Lovelace Northfield, MA 2015-04-20 The compressor station would be 1/3 of a mile from my home and destroy my quality of life and property value.

Sebern Fisher Northampton, MA 2015-05-06 This pipeline is a natural disaster

Ellen Shaw-Smith Holyoke, MA 2015-05-06 I care about my community deeply. I do not want the destruction of a large and precious area of MA that includes the last of our open lands and many residential communities. . The structural change from the installation of the pipeline, the tremendous change in sound quality in the area, and the possibility of accident that would make the area largely uninhabitable is beyond anything we can be expected to accept for this beautiful and important area. Especially for an energy project that has no value to our area or the citizens in it. Profit for a far away company to export is not a reasonable or ethical exchange for the damage this would do to Western MA.

Blake Scyocurka Ludlow, MA 2015-05-06 This would destroy our environment only to further the greed of others.

Linda Kaye-Moses Dalton, MA 2015-05-06 1. We don't need more gas; 2. the dangers are all to real; 3. We don't want to pay the extra fees on our electricity bills; 4. the gas is going to be shipped overseas anyway; 5. NED and KM and TGP will not assume any liability for accidents (fires, explosions, leaks) in the pipeline and the individual towns will have to pay for clean-ups; 6. Any leaks will affect our reservoirs and aquifers!

Jeanne enis Woburn, MA 2015-05-21 We need to stop this prehistoric way of achieving energy, its deadly to the environment and humans

Joseph Lanza Winthrop, MA 2015-05-31 This is outrageous disturbing natural habitat and destroying the land. Why not invest in renewable energy and not one that is so environmentally destructive.

Seth Hansell Northfield, MA 2015-06-06 We do not want this project as close to our new house. It will lower the property value, not to mention ruin the peace and quiet where and part of the reason we purchased at the location we did in the first place.

marté augusto Northfield, MA 2015-06-16 I live in close proximity of the proposed compressor station in Northfield, Ma. I will have no property value or compensation for my home if this is built

bonnie Gage-Anderson Hudson, NH 2015-06-29 This is in my back yard in Hudson, NH

Kimberly Longey Plainfield, MA 2015-07-02 This pipeline is not necessary for NE energy needs, current or projected. Its proposed path crosses areas of critical environmental concern and would negatively impact the quality of life for many living beings. there are alternative solutions to the regions energy needs that can be delivered at far less negative impact and with much more sustainability.

Robert Dickerman Northfield, MA 2015-07-16 The pipeline would be used to transport gas destined almost entirely for export. Citizens may pay for construction costs through their electric bills. Costs to neighbors of 80,000 HP compressor stations might be very high, in terms of air pollution and associated illnesses, potential water pollution, audible noise and vibration, and light pollution.

Stephen Balazs Northfield, MA 2015-07-16 This pipeline is not needed if current leaks are addressed and fixed. It will be a catastrophe for the environment and a financial one for homeowners along the route.

Tammy Pelletier Northfield, MA 2015-07-16 This pipeline is expected to intersect some of the most beautiful and pristine Forrest in Northfield Ma. ,that many people have worked hard to preserve.it will go through conservation areas and have an eighty thousand H.p. Compressor station on a forested mountain. It will impact a beautiful small rural town with air ,noise , and ground pollution ,and ruin property values for hard working residents. It has no place in a long term energy solution in this area or any other,only negative impact for corporate profit.

Helen Adams Northfield, MA 2015-07-17 I live in one of the communities where a compressor station is proposed to be built. Ours is a beautiful, quiet community with rich history and a long tradition of attracting tourism. We would not have moved to this area if such a station had been present at the time or if we knew that it may be at any time in the near future. If my children did not have roots here and my husband did not have an established business that cannot be easily moved, I would strongly consider leaving the area if this project were to proceed.

Louis Anson Northfield, MA 2015-07-17 This will destroy many farmlands, Reduce property values and will provide no real benefit to the state. in addition to producing a hazard of large proportions to life in these communities. Also most of this gas will be sold overseas.

Cynthia Frado Amherst, MA 2015-07-17 As a concerned pastor from Northfield, I know how important environmental protection is to this community. This compressor station would be devastating on so many levels.

Melinda LaBelle Erving, MA 2015-07-17 I'm signing because I don't want the pipeline in my backyard.

Donna Dove Conway, MA 2015-07-18 I'm signing because I believe this would be hazardous to our environment, communities and personal

property.

Robin McKeon Northfield, MA 2015-07-18 I am against furthering our dependence on fossil fuel. I am against the usage of water to extract gas. We have a solar system on our house

Hattie Nestel Athol, MA 2015-07-18 I can't bear the destruction this pipeline would do. Besides we don't need it

Deborah Wagner BRookeville, MD 2015-07-18 There are no sacrifice zones. All places and beings have value. Walter and Susan Cudnohufsky Ashfield, MA 2015-07-18 This is an outrageous health, environment and climate destroying scam to enrich a few corporate criminals. It is time we say no as a society!

gay roberts northfield, MA 2015-07-18 I love this land and the environment it provides, and I don't want to see it obliterated. Amanda Nash Gloucester, United States Minor Outlying Islands

2015-07-18 There are just so many reasons to deny this pipeline. It is clearly not for the public good but simply for the corporations to make money on the backs of Massachusetts tax payers. Kender Morgan has a terrible safety and maintenance record. Western Massachusetts is a farming community where food is raised for regional and national consumption. So many other reasons...

Jason Ellis Bernardston, MA 2015-07-18 This pipeline is planned to run primarily in an electrical right-of-way adjacent to or under high-tension lines, and I cannot imagine that this is actually safe. I grew up near high-tension lines and you could literally hear the hum, buzz, and pop of the electricity flowing through those lines. Imagine a leak in a high pressure natural gas pipeline. Imagine the resulting explosion when the natural gas contacts the raw electricity in the high-tension line above. It would devastate this regions electrical supply in an instant.

Peter curtis Ashfield, MA 2015-07-18 It is clear to me that this proposed pipeline is not needed in MA. It is a project for the personal profit benefit of a few at the expense of the many. FERC knows this as we all know now.

karen sullivan ashfield, MA 2015-07-18 I believe that alternative energy is the way to go. Fix existing gas pipelines and stop ruining our beloved Mother Earth for greed. To take land eminent domain for private profit is wrong!

Virginia Ansbergs Plainfield, MA 2015-07-18 This is a move in the wrong direction. We need alternative sources of energy which do not so very negatively impact the people and environment in our beautiful state. The vast majority of people who would be affected by having this pipeline in our communities are resoundingly against it. It is the right and responsible and moral thing to reject this unnecessary and dangerous pipeline project! Say NO to Kinder Morgan who does NOT have the interests of the people of Massachusetts in mind!!! Thank you for doing the right and wise thing.

john hann Winchester, NH 2015-07-18 use of eminent domain to take private land for the benefit of corporations shipping gas internationally is wrong

Maureen Spaulding Easthampton, MA 2015-07-18 I am opposed to this project. It is an invasion of our privacy.

Ellen Barfield Baltimore, MD 2015-07-18 We gotta outgrow destructive poorly regulated fossil fuel extraction, transport, and burning. Green energy is ready, cheaper in many places and is where the jobs of the future are. GO GREEN NOW!!

Emily Howard Plainfield, MA 2015-07-18 I live adjacent to the proposed pipeline route. We need more renewable energy, not to be sending gas to other countries.

Walter Jaworski Northfield, MA 2015-07-18 I am opposed to the unnecessary pipeline which is primarily being built to export LNG and profit corporations at the expense of ordinary citizens.

Jean Wagener Northfield, MA 2015-07-18 Concerns regarding environmental toxins Lack of need for this pipeline through MA

Helen Johnson Northfield, MA 2015-07-18 This project will decimate property values and destroy the scenic quality of our towns (visual beauty and the quiet). It will add to climate change - the worst environmental disaster humanity has ever caused or experienced - by contributing to the burning of fossil fuels. Saying that gas contributes less than oil to climate change is like saying that stabbing someone is less bad than shooting them. It doesn't make stabbing a good idea. What we need is investment in renewable energy, and an overall shift to a new environmental and economic paradigm. This pipeline is part of the old paradigm, WHICH WILL COLLAPSE IN THIS CENTURY; the question is how much we will allow it to destroy as it goes down.

Grayce McCreary South Portland, ME 2015-07-18 I don't want the pipeline to destroy our beautiful New England.

Leatra Harper Senecaville, OH 2015-07-18 We must avoid catastrophic climate change. No new huge pipelines are needed - stop the corporate profiteering!

Clifford Phillips Northfield, MA 2015-07-18 This dirty fuel source is not a "bridge fuel" but a methane-producing threat to life on the planet. This pipeline will directly impact my family's health and well-being and will be an uncompensated loss to the value of our property in Northfield, MA. The Commonwealth of Massachusetts and its people have committed to reducing greenhouse gas emissions while increasing renewable energy use. This project, by corporate fiat and with the aid of the FERC, will deny Massachusetts this right by forcing a larger role for toxic natural gas in our energy market, while providing gas producers with an export terminal to boost their profits and stock price. This project conflates public need with corporate growth aspirations at the expense of the well-being and safety of the public and future generations.

David Greenberg Colrain, MA 2015-07-18 This is the last thing we need in Mass., a state committed to leaving fossil fuels where they belong... underground.

Lucia Sturup Belchertown, MA 2015-07-18 You will destroy all that is pure and beautiful with your filthy pipeline

Margaret Anderson Granby, MA 2015-07-18 I am outraged!

Steven Tower Northfield, MA 2015-07-18 This pipeline is a Trojan Horse -- a seeming gift on the outside, but teeming with horror on this inside in SO many ways!

budinich Budinich Northfield, MA 2015-07-18 I fear corporate injustice , stop the MONEY line

Michael Suter Shutesbury, MA 2015-07-18 This pipe line is unnecessary and will contaminate the drinking water of citizens of Massachusetts. The gas is for export and we must invest in appropriately sited renewable energy and NO MORE FOSSIL FUELS.

terrance McKeon Northfield, MA 2015-07-18 Reliance on fossil fuels has to stop we all need to conserve and make sacrifices towards solar, wind, hydro Kinder Morgan plans on exporting the large majority of the gas, so trying to justifying the need other than profits is suspect. Billions of cubic pounds of gas are lost with current pipes and compressor stations, how about conservation efforts? Volatile gases from blow offs and leaks, would settle in the valley as inversion of air is common in northfield. Our property values would plummet fracking wastes precious water, and is not good for the earth. Based on their history with other compressor stations, Kinder morgan will not pay the community a reasonable payment in lieu of taxes ...noise, light, vibration, ruining conservation land...these reasons are only the tip of the iceberg

Rev. Dr. Terence Ellen Pikesville, MD 2015-07-18 It is way past time for FERC to actually start acting in the public's interest, not just that of petro companies. We simply cannot burn all the gas assumed by these new pipelines and stay anywhere near two degree Celsius rise by the end of the century. You are killing our planet, destroying our public health, and putting us all at risk for the sake of profits to a wealthy few. This is morally and fiscally (in terms of the economic costs of the consequences) intolerable.

Deborah Andrew shelburne falls, MA 2015-07-18 I am a signatory to this petition for a number of excellent reasons. 1. Hydrofracking, banned in some places, should be banned in the U.S. The thousands to millions of gallons of pure water per well (depending upon depth) is contami-

nated with chemicals, forever unusable, contaminating the soil and aquifer as well as nearby wells. (2) the release of methane throughout the process. Methane has a far greater negative impact and exacerbates the number and harm caused by extreme weather events (drought, floods, hurricanes, tornadoes, etc). (3) causes increases in earthquakes. The overall damage to the environment, life as we know it, our food supply, our water supply, our homes, our communities, our health ... all are affected. This and other pipelines are designed to carry hydrofracked gas. They are colluding in the destruction of our environment and lives. They must be stopped.

Benita Campbell Burgettstown, PA 2015-07-18 This monstrous, dangerous infrastructure for fracking is proof that there is no intention for this to be a bridge fuel, and the extractors will drill and frack anywhere and everywhere they can.

Maud Geng Plainfield, MA 2015-07-19 Maud geng  
 caleb kissing Bernardston, MA 2015-07-19 we need to cut down on our use, not put in more infrastructure so we can gluttonize more carbon.

Cody Sisson Northfield, MA 2015-07-19 This is proposed to go through my lower field withing a few hundred feet of my house and business!!

Emily Koester Northfield, MA 2015-07-19 all fossil fuels must stay in the ground if we are to survive

Sharon Raymer Northfield, MA 2015-07-19 The pipeline is going right through one of my favorite places

Sarah Doyle Turners Falls, MA 2015-07-19 I don't believe that the pipeline is actually needed, except to make money for a few people, and I don't trust Kinder Morgan. It isn't only a pipeline, but a huge station in Northfield that will be noisy, intrusive, and a source of pollution. Rather than tearing up the landscape for short-term gain for a few people, we should be investing in renewables and continuing to cut down on usage to find better sources of energy. NO to the pipeline!

JEANNE DOWD Greenfield, MA 2015-07-19 this is a terrible long term answer for meeting our country's current and future energy goals. It is against all natural conservation goals for the environment, wildlife as well as contrary to young people's interest in pursuing renewable energy careers and saving the earth for future generations. Shame on you!

A Morris Leverett, MA 2015-07-19 corporations do not care the PUBLIC interest and the natural resources that belong to the Indigenous peoples who were here before the colonists (ie: rapists)

Judy Wolter Northfield, MA 2015-07-20 It's the right thing to do. It is nonviolent to sign this, while the pipeline is violent.

Susan Flores Plainfield, MA 2015-07-20 This will destroy the character of our small town!!

Andra Rose Amherst, MA 2015-07-21 I want our energy dollars to be spent on renewable infrastructure, not fossil fuels. Gas is not a bridge fuel and NED will not reduce energy costs in the short run. In the long run we'll have to abandon the pipeline before it's paid for itself. The reason is that we are legally bound to meet the GWSA emission targets and burning natural gas for over 50% of our energy needs is in direct conflict.

Anna Fessenden Ashfield, MA 2015-07-21 The time has come to dismantle Corporate Rule. We, the People will never allow the destruction of our land, communities and homes for profit. We will never surrender to becoming a "host community"!

Robert English Ellendale, MN 2015-07-21 This pipeline proposal is a living nightmare that has already produced financial ruin for many homeowners. It's sort of like getting hit by lightning or a meteor. In light of Global Warming, the notion of FERC assessing environmental impact is a joke.

Jane Shaney Ashfield, MA 2015-07-24 "A thing is right when it tends to preserve the integrity, stability, and beauty of the biotic community. It is wrong when it ends otherwise." Aldo Leopold A pipeline provides no integrity, stability, or beauty for a biotic community. It is wrong.

Edward Cahill Shelburne Falls, MA 2015-07-24 This pipeline goes through pristine land, it must be stopped. Route it through already despoiled land, I might get behind it.

Mary Boyle West Roxbury, MA 2015-08-03 I'm signing because a new pipeline is planned for my neighborhood next to an actively blasting quarry!

Terrence O'Reilly Dracut, MA 2015-08-04 There is no need for this and the plan for this is too close to densely populated areas affecting peoples property, water and agriculture.

Deidra McMorro Dracut, MA 2015-08-04 I do not want this pipeline!

Caroline Yunta Peabody, MA 2015-08-09 The Pipeline presents an ongoing danger to my community and others; should there be a discharge of natural gas into any part of the Pipeline's length our homes would be peril of obliteration through explosion and fire.

Cynthia Lawton-Singer Conway, MA 2015-08-10 I want a world in the future that can support life! I love the world. Building more fossil fuel infrastructure is like investing in buggy whips after the automobile was invented. This technology MUST be retired ASAP. We are at tipping points for life on the planet.

Susan Landon Tewksbury, MA 2015-08-11 This project results in permanent and irreparable damage to the environment, loss of personal property rights (including my own) and safety issues. A high pressure pipeline is not the answer when Massachusetts can do more with sustainable energy sources and getting existing pipelines to patch their leaks.

Meghan Stanley Maynard, MA 2015-08-12 Massachusetts wants clean energy now!

Dawn Hammond Holliston, MA 2015-08-14 We need very rapid transition away from fossil fuels to renewable sources of energy, in order to keep climate change to a manageable level. Building a new gas pipeline is inconsistent with this imperative.

Cassandra Nawrocki Ashfield, MA 2015-08-23 From all I have read, this pipline seems unnecessary and environmentally detrimental. Our state and nation should be concentrating efforts on renewable sources of energy and conservation

Roy Pincus Lynnfield, MA 2015-08-23 This pipeline would be devastating to the residents of Massachusetts and extremely harmful to the town I live in, Lynnfield, MA. It would run right through my property, making it almost worthless as no one would want to live in a home with this pipeline running just feet from it, in addition to the fact that it would run right through the water source for my town, threatening contamination and that destroy our water system. Please do not let this pipeline happen.

Amy Feinberg Lynnfield, MA 2015-08-24 I have children and want this no where near them!

Kathleen Gauvin New Ipswich, NH 2015-08-28 This pipeline is only being built to make a huge profit to KM/Tennessee Gas at the risk of our safety! GREED, GREED, GREED! Let's change it around to ENVIRONMENT, ENVIRONMENT, ENVIRONMENT!

Julie Orfirer Ashfield, MA 2015-08-30 It puts my community and home at risk for no benefit. There are better, safer ways of producing energy that didn't threaten people's lives, investments, and a world-time of evolution and beauty in our protected lands.

*{end of 20150831-5179}*

**20150831-5183**

Thomas Malloy, Averill Park, NY.  
 PF14-22

To whom it may concern:

We the people of Averill Park vehemently oppose Kinder Morgan's pipeline/compressor station proposal. For sixty-seven years I have lived in this beautiful town, made many friends and raised a wonderful family. I, as well as my ancestors, and all of Averill Park dwellers have worked very hard to build the foundation of Averill Park. We have made this town a safe, clean, inviting, beautiful place to raise our families. If the pipeline is approved will our town be safe? Will our town be clean? Will our town be inviting? Will our town be beautiful?

I request research and answers on the following:

- the effects of the compressor station/pipeline and blasting will have on water wells
- the effects this will have on the habitat in Nassau/Averill Park/Stephentown area (we are all connected)
- the toxin levels released from the compressor station and how this will affect the public health
- the toxin levels released into the ground soils and how it will affect vegetation (there are many farms in the area)
- the effect this will have on Burden Lake, which is in close proximity to the proposed compressor site. It would be of great disappointment if we could no longer swim or fish in this beautiful lake due to toxins. We can't enjoy Nassau Lake thanks to the Dewey Loeffel dump and the PCB's that polluted the lake. Will Burden Lake become another useless lake filled with toxins?
- the effects this will have on the Dewey Loeffel Superfund site.
- the effects this will have on our taxes, I am sure there is some cost to the tax payers
- the effects this will have on our EMT's and Firefighters. Will they be mandated to attend special training so they would be educated on how to respond to a pipeline explosion
- who will operate the compressor station?
- the effects this will have on our roadways
- research Kinder Morgan's incident rate and safety protocol
- why is this needed, especially when our leaders are focusing on renewable energy?
- how much of the gas will be exported?
- what are the benefits?
- How much will home owner's insurance go up?
- How much will our home depreciate?

The people of Averill Park, Nassau and Stephentown are living the American dream please do not turn it into an American nightmare. I ask you to please consider denying Kinder Morgan's proposed pipeline project. This pipeline/compressor station will ruin the quality of life in our small upstate community. Would you want your family to live in close proximity where fracked gas is being transported? Would you want your daughter and grandchildren living in an incineration zone? Would you want to breathe air filled with Methane, Radium and Formaldehyde? Would you want to drink water filled with cancer causing carcinogens? Would you want your homes in your neighborhood to devalue? Please stop Kinder Morgan from ruining our beautiful community.

Thank you for your help with this matter.

Respectfully,

Tom Malloy

**20150831-5187**

Laurie Carter, Averill Park, NY.

PF14-22

To whom it may concern:

We the people are speaking out against Kinder Morgan's proposed pipeline project and urge you to deny their application.

As a lifelong resident of Averill Park, NY I am genuinely concerned of the effects the compressor station and the pipeline will have on my family and friends, as well as our community. My family has lived in this area for nearly a century. We love this area for its serene, quiet, beautiful neighborhoods filled with trees, lakes and an abundance of wildlife- deer, bears, owls, red tailed hawks, snapping turtles, wild turkeys, butterflies, bees, woodpeckers, and an assortment of beautiful birds, including the beloved Bald Eagle. The eagles nest on beautiful burden lake, which is located within the half mile buffer zone of the proposed compressor station. In addition to the wildlife, there are an abundance of humans who live in this area including many children. The proposed location is less than a mile and a half away from a registered daycare where my two children attended, as well as my sisters five kids. We chose that daycare because of its outstanding reputation, affordability and close proximity to our homes. However, if a compressor station was right around the corner I am afraid we would have had to choose another daycare - hence, negatively impacting small businesses in our community. Do you think it is fair to take away business from our community so we can fill the pockets of greedy billionaires?

In addition to the impact it will have on small businesses, it will negatively impact our emergency responders. We do not have enough responders to handle a catastrophic event such as a pipeline explosion. What happens if all of our responders are at an explosion when another accident, fire, heart attack..etc. occurs? Who will help those in need? We simply do not have the means to tackle an event such as a pipeline explosion. Once again, do you think it's fair to put so many people at risk just to fill the pockets of greedy companies such as Kinder Morgan?

The pipeline and the compressor station are putting unnecessary risk to my family, my friends, our first responders and our community with absolutely nothing to gain. Will there be any benefits to us? What is Kinder Morgan's incident rate? Has anyone other than Kinder Morgan looked into how many incidents occur each day, month or year? How often will the pipeline be evaluated for cracks or leaks? Gas pumps have to be inspected, will the pipeline have to be inspected on a regular basis?

I ask you to please consider denying Kinder Morgan's proposed pipeline project. This pipeline/compressor station will ruin the quality of life in our small upstate community. Would you want your family to live in close proximity where fracked gas is being transported? Would you want to endanger your family knowing that the pipe could explode at any time? Would you want to breathe air filled with Methane, Radium and Formaldehyde? Would you want to drink water filled with cancer causing carcinogens? Would you want your homes in your neighborhood to devalue? Please stop Kinder Morgan from ruining our beautiful community.

Thank you for your help with this matter.

Respectfully,

Laurie Carter  
26 Ravers Way  
Averill Park, NY 12018

#### **20150831-5188**

Gloria D Chaput, Mason, NH.

I am writing today because of my concerns about the NED pipeline that is proposed to run through my town of Mason NH and many other small rural towns in southern New Hampshire. I do not claim to know or understand all the complexities involved in managing our nations need/demand for energy. And I would like to believe that FERC is doing its utmost to fulfill its duties in understanding the energy market and regulating companies that have a vested interest in maintaining and expanding the infrastructure to meet the energy needs that this nation has been able to consistently rely upon for so many years.

I am very concerned about the safety, the financial repercussions and overall quality of life that will impact-

ed the US citizens in the path of this NED pipeline. And for what? What does the sacrifice of these citizens achieve? Is it truly for the good of this nation? Would you allow a “for profit” company to install a pipeline in your town, your back yard, or on conservation land you have spent a lifetime to protect? And if you would, what would you expect in return for your sacrifice?

I believe that your agency can help this nation achieve its goal of reduced reliance on fossil fuels by denying applications for new transmission lines that transport natural gas or oil. In addition, if you increase pressure on companies with existing transmission lines to maintain and repair their existing lines, we may be able to promote more incentive for these companies to invest in infrastructure to support renewable resources of energy. I am not so naive to believe that this alone will get us to our desired destination but I do believe that a long journey starts with small steps towards the desired destination.

I would like to request that you decline the request to Tennessee Gas Pipeline Co. a subsidiary of Kinder Morgan or any other company that wants to install yet another natural gas pipeline through our region.

Thank you for your time and consideration.

Sincerely,

Mrs. Gloria Chaput

**20150831-5193**

francille egbert, Sand Lake, NY.

August 30, 2015

Re: Docket #PF 14-22-000

Francille Egbert

50 Maple Trail

Sand Lake, NY 12153

Federal Energy Regulatory Commission

Kimberly D. Bose, Secretary

Washington, D.C.

Commissioners:

I write to express my opposition to the proposed Kinder Morgan/Tennessee Gas Northeast Energy Direct Project.

I do not think that Kinder Morgan/Tennessee Gas has a safe history of environmental health in its industrial settings.

The towns, Schodack, Nassau, and Stephentown, and the Rensselaer County legislature, have passed resolutions expressing the people’s will against the construction of this pipeline.

The proposed pipeline compressor plant located in Nassau, NY will burn gas contaminated with hydrofracking chemicals. Gas contaminants released by compressor stations include volatile organic compounds such as methane, benzene, methylbenzenes, ethylbenzene, xylene, pentane, hexane, toluene, 1, 3-butadiene, aliphatic hydrocarbons. These are known human carcinogens. Compressor stations also release formaldehyde, hydrogen sulfide, and radon, which are carcinogens and can cause cancer and other health disorders, and respiratory and nervous system diseases. The compressor plant will operate 24/7 and its noise will reverberate for miles through the Burden Lake basin and the surrounding hills and hollows. I think you would agree that this is not an appropriate plant for a residential area and would not want something like this near your home.

The proposed pipeline will cut through, destroy, reduce and degrade parts of the Rensselaer Plateau, which is a unique and irreplaceable natural area, and a reservoir of natural diversity. The Rensselaer Plateau is the 5th largest contiguous forest in New York State. The plateau forest is being conserved through a number of federal grants, nonprofit organizations, state parks and nonprofit groups. It has been deemed valuable enough to receive highly competitive federal funds.

As Commissioners, I understand your job is to assess the balance of energy needs against the value of natural resources in the same area. As our dwindling natural resources take on an added value for all citizens I know you will take these concerns seriously.

For more information:

[www.rensselaerplateau.org](http://www.rensselaerplateau.org)

Sincerely

Francille Egbert

**20150831-5203**

Susan M. Ceccacci, Jefferson, MA.

August 30, 2015

Federal Energy Regulatory Commission

RE: Northeast Energy Direct Project

To Whom It May Concern:

I am the owner of a piece of land that will be affected by the construction of the proposed Tennessee Gas Pipeline. I acquired my land, 149 acres off Route 10 in the town of Winchester, New Hampshire, in 1983 for recreational use. It is forested land crossed by a right of way, old logging paths, and beaver ponds.

During my ownership this piece of land has been open to the public. Students of a nearby preparatory school in Northfield, Massachusetts, take advantage of it for walks. In 2014 I joined a Forest Management Plan with the State of New Hampshire for the purpose of good management and also to maintain and enhance the natural beauty of the land. The presence of a gas pipeline adjacent to a power line that crosses our property will be detrimental for the following reasons:

- The useable acreage of the property will be severely reduced along the pipeline:
- The noise of a pumping station will be poorly tolerated by the wildlife present in the area (deer, turkeys, ruffed grouse, ducks, geese, beavers, and occasional bears)
- The pipeline in one area will run very close to a beaver pond with possible damage to aquatic life.
- The aesthetic value of the land, with the majority of the forest not harvested for the last 30 years, will suffer.
- The timber value of the land will be markedly diminished. We were unable to obtain a clear cut answer to the question on whether heavy logging equipment will be allowed to cross the pipeline if we decide to harvest timber.
- I will defer to the opinion of geologists whether or not the pipeline will possibly result in pollution of underground water.

The real economic advantage of a new pipeline for the New Hampshire has been questioned by some. Will it really lower the cost of energy or will it just benefit the Tennessee Gas Pipeline Company by exporting the gas to foreign countries?

Though I recognize that gas is less polluting than coal, if indeed the pipeline is intended to decrease the cost of gas, and therefore to increase its consumption in New Hampshire and other states, that will represent a slap in the face to our president's proposal to achieve a 30% carbon dioxide cut by the year 2030.

Sincerely,

Susan McDaniel Ceccacci

360 Causeway Street, Jefferson, Massachusetts 01522 email: [sceccacci@aol.com](mailto:sceccacci@aol.com)

**20150831-5211**

Timothy Camann, Unadilla, NY.

I am concerned about the cumulative impacts of this proposal with other approved pipelines and other proposed pipelines. The increased natural gas infrastructure will promote increased natural gas development, consumption, and emissions. This will lead to even greater amounts of greenhouse gases in the atmosphere and oceans and will exacerbate global warming and ocean acidification.

I am concerned about the loss of forested wetlands on my property, as well other portions of the proposed route. I am concerned about the loss of upland forest on my property and the rest of the route.

**20150831-5219**

Re: P14-22-000

Comments:

As a citizen of Montague, MA, I wish to express my profound concern over the Tennessee Gas Pipeline Company's proposal to construct a new pipeline through the Pioneer Valley region of Western Massachusetts. It is my understanding that the proposed pipeline would be routed under the Connecticut River as well as through truly lovely and pristine woodlands, agricultural areas, sites of historic interest, and sites sacred to indigenous peoples. The Company has not provided sufficient assurance that it can do so without harm. I have read that the proposed compression plant, to be sited in the town of Northfield, would generate extreme noise pollution – in an area where the loudest sounds at night are crickets, an area that people choose intentionally to settle and live quietly and in peace.

It's hard for me to understand why this pipeline is in the national interest at this time. I have read that the gas to be piped is not to be used in the U.S. Presumably the profits from its sale would benefit the TGPC and its shareholders; and while there is nothing inherently wrong with benefitting from one's investments, it is not advisable to go forward when to do so would entail harm, and possibly grievous harm, to a group of stakeholders. The stakeholders, in this case, are the people and natural resources of this region, including students of the Five Colleges and numerous fine boarding schools. The presence of these educational resources, which draw students from across the globe, including the students of leaders of government and industry, guarantees that any accident would be an immediate focus of global media attention. And harm would be grievous were there to be an accident, or a terrorist act perpetrated, involving the pipeline.

Under the circumstances, I would advocate strengthening the existing pipeline as a compromise measure.

Thank you.

Cynthia Goheen  
7 Whitney Way  
Montague, MA 01351

**20150831-5225**

Kristen Campbell, New Ipswich, NH.

What kind of coatings are they going to use on the pipeline to prevent leaks and corrosion? I believe a special coating is needed to be around power lines. Not all coatings are created equal and we already know the gas company plans on cheaping out on materials in NH.

**20150831-5232**

Kristen Campbell, New Ipswich, NH.

This pipeline should not be allowed to be built because it will never be removed once it is placed. When it is no longer in use it will be left to rot in the ground and continue to seep pollution for a long time to come. That is disgusting!

## 20150831-5233

Daniel Cournoyer, Temple, NH.

Dear Kimberly and members of FERC: PLEASE don not allow construction of a natural gas pipeline near my home in southern New Hampshire. There is no need of natural gas here. Considering the danger of leaks and explosions this proposed NED pipeline is not welcome anywhere near Temple, NH. This area is beautiful, and many peaceful homes and businesses will be adversely affected by a nearby pipeline, including our local Elementary School and a Convent. As mentioned, there is very little demand for natural gas here in southern New Hampshire, and any pipeline, compression station and related infrastructure is unwanted. Perhaps a natural gas electricity generating plant could be appropriate, closer to the source of the gas. Thank you for your consideration.

Daniel Cournoyer

## 20150831-5236

Bob Dickerman, Northfield, MA.

Bob Dickerman FERC NED EIS Scoping comments

Rev. B August 31, 2015

The following comments relate to the project in general, and the Northfield installation in particular.

### Air Quality

It has been estimated that the proposed 80,000 HP NED compressor station will burn approximately 1000 tons of natural gas per day, and that it will emit almost twice that mass per day in combustion products, mainly contaminated carbon dioxide and water vapor. It is the contamination in these combustion products that is the greatest concern.

Please consider the following tactics and concerns regarding air quality:

- Please verify estimates that the compressor station would burn approximately 1000 tons of natural gas per day when operated at 80,000 HP, and that the mass flow of combustion products would total approximately twice that.
- Please estimate the number of pounds per day of harmful chemicals that would be emitted in the turbine combustion products during normal operation, including:
  - a. carbon dioxide (greenhouse gas)
  - b. carbon monoxide
  - c. NOx
  - d. endocrine disruptors
  - e. benzene (a bone-marrow cancer causing agent) and other VOCs
  - f. any other cancer-causing or otherwise harmful agents
- Please estimate the number of pounds per day of harmful chemicals that would be emitted through leakage of raw gas and blowdowns of raw gas during normal operation, including, but not limited to, those chemicals listed above.
- Please do a wind pattern study to assess the likely path of the combustion product plume.
- Please require the gas extractors to disclose the chemicals used in fracking, which are presently secret.
- Please estimate the short-term and long-term human health impacts of all of the emissions from the compressor plant, including respiratory disease, endocrine disruption issues, and cancer.

### Noise Pollution

The proposed NED compressor station comprises large rotary machines that would generate significant noise. This noise might be broadband, narrowband, low frequency, ultrasonic, or infrasonic, and might be

accompanied by vibration. Changing compressor and/or turbine characteristics in frequency, size, or number could impact the amount of noise the equipment makes. Noise and vibration might need to be mitigated by the use of insulation and dampening materials, or proscribed combinations of equipment running, etc. to reduce noise impact on neighbors.

The Massachusetts Department of Environmental Protection recognizes noise pollution: “Noise is a public health concern that falls within the scope of Massachusetts Department of Environmental Protection (MassDEP) authority as a form of regulated air pollution (M.G.L. Chapter 111, Sections 142A-M provide statutory authority for MassDEPs Air Pollution Control Regulations, 310 CMR 7.00)” (<http://www.mass.gov/dep/air/laws/noisepol.htm>, accessed 1/31/13)

A further concern is there is a bat mentioned elsewhere in Northfield’s comments whose presence near the site may need to be evaluated by doing surveys of airborne ultrasound.

Please consider the following tactics and concerns regarding noise pollution:

- Please make a before and after noise level study, and estimation of cost to mitigate noise to original levels, including the following:
  - § determine baseline noise levels over octave or half-octave bands for the proposed compressor station site, and taking samples of average sound levels over 1-minute intervals throughout the day.
  - § make audio recordings concurrently with the noise level measurements at the test sites so that the nature of the sounds during testing may be later analyzed, and make these recordings available to the public
  - § estimate how much the proposed “standard” design would increase the noise level in each band and over 1-minute time intervals
  - § estimate the cost of reducing the in-service noise levels to near those of the original site

If a study such as this is omitted, and it is determined after construction and start-up that the NED compressor station noise level is unacceptable, the cost of mitigation at that point may be much higher than if the site is characterized and effective noise mitigation is implemented from the outset.

- A concern is that post-startup noise levels, especially those averaged over short periods of time, such as a minute, may be much higher than those at the original site, due to blowdown and other intermittent events.
- Another concern is that post-startup noise levels due to turbine and compressor machines may be narrowband signals, whose power is concentrated at discrete frequencies related to the rotational frequency of the machines, and which may cause a much higher impact on residents and wildlife than would a broader-band noise.
- Insure that noise meets levels set in the EPA’s Noise Control Act of 1972.
- Consult with the Sound Seal company, of Agawam, MA to minimize audible noise (see [www.soundseal.com](http://www.soundseal.com)). This company has had great success in noise mitigation at gas compressor stations.
- Ensure that compressor plant complies with FERC’s rule at 18CFR 380.12(k)(4)(v)(B) to insure that there is no perceptible increase in vibration from the plant .
- Make airborne ultrasound surveys to, in particular, characterize local bat populations.
- MassDEP testing standards may be useful.

## **20150831-5237**

Bob Dickerman, Northfield, MA.

Bob Dickerman FERC NED EIS Scoping comments

Rev. B August 31, 2015

The following comments relate to the project in general, and the Northfield installation in particular.

Light Pollution

Northfield hosts the annual Connecticut River Valley Astronomers’ Conjunction, which is an astronomers’

convention with night sky viewing sessions. One of the Conjunction's leaders has expressed concerns that lighting at the compressor station might be disastrous, not only to the Conjunction, local wildlife, and human health. Properly shielded lighting would mitigate these impacts and conserve energy.

Please consider the following tactics regarding light pollution:

- Design lighting according to International Dark Sky Association's (IDA) guidelines (see <http://www.darksky.org/nightskyconservation>)
- Specify lighting fixtures that are certified with the International Dark Sky Association's (IDA) Fixture Seal of Approval (FSA) (see <http://www.darksky.org/outdoorlighting-29>)

### Safety

The proposed pipeline is slated to share a right-of-way with high-voltage, high-power electrical transmission lines in many stretches. These electrical transmission lines may both pose a safety threat to, and be threatened by, the NED pipeline and compressor station.

Another concern is that the magnitude of any catastrophic event at the compressor station will likely be proportional to the distance between the compressor station and the nearest upstream (and, to a lesser extent, downstream) automatic shutoff valve.

Lightning safety is also a concern at the proposed compressor site, which is elevated and subject to frequent summer thunder and lightning storms.

A factor that may affect both lightning safety and the possible harmful effect of proximate electrical transmission lines is the high electrical resistivity of the local "soil". Many of the locales in which the project is slated to be built have very rocky ground, or may be solid rock, which may produce an extremely challenging environment for designers of electrical grounding.

Some of the following concerns, as well as others, were introduced in Power Technology, October 2004, "Electrical Risks in Transmission Line - Pipeline Shared Rights of Way", by Jose R. Daconti.

Please investigate the following safety concerns:

- Please contact Eversource to inquire whether Eversource's #381 line, carrying 345 KV between Northfield and Vernon, should be re-located, fortified, dismantled, or otherwise decommissioned for the reasons that:

§ In the event of a tower collapse or line break, the #381 line might provide hazardous and destructive levels of conducted current and voltage to compressor station components, as well as a source of ignition energy to any methane vapors that might be present?

§ Part of the #381 line would likely be destroyed in a catastrophic compressor station event, interrupting electrical transmission by that line, and possibly disrupting the electrical grid?

- It has been estimated that, if automatic shutoff valves are 10 miles upstream, in a catastrophic event, 37,000,000 cf of gas, equivalent to approximately 60 tanker trucks of LNG, could be released. Please verify this estimate, and evaluate the costs and benefits of placing automatic shutoff valves relatively close (e.g., 1/2 mile) to the compressor station, particularly in the upstream direction, to limit the fuel available in a catastrophic event.
- Please make surveys of electrical ground resistances in rocky areas in the vicinity of the proposed compressor station site be made so that lightning protection and electrical grounding may be appropriately designed. Consider extending these surveys to elevated segments of the pipeline itself.
- Please make meteorological studies of the intensity and frequency of lightning strikes in the specific vicinity of the proposed compressor station site (which is an elevated area), as well as near any proposed elevated runs of the pipeline itself.
- Surge arrestors with status monitors should be placed across any electrically insulating joints in the pipeline to prevent arcs in the event of electrical transmission line or lightning stimulus

- Surge arrestors with status monitors should be placed across any electrically insulating joints in the pipeline to damage to cathodic protection rectifiers in the event of electrical transmission line or lightning stimulus
- Please estimate, and recommend mitigation for, any corrosion effects due to the proximity of the pipeline to local electrical transmission lines and conductive or inductive coupling between the two.
- Can a warning system (to prompt evacuation in the event of a large leak or fire, for instance) be provided to residents in the high-impact zone?
- Can a multi-level (status, alarm, communication with compressor station operators) monitor, alarm, and communication system be provided to Northfield fire officials, police officials, and other municipal officials?
- Can the same multi-level monitor, alarm, and communication system be provided to Shelburne Control, our local dispatcher?
- Should a large fire break be permanently maintained around the compressor facility to limit the likelihood of wildfires in a catastrophic event?

### **20150831-5239**

Kristen Campbell, New Ipswich, NH.

My husband and I moved to New Ipswich to be surrounded by natural beauty and the sounds of nature. A giant pipeline and compressor station have no place here. The noise, vibrations, pollution and stadium lighting will destroy all the reasons we came to this town. There is not enough public need to justify ruining our community. Most of this gas is for export overseas.

### **20150831-5240**

Bob Dickerman, Northfield, MA.

Bob Dickerman FERC NED EIS Scoping comments

Rev. B August 31, 2015

The following comments relate to the project in general, and the Northfield installation in particular.

Alternatives

There is evidence that, if built, the majority of gas carried by the NED pipeline will be delivered to export terminals, where it will be converted to LNG and exported to maximize profits for extractors and pipeline operators. Consequently, domestic LNG prices may increase, due to the selling of LNG into a wider world market, to customers willing to pay higher prices. Furthermore, U.S. citizens may be harmed by the consequential depletion of domestic energy resources. The export of domestic energy resources is clearly at odds with U.S. energy independence goals; the export of crude oil, for instance, has been largely banned in the U.S. since 1973.

Peak demand for natural gas in some areas of the Northeast is near the present limits of peak supply, but it is not necessary to build a 2.2 bcf/day pipeline to address these limits. The maximum total peak demand in the entire Northeast in 2014 was only 3.3 bcf/day.

Peak demand limiting may be, and has been, addressed in many ways. For a local example, in the recent precedent agreement hearing for Berkshire Gas ( a nearby LDC), local lawyer Rudy Perkins described how the Berkshire Gas's Whately, MA LNG peaking facility was designed and permitted in 1999 for five 70,000 gallon LNG tanks and associated gasification equipment; two tanks were to be initially installed, and the remainder installed over the next decade, as peak demand rose. However, the remaining three tanks were never installed, and, to this day, only the first two tanks are being used. Jennifer Boucher of Berkshire gas was quoted in The Recorder on June 27, 2015 as saying that expanding their peaking facility would provide "only" an additional 5000 Dth/day; however, this could supply approximately 10,000 new homes, or more, with natural gas. This squarely contradicts Berkshire Gas's weekly newspaper ads' assertion that the NED pipeline is the only solution to the peak demand limit problem, and raises serious legal questions about their

3-year moratorium on new residential customers.

Please evaluate the costs and benefits, as well as the (comparatively shorter) construction schedules, of the following conventional alternatives to the NED pipeline:

- In Western Massachusetts, the build-out of Berkshire Gas's existing Whately peaking facility, as was originally planned and permitted by the Massachusetts State Energy Board in 1999.
- In Eastern Massachusetts, officials at LNG companies such as Distrigas have publicly stated that they could easily address peak demands at a much lesser cost to consumers than for the NED pipeline. Competing proposals from the following entities should be solicited and evaluated:
  - the Distrigas facility in Everett, MA,
  - the Northeast Gateway facility offshore Cape Ann, MA, and
  - the Neptune facility offshore Cape Ann, MA
- The expanded use of peaking facilities in general, including stationary peaking facilities, that liquefy gas from the pipeline network during periods of reduced demand, and gasify the LNG and re-introduce the gas to the network during periods of peak demand. Inland stationary peaking plants have the advantage that they require no additional local tanker truck or railway transportation of LNG.
- In addition, FERC should consider the ability of aggressive conservation, adoption of solar and wind energy, and pipeline leak-fixing to help address peak demands.

Furthermore, please address the following concerns:

- Isn't it a mathematical certainty that the majority of the gas carried by the pipeline - perhaps as much as 2.0 bcf/day initially - would necessarily be exported or used to reduce flow in existing lines, as it is impossible for net gas demand in the region to be increased by anywhere near 2.2 bcf/day anytime in the foreseeable future?
- Does exporting of substantial domestic energy resources truly serve the national interest, at a time when China and Russia are aggressively seeking out and securing energy resources all over the globe?
- In what way does such exporting serve the public convenience and necessity?

Attachments:

1. Sound Seal TennGas.pdf
2. ac-Corrosion-Booklet-44-Pagg.pdf
3. Electrical Risks in Transmission Line - Pipeline.pdf

#### **20150831-5242**

Kristen Campbell, New Ipswich, NH.

Firefly populations are on the decline. They are an important part of the ecosystem. The stadium lighting on compressor stations will negatively impact the fireflies ability to communicate with each other and find mates.

#### **20150831-5250**

Kristen Campbell, New Ipswich, NH.

Please don't let this pipeline through. We need to keep our conservation land for its purpose. If the pipeline and all its compressor stations are allowed to be built, there will be more conflict between people and wildlife as the wildlife are pushed away from their refuge.

#### **20150831-5257**

Linda Reik  
Youngsville, NY

August 31, 2015

Ms. Kimberly Bose, Secretary  
FERC Commissioners  
Federal Energy Regulatory Commission (FERC)  
888 First St. N.E.  
Washington, D.C. 20426

Via: eFile

RE: Docket no. PF14-22, Northeast Energy Direct project. Tennessee Gas pipeline Company, L.L.C.

Dear Secretary Bose and FERC Commissioners,

This is a submission of scientific, medical and media findings demonstrating inconvenient and serious health problems with known links to fracked gas air pollutants. Further, I reference submission 20150831-5156 under FERC Docket PF14-22, demonstrating that liquefied natural gas resources make pipeline expansion in the New England region unnecessary. It provides conclusive proof that the Northeast Energy Direct project is not necessary.

I submit a compilation of 62 citations extracted from the Compendium of Scientific, Medical, and Media Findings Demonstrating Risks and Harms of Fracking (the Compendium), cited as: Concerned Health Professionals of New York. (2014, December 11). Compendium of scientific, medical, and media findings demonstrating risks and harms of fracking (unconventional gas and oil extraction) (2nd ed.). <http://concernedhealthyny.org/compendium/>.

The citations extracted are submitted in table format under the following three headings:

1) Air pollution, 2) Public health effects measured directly and 3) Medical and scientific calls for more study and more transparency. In this compilation, the fifty two citations about air pollution include twenty eight citations published in 2014; the six citations about public health effects measured directly include two published in 2014; and the citations about calls for more study and more transparency include four published in 2014. My purpose is to document the growing evidence that the build out of fracked gas infrastructure shows high levels of pollutants, striking declines in air quality and an increase of health problems with known links to air pollution.

In the Commission's Certificate Policy Statement (Certification of New Interstate Natural Gas Pipeline Facilities , 88 FERC ¶ 61,227 (1999), clarified, 90 FERC ¶ 61,128, further clarified, 92 FERC ¶ 61,094 (2000)), it is stated that in considering new pipeline facilities "the Commission balances the public benefits against the potential adverse consequences. The Commission's goal is to give appropriate consideration to the enhancement of competitive transportation alternatives, the possibility of overbuilding, subsidization by existing customers, the applicant's responsibility for unsubscribed capacity, the avoidance of unnecessary disruptions of the environment, and the unneeded exercise of eminent domain in evaluating new storage and pipeline construction."

I urge the FERC Commissioners to adopt the "no build" option when considering the Northeast Energy Direct application because the project does not qualify as a public convenience or necessity.

Sincerely,  
Linda Reik

*{25 page compilation omitted, format not easily convertible, see original }*

**20150831-5267**

Erika Ladd, Conway, MA.  
RE: Docket No. PF14-22-000

I am writing to request that you, the FERC panel, consider denying a permit for construction of TGP's Northeast energy direct project here in Franklin County.

This pipeline is a bad idea for our land, our air, for future generations to come and for our way of life that we have chosen here in Western Massachusetts.

We live here because we like the quiet, rural nature of our towns and roads. We love the darkness at night. We live in a little corner of the world where we are proud of our local farms, our protected lands that we have safeguarded with our tax dollars and other contributions. We try to be protective of the land, water and air, and have great respect for nature and for each other and our planet.

This pipeline is a bad idea for us, our state, for the USA and for the planet as a whole. It is a giant step backwards into the dirty fossil fuel, methane and pollutant producing industries that we must move beyond to have any sustainable future on this planet.

It is beyond my comprehension that this private project could even be a consideration by a panel that is supposed to look out for our interests. The cost to us personally, our way of life and to the planet is immeasurable – and all this harm would be done so that the big dirty oil players can get a lot richer?

Please think of the future and say no to Kinder Morgan and their greedy partners. Think clean energy – not more poisons!!!

Thank you, Erika Ladd

## **20150831-5270**

Kenneth & Diane Stokem, Castleton on Hudson, NY.

Our family and community oppose the Northeast Direct (NED) pipeline.

The NED PIPELINE is NOT NEEDED — This NED pipeline is being touted as filling in a “shortfall” in fuel needed for electricity generation. The proposed gas for the main pipeline far exceeds the stated need of 0.7 billion cubic feet per day for regional electrical generation—a need projected to occur only 10-27 peak-demand days per year. The “shortfall” in energy has occurred only during very cold snaps when more of the current gas supply is used for heating instead of electricity. This occasional “shortfall” could be cut by 1/3 by simply fixing the leaks in the current gas infrastructure. The remaining 2/3 could easily be made up by expanding current energy efficiency programs, conservation and renewable energies.

The gas transported by the NED is INTENDED FOR EXPORT — The excess capacity of the pipeline would likely be used for export, as the terminus in Dracut, MA can be connected to the Canadian Maritimes. This would be an inappropriate use of the public’s money and land as the project would be a private for-profit venture. This means we would see minimal, if any, benefit as towns, a state, a region, or a nation.

The NED pipeline will not ultimately bring about CHEAPER PRICES for gas and electricity -- When the pipeline is used for export gas, then the stated reason for having the pipeline, to prevent rising prices for electricity with cheap domestic gas generation, would be suddenly impacted by market prices for gas that customers in Europe and emerging economies like India and China would be willing to pay. The gas companies could see huge profits, but ratepayers would see no offset for the likely increase in our rates due to supply and demand factors.

GAS is NOT CLEAN (as advertised) — While natural gas produces less carbon than coal or oil when burned, the methane that leaks in drilling, flaring, transmission, and distribution is a far more potent greenhouse gas than carbon dioxide and negates any gains over burning other fossil fuels.

NO BENEFIT in our homes — This pipeline would not bring fuel directly to homes for heating and cooking in our community and New York state. This is a transmission line, not a distribution or service line. It would transport natural gas to facilities that can accept high-pressure natural gas such as distribution facilities, power plants and export facilities. None of this gas will be used in NY.

Negative ENVIRONMENTAL IMPACT — This project would deliver fracked gas from Pennsylvania. The impact to the areas where the gas is being extracted and to our climate would be devastating. We shouldn’t be using tariffs on our electric rates and the power of eminent domain to develop a resource that is damaging to our environment and creates profits for few while socializing its short and long term costs.

The NED will create negative IMPACTS ON WATER, AIR AND SOIL— This pipeline creates concerns about construction impact and pipeline leakage on our air, soil, residential wells, surrounding watershed, local ponds, streams and rivers. Water quality could be affected during and after construction. Blasting could disturb sediment, causing it to flow to the home rather than resting safely at the bottom of the well. Water tables can also crack or shift during blasting, rerouting the water away from a well. Fracking involves blasting water contaminated with more than 600 dangerous chemicals, many of which will find their way into the gas. Gas companies are exempt from the Safe Drinking Water Act and Clean Air Act and do not have to disclose the chemicals in the water nor transported via the NED pipeline. But studies have shown that many of these chemicals have serious health effects. A pipeline leak would contaminate water, air and soil with undisclosed harmful chemicals.

The NED jeopardizes CONSERVATION LAND — The original proposed route (and some alternate proposed routes) would require breaking conservation easements—a terrible precedent to set for private projects. While large tracts of conservation land may be inviting to pipeline companies, the permanent scarring for that purpose would not be in the public’s best interest. The precedent of taking conservation land threatens future donations of private land for conservation.

The NED will have negative HEALTH and SAFETY RISKS — There are serious concerns about the safety record of gas pipelines in general and Kinder Morgan in particular. Gas leaks threaten sensitive aquifers, soil, and plant life. Explosions involving pipelines of this size and pressure actually occur and are catastrophic, with the fire being fed by many miles of fuel between shut-off stations, leading to prolonged, extremely high-temperature burn. Our communities’ emergency response facilities are not equipped to deal with such occurrences.

The NED will be a FINANCIAL BURDEN for LANDOWNERS — The payment for the easement on private land would be a one-time deal and is not much money when weighed against the loss of property value. The presence of gas pipelines has historically had a negative impact on property values, and in some cases homes are no longer eligible for a mortgage and can be hit with increased insurance premiums.

The NED should not use EMINENT DOMAIN — If the Federal Energy Regulatory Commission (FERC)-the agency which permits pipeline- determines that there is a public need for the pipeline, this could lead to granting the pipeline company access to the private and public land under eminent domain—enabling private corporations to make substantial profits through the use of our precious private property. Eminent Domain should not be used for private gain. Especially when the profit making for the private entity will ultimately lead to costs that will be socialized and born by the United States, communities and citizens who are seeing little profit or gain and even negative losses and costs from the company’s profit making gain.

EXPANDED FOSSIL FUEL INFRASTRUCTURE is a step backward — Building a permanent infrastructure for this fossil fuel could ensure its use far into the future. This unneeded project represents a step backward in technology and several steps backward from important national and state and international goals to address our climate crisis. Let’s plan for renewable energies and not add more fossil fuel infrastructure including the NED pipeline.

The NED is a bad idea. It is the wrong direction for securing the energy future for the Northeast and just the opposite of what is needed to reduce greenhouse gases from accelerating climate change and the damage and catastrophe that climate change will bring to the US and the world.

## **20150831-5273**

Kristen Campbell, New Ipswich, NH.

The northeast is actually more at risk for earthquakes than originally thought. What happens to a gas pipeline when there is an earthquake?

**20150831-5276**

Kristen Campbell, New Ipswich, NH.

If there is a known rise in still births among people living near compressor station emissions one can also predict a rise in birth defects that cause permanent disabilities for the same population. What would you like to say to women of child bearing age that live within the two miles of a compressor station that would suffer the most? "good luck?" This is an issue that can not ever be mitigated by the gas company. Is there really that much need in this area to justify this? No! Most of this gas is headed overseas! Stop this pipeline!

**20150831-5282**

Kenneth Stokem, Castleton on Hudson, NY.

No Scoping Session was held in Albany County, the county in NY State with the largest population through which the NED pipeline will pass through.

I request that a scoping session be offered in Albany County NY in or near the Town of Glenmont, NY.

The Scoping for NYS cannot possibly be completed until better effort is made to solicit, allow and provide for comment by Albany County residents. Albany County residents should not be required to travel substantial distances to scoping meetings in other counties.

It is not fair that no scoping meeting was provided to Albany County.

**20150831-5284**

**Mark A. Burton**  
365 Beldingville Road  
Shelburne Falls, MA 01370

August 31, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, D.C. 20426

**RE: Scope of environmental impact statement for the Northeast Energy Direct Project, Docket No. PF14-22-000**

Dear Ms. Bose:

In response to the Notice of Intent to Prepare an Environmental Impact Statement for Planned Northeast Energy Direct Project, Request for Comments on Environmental Issues, and Notice of Public Scoping Meetings, published in the Federal Register on July 8, 2015. 80 FR 39095, I offer these comments.

On July 24, 2015, Tennessee Gas Pipeline, LLC (Applicant) filed a letter documenting changes to the project, along with revised Resource Reports 1-13 that reflect project changes and respond to hundreds of comments made by the Federal Energy Regulatory Commission (FERC) and other federal and state agencies on the original Resource Reports. Project changes and the revised Resource Reports were made available to the public 27 days into the 60-day scoping period and after six of the thirteen public scoping meetings had been held. In the public interest, I strongly urge the FERC to re-start the scoping period and to require that additional hearings be held in the communities where hearings were held before the new project information and revised Resource Reports were filed, to allow for meaningful public participation in the required Environmental Impact Statement (EIS) scoping process, thereby mitigating public frustration in the public participation component of the National Environmental Policy Act process and limiting input on specific issues and concerns that may arise from the project changes and revised Resource Reports.

The proposed pipeline is planned to cross my property at 365 Beldingville Road in Ashfield, Massachusetts. With the creation of new right of way, access roads, and staging area, I anticipate that approximately 15 to 20 acres of my property will be deforested. On July 29, 2015, I testified before the FERC hearing in Green-



Office of the Senate leader, Boston, MA 02133

Representative Robert A. Deleo Massachusetts State House - Room 356

Office of the Speaker, Boston, MA 02133

Representative Steven Kulik Massachusetts State House - Room 238

Office of the Speaker, Boston, MA 02133

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Kinder Morgan NED Project  
FERC Environmental Impact Scoping Hearing  
Testimony of Mark BURton  
July 29, 2015

My name is Mark Burton and I live in Ashfield, Massachusetts, I am a fly fisherman and I speak on behalf of the Greater Boston Chapter of Trout Unlimited, of which I am a member. The chapter has over 1,100 members, many of whom spend days and vacations fly fishing the great trout streams we have to offer in this part of the state.

My concern tonight is the certain adverse impact the NED project will have on our local ecology, specifically the impact on our cold water resources and the habitat of the Eastern Brook Trout.

One hundred years ago, much of New England, and certainly all of the Berkshire region and Pioneer Valley, had healthy brook trout streams. Today, after decades of land development, brook trout have entirely disappeared from 7% of their historical habitat, have been greatly reduced in another 28%, and reproducing populations are unknown in another 42%. (b.1.iQ;LLyyY!'Y:t.. rn ass ·gQti\_~lli\!ggl c i ~5L4fi:J.Qf~fi2Ll:~i Id I ife~pla n t~LftihL!,r,Q\_ld!:in:rp rrD\_ '!llQll. h tm I)

According to the Eastern Brook Trout Joint Venture Report on the status and threats to the species, analysis reveals that in only 5% of historical habitat does a fully sustaining brook trout population exist, and a reduced but sustaining level in 9% of historical habitat. (.b.1tP\_jl~stel!Jbrooktr()u.!,QrgL) Virtually all of these intact populations reside in the western part of the state where the NED project will be located.

Clearly there is much at stake here for the habitat of brook trout, and what we ask of FERC tonight is that you include in the scope of the EIS a full review of the impact on trout habitat and the necessary mitigation and remediation measures that undoubtedly will be required to be taken in order to minimize and hopefully negate adverse impact of the project.

Short of postponing this review process so that we have time to review the draft resource report, we respectfully request FERC to include the following in the scope of the EIS:

- A full evaluation of the direct, indirect and cumulative impacts of the proposed pipeline on native and wild trout populations and their watersheds. This would include the impact which deforestation of thousands of acres will have on water temperature in the affected watersheds (i.e., Hoosic, Housatonic, Westfield, Deerfield, Millers, and Connecticut Watersheds) at the level of first order tributaries through to the large rivers.
- A comprehensive analysis of alternative pipeline routes and construction methods that avoid or minimize impacts to native and wild trout populations and their watersheds, including smaller rights-of ways (e.g. 50 foot rather than 75 foot and 150 foot rights of way which is possible using alternative construction methods) must be conducted as part of the EIS process.
- At least 15 different direct negative effects from sedimentation have been demonstrated to impact trout and salmon, ranging from stress, altered behavior, reductions in growth and direct mortality. There must be an assessment of quality turbidity impact and efforts to mitigate the potential for erosion and sedimentation impacts from construction of the proposed pipeline on trout streams, water quality and aquatic life.
- Stream restoration/mitigation plans must be prepared for each stream crossing and use the best avail-

able science to ensure that streams are restored to their original condition and long-term impacts avoided.

- Type of crossing method for each proposed stream crossing should be determined on a site-by-site basis, based upon field conditions rather than just a desktop analysis. The wet crossing method should not be used for any crossings on native and wild trout streams. If dry crossing method is specified, then the type of dry crossing method should be identified as each type of dry crossing has unique impacts that must be identified in the EIS so that appropriate mitigation measures can be included in the EIS.
- Sufficient information about stream characteristics should be collected at each proposed stream crossing. Such analysis should include, at a minimum: proximity to the nearest confluence up and downstream; stream discharge, channel gradient, channel sinuosity, stream substrate, cross-sectional surveys, channel debris; sediment storage, and stream order; information about bed and bank stability, scour depth and depth of pools; and a scour depth analysis to determine the potential for vertical or lateral adjustment of each stream.
- Stream crossing installations must be able to handle certain percentage of the 1a-year, 50-year or 100a-year base flow, based upon site specific conditions at each stream crossing. This is the only way to limit potential flooding impacts. A critical shear stress analysis for all sites with any definable risk of bed scour, to ensure that the stream bed remains stable under flow conditions associated with 100a-year storm events and that the pipeline company is using the best engineering practices to assure that stability.
- Geotechnical feasibility studies to determine if horizontal directional drilling, Direct Pipe™ or other conventional bore methods are appropriate and feasible must be conducted for each stream crossing.
- The depth that the pipe is buried beneath the stream must be determined on a site-by-site basis, based upon the potential for vertical or lateral adjustment of the stream.
- Kinder Morgan should be required to observe the setback requirements for vegetation cutting promulgated by the Massachusetts Rivers Act.

While this construction project is clearly adverse to trout habitat and will contribute to its long term degradation and potential extirpation of wild and native trout populations, your diligence in ensuring that its effects are mitigated, remediated, or eliminated is of critical importance.

Thank you for hearing my testimony.

## **20150831-5297**

Roland and Lisa Dumont

P.O. Box 239

Rindge, NH 03461

BANCROFT RD

31 August 2015

Kimberly D. Bose, Secretary

Federal Energy Regulatory Commission

888 First Street, NE, Room 1A

Washington, DC 20426

Re: Docket No. PF14-22-000: Proposed NED Pipeline.

Dear Secretary Bose:

Last year we moved to NH after purchasing land so that my husband could build a home for us. We have woods and wetlands that are full of life. In one year we have seen, black bear, porcupine, wild turkeys, coyote, a fox, reptiles, a moose, birds, bats, butterflies, insects, amphibians, deer, and a countless amount of salamanders. There are Plants, flowers, mushrooms, fungi, monotropa uniflora, lady slipper's, and trees, of all varieties.

There is so much to nature's presence that I am constantly looking up information online and in books because this is like nothing I've ever seen before. There could be endangered species or plants that we have but as there is so much to see and because it has only been a year, I don't know yet. The forests of NH are breathtakingly beautiful. Majestic!

There is a reservoir extremely close to us that feeds into a stream that runs along besides us. We live a couple of miles away from the proposed pipeline. In August of 2015 we put in our water well.

I read that we would not know what harm is being done to our water and that the information does not have to be released. The sentence I read, on [nhpipelineawareness.org](http://nhpipelineawareness.org) "Gas companies are exempt from the Safe Drinking Water Act and do not have to disclose the chemicals in the pipeline."

How could I, in good conscience allow my small children to drink, or bathe in the water when I will not know how our water supply will be affected? This is asking NH and all affected by this proposed pipeline to risk their health so that a corporation can make more money. Our lives matter. We will not benefit from this Gas in anyway but we would reap the negative aspects.

As a mom and human being I know that this is not right. I oppose the pipeline. I do not want my family or anyone else's family or our animals in harm's way. I would like to see Solar and Wind Power for a cleaner energy source in our future and NOT a toxic and problematic pipeline harming our families and the environment.

Thank you,

**20150831-5307**

*{duplicate of 20150831-0105 above}*

**20150831-5313**

Kathleen O'Connor Ives, Boston, MA.

August 31, 2015

State Senator Kathleen O'Connor Ives

State House, Room 215

24 Beacon Street, Boston, MA 01233

Federal Energy Regulatory Commission

888 First Street, NE

Washington, DC 20426

I submit my comments on the proposed Kinder Morgan Northeast Energy Direct project to detail why I strongly urge the Commissioners charged with making a recommendation on this project to make a no action determination. The proposed Haverhill Lateral is projected to run through the City of Methuen, whose citizens I represent in the State Senate. Residents have communicated to me and my office their serious concerns surrounding this project. It is important that I relay to you that I have no record of any resident in my district communicating support for this project. I have not encountered a single municipal or state elected official without serious concerns about the proposal. It should also be noted that the Methuen City Council unanimously passed a resolution opposing the pipeline expansion project. The residents and businesses of the City of Methuen are only guaranteed the burden of having this high-pressure pipeline pass through their community. There are no guaranteed reductions in energy costs--only guaranteed costs related to public safety and emergency response placed on the city and reduced property values absorbed by residents.

The only way to assuredly mitigate environmental impact is to recommend no action on this project because no measures are possible to sufficiently reduce the safety threat and disturbance of protected open space and active farmland. I cannot comprehend how efforts at the federal, state and local level, to preserve valuable conservation lands, and invest in improved water quality for recreation and consumption, as well the state's

local farming economy can all be set aside for the unsubstantiated claims of energy needs and proposals from an individual for-profit energy company. Why should private citizens as well as the public at-large make available valuable easements along private and public property for a for-profit energy company, when there is no proven need for such infringements?

Kinder Morgan's proposal should not be approved because the company has not secured the requisite purchaser contracts for natural gas from this pipeline. As FERC is aware, there are other gas pipeline expansion projects presently advancing in the region. The public deserves a comprehensive, regional assessment verifying Kinder Morgan claims of the need for the pipeline, as well as its speculative contracts for this gas. Kinder Morgan took the very notable step of scaling back its pipeline proposal in western Massachusetts on account of weaker than anticipated interest in contracts for its gas. As such, close scrutiny of Kinder Morgan's entire proposal is merited to verify the need for any expansion as proposed by this company.

Also, Kinder Morgan plans to conduct horizontal drilling directly under and across the Merrimack River. Please be aware that the Merrimack River is a critical drinking water supply for many communities in the Merrimack Valley, including the City of Methuen.

I urge you to apply your responsibility to the public and respect the will of the residents in my district who do not support the approval of this project under any circumstances. Thank you for your consideration of my comments.

Sincerely,

Kathleen O'Connor Ives  
State Senator  
First Essex District

#### **20150831-5315**

Albert C Lefebvre, Rindge, NH.  
Federal Energy Regulatory Commission

Project Docket No: PF 14-22

Comments by Albert C. Lefebvre

695 Old New Ipswich Rd

Rindge NH 03461

(603) 899-2208

Email: yohoal@hotmail.com

August 31, 2015

I am writing to express my concerns with the proposed Kinder-Morgan/Tennessee Gas Pipeline (KM/TGP) that is planned to cross southern New Hampshire and my town, Rindge.

As you already know from other submitted documents and data that you have received, the proposed pipeline is not needed. NH does not have and will not have a natural gas shortage. KM/TGP is supporting television advertisements that erroneously scares the public into thinking that there is a gas shortage that will affect fuel availability. These ads also erroneously scares the public into thinking that without gas electricity costs will rise while failing to mention that our costs will rise to pay for any new pipeline. The FERC needs to monitor these advertisements and call KM/TGP to task for their scare tactics. FERC needs to properly advise the public of correct information.

On another issue, the EPA of August 18, 2015 announced that it was submitting new standards for both methane and volatile organic compounds. Methane is greenhouse gas and is one of the country's largest emitter of methane. These gases endanger both the public health and public welfare of current and future generations. Since 1990, natural gas systems (such as the KM/TGP pipeline) were cited as being the single largest contributor of US man-made methane emissions (per EPA Regulatory Impact Analysis. This was supported in part by industry information released under the Greenhouse Gas Reporting Program.)

Since methane gas emission is such a major problem for the environment and the public, why should the KM/TGP pipeline go forward? The pipeline is not needed and will cause serious environmental issues. Why build this pipeline when its emissions will raise the level of methane gas emissions? This pipeline will only add to gas to the pipeline when the country's goal is to reduce these types of emissions; building it only adds to the problem. The pipeline flies in the face of basic common sense.

I ask that FERC reject this proposed pipeline.

Thank you for your attention to this matter.

### **20150831-5323**

Rina Petit, Litchfield, NH.

This is a massive project crossing several states and the public has a lot of information to process on this pipeline but first of all, it's insufficient information and too short of a timeline to review everything. Plus there are other much smaller pipeline projects that look like they will be sufficient to meet New England's natural gas needs for the foreseeable future. How about FERC integrating all of the smaller New England pipeline projects together JUST FOR AN ANALYSIS to confirm that? Also, how about FERC taking a long hard look at ISO New England and its \$1,500,000 CEO along with its overpaid and overstaffed staff? FIX THE PROBLEMS don't just look at NED in isolation.

### **20150831-5326**

David Bennett, Deerfield, MA.

I am writing to express my extreme concern regarding the proposed Northeast Energy Direct (NED) Pipeline Project currently being reviewed for approval by the Federal Energy Regulatory Commission (FERC). The pipeline being proposed will potentially cut through my property. I am deeply concerned regarding the adverse effects that this pipeline could have on my property and the greater surrounding community as a whole.

My property is terraced and on a steep hillside, and is already prone to erosion. From my understanding the Tennessee Gas is seeking to put the NED through a portion of my land that is densely wooded. This wooded area of my property is crucial in protecting my property from erosion from water and wind. If the pipeline were to cut through my property we would be forced to maintain the area with low growing grasses that would do little to keep the property from further eroding.

Across the street from my property is a wetland which is bordered by preserved farmland. This wetland, which the pipeline would cut through, protects my property and the property of others from flooding from the Deerfield River. As recently as August 2011 hurricane Irene resulted in extreme flooding in my area and much of the Northeast. My property on the hillside became an island, as water rose above the road in front of my home, trapping us there. However, we sustained no damage to our property, which is owed to the fact that the wetland in front absorbed a large portion of the flood waters. I am very concerned about the potential destruction of this wetland by the proposed pipeline.

As I explained above, the Deerfield River is nearby and the pipeline is proposed to cut across it. In addition, the eastern portion of my town, Deerfield, MA, is bordered by the Connecticut River and is also slated to be crossed by the pipeline. These rivers are valuable resources to my community and the state for recreation and commerce. There are numerous hydroelectric dams along the Deerfield River operating to produce valuable, renewable hydroelectric power. This goes for the Connecticut River as well. The Connecticut River has only recently been cleaned up from years of environmental degradation and now could face a new onslaught of pollution if this pipeline were to fail underneath it.

There seems to be no legislation that protects my rights as a landowner. The pipeline running through my property would devalue it and there is nothing that mandates that this company provide me compensation for the devaluation. The magnificent views that are afforded from my property would be ruined in part by the destruction of the forested area bordering that this pipeline would destroy. The easement from this pipe-

line would lower the value of my home as a portion of the property would become unusable. And despite the devaluation to the property we would still be responsible for the taxes on the property. This pipeline cutting through my land would put my family in danger of any accidents to the pipeline that could occur. And these accidents do happen... January 2015, Brandon, MS a pipeline explosion burned six acres of land and created a large crater; April 2015 Borger, TX a

Kinder Morgan gas pipeline exploded leading to the evacuation of nearby homes; August 2015 Falfurrias, TX another Kinder Morgan pipeline ruptured; March, 2014 Plymouth, WA a pipeline operated by Williams Companies exploded leading to the evacuation of 1,000 residents; February 2013 Knifly, KY a Columbia Gulf Transmission pipeline exploded detonating two homes.... this list could go on and on. Not only is my town not prepared to respond to the type of disaster that a pipeline explosion could cause, but the presence of a pipeline on my property could render it un-insurable.

I am deeply concerned that there has not been time for a thorough, independent review of the need for this pipeline. I strongly encourage FERC to delay their review process until the study currently being undertaken by my Massachusetts State Atty. General Maura Healey can be completed. I also encourage FERC to review the current studies available—the report commissioned by GDF Suez and

**20150831-5335**

**Ipswich River Watershed Association**

*The Voice of the River*

P.O. Box 576

Ipswich, MA 01938

August 31, 2015

Kimberly D. Bose, Secretary

Federal Energy Regulatory Commission

888 First Street, NE

Room 1A

Washington, DC 20426

Re: Docket No. PF 14-22-000 - Tennessee Gas Pipeline Company, L. L. C., “Northeast Energy Direct Project”

Dear Secretary Bose,

On behalf of the Ipswich River Watershed Association, I am writing to comment on the Tennessee Gas Pipeline Company’s (TSGP) Northeast Energy Direct (NED) Project (FERC docket PF14-22-000) per your June 30, 2015 Environmental Impact Statement Scoping (EIS) Notice. The Ipswich River Watershed Association is a member-supported 501(c)3 not for profit organization. Founded in 1977, our mission is to preserve and protect the Ipswich River watershed for people and nature. A significant portion of the proposed Lynnfield and Peabody laterals portion of the project will traverse the watershed and as such, we are extremely concerned about the proposed project’s impact on the river and watershed.

The Ipswich River is the source of drinking water for 350,000 people and businesses and is literally the lifeblood of our region. Additionally, the watershed is home to significant environmental resources including conservation lands, wetlands, interior forests, water supply protection lands, and rare species. The proposed project will traverse the watershed for over 11 miles, cross the river and dozens of tributaries, travel for over 2 miles through wetlands, be constructed through dozens of vernal pools, travel directly along the riverbank for 2 miles, will be constructed through contaminated areas, will disturb underground hydrology, will clear virgin land for a proposed meter station and will require a 100 foot construction and 50 foot permanently cleared swath through critical habitats and interior forest totaling 120 acres. Due to this level of activity in the Ipswich River Watershed, we feel there is simply no way to adequately mitigate this level of environmental impact. As such, our Board of Directors voted unanimously to oppose this project. Moreover, since there are several less impactful alternatives to the proposed “greenfield” route and there is no demonstrated

need for this section of the pipeline, we feel the EIS should emphasize and fully analyze the “no-build” alternative.

Should the proposed project review go forward, we request that the following environmental impacts be included in the scope of the EIS:

Alternatives Analysis. There are two primary categories of alternatives, the no build alternative and alternative routing. While other commenters will question the demand for new gas supplies overall, I would like to focus my comments on the redundancy issue. As you may know, a virtually identical natural gas pipeline was recently installed by Spectra Energy between Dracut and Danvers. The debarkation and terminus points are almost identical to the proposed pipeline. The route essentially parallels the proposed pipeline. This large, 30” high pressure serves the exact same customer base as the proposed NED lateral and is significantly underutilized. Because the proposed NED lateral does not provide for any local connections and essentially duplicates this existing, nearly new underutilized pipeline, there can be no justification for building a second pipeline through this region.

Should the need for a second pipeline be established, we request that routing alternatives be fully explored. As summarized above and detailed below, the proposed route of the Lynnfield/Peabody lateral traverses some of the most environmentally sensitive resources along its entire route. It is clear that the project proponents strategically chose the “greenfield” route over developed areas to avoid potential conflicts with already developed areas. Due to the critical nature of the environmental resources that would be disturbed by the greenfield route, and the existence of less disruptive routes, including existing utility corridors, the EIS must include a detailed alternative routing analysis to avoid these sensitive areas as further detailed below.

Water Supply Protection Areas. The proposed pipeline route traverses several state and municipally-designated public waters supply protection zones serving hundreds of thousands of people. Construction and long term maintenance impacts of these activities on the water supply infrastructure and protective zones must be fully evaluated and alternatives pursued at all costs. Clean and reliable public water supply is society’s most important need and no impact on these critical and sensitive areas should be acceptable given other alternatives. The use of herbicides for the maintenance of the pipeline right of way must be strictly prohibited within these areas.

Wetlands and Waterways. Wetlands and waterways are critical for flood protection, water quality, wildlife habitat and recreation. The proposed route poses an unacceptable level of disturbance to these critical areas. Alternatives to the more than 2 miles of wetlands, dozens of vernal pools and river/stream crossings that will be traversed by the proposed route must be evaluated. In addition, many wetland areas and all vernal pools are supported and maintained by site-specific subsurface soil and groundwater conditions. Pipeline construction will disturb and could dramatically alter these unique conditions which are responsible for maintaining the hydrologic conditions for these wetlands. These conditions must be specifically analyzed for each wetland and stream crossing area and adequately mitigated to maintain pre-construction hydraulic conditions.

In addition to the wetland areas, the proposed route will disturb more than 131 acres of land within 100 feet of wetlands (known as the buffer zone under Massachusetts law) within the watershed. Wetlands buffer zones are critically important to the protection of wetlands themselves and construction and long term maintenance of the right of way needs to mitigate these impacts.

Herbicide applications should be prohibited throughout the wetlands and buffer zones. Because of the critical importance of wetland resource areas, Massachusetts and each individual community along its route within the Ipswich River Watershed have enacted strong wetlands protection laws and regulations. The EIS must require that any proposed construction be evaluated based on these laws and conditioned and mitigated based on these local rules.

Conservation Areas. The Ipswich River is fortunate to have a large percentage of its watershed protected

by conservation lands. These lands include public water supply protection areas, state forests & parks, town conservation lands, non-governmental conservation areas and private conservation restrictions. Many of these lands are “permanently” protected by Article 97 of the state constitution. The proposed project is clearly designed to target these lands (to avoid developed areas) and its route is largely determined by the location of these lands. A large percentage of the 120 acres that will be disturbed by the project in the watershed are on these lands. Undeveloped, protected land is critical for protecting the water quality and quantity in the watershed (surface and groundwater). The EIS should analyze the cumulative impact on these lands and require alternatives in less sensitive areas.

Riverbank The pipeline is proposed to be built for more than 2 miles immediately on the riverbank and tributaries and will disturb more than 50 acres of land in the 200 foot Riverfront Area which is protected by the Massachusetts Rivers Protection Act. The EIS must require that the proponents evaluate the impact of construction and the permanent right of way against the Rivers Protection Act and mitigate according to its provisions. Because the Act prohibits most forms of new construction within 100 feet of a river or perennial stream, alternatives to construction in these sensitive areas should be mandated.

The Ipswich River and its tributaries support one of the few viable coldwater fisheries in Eastern Massachusetts. This habitat is maintained primarily due to the shading provided by tree cover. The proposed construction and maintenance of the pipeline right of way will require that these lands be kept clear of tree cover. Because of the amount of the proposed route within the Riverfront area to the river and its tributaries, the cumulative impact of construction and permanent right of way maintenance on the cold water habitat must be fully evaluated and mitigated.

Wildlife habitat The Ipswich River Watershed supports some of the largest and most intact wildlife habitats in Eastern Massachusetts because of the high percentage of protected conservation lands. As such, the watershed supports a tremendous diversity and abundance of wildlife including rare and exemplary natural communities. The EIS must evaluate the impact on these resources and the proposed route should be modified to avoid these areas. The proposed route will create a permanently cleared swath through interior forest habitats which will have a detrimental effect on interior forest species. In addition, pipeline corridors act as gateways for the spread of invasive species which will have a major negative impact on native flora and fauna. The EIS must evaluate the cumulative impact on interior-dependent species as well as the impact on encouraging the spread of invasive species into natural areas. Since it may not be feasible to mitigate these impacts, the proposed route should avoid interior forest habitats altogether.

Underground hydrology The Ipswich River watershed tends to contain relatively small and shallow aquifers. Both the public water supplies and wildlife habitats supported by the river are significantly influenced by these aquifers. The installation of underground pipelines can have major detrimental effects on these shallow aquifers including functioning as a conduit to move ground water and infiltrating storm water along these routes. The impact of the proposed pipeline on these unique aquifers needs to be evaluated and the back filling plan needs to include fill conditions to prevent intra and inter aquifer impacts. Additionally, several areas along the proposed route in the upper watershed traverse former dump areas and otherwise contaminated areas. The EIS must take into account the impact of construction on these areas and a contingency plan must be in place should construction encounter contamination along the route.

Recreational values. Due to its proximity to large numbers of people and its relatively well-conserved landscape, the Ipswich River Watershed is one of the region’s leading recreational resources. Recreational values such as boating, fishing, hiking, biking, hunting, cross-county skiing, shellfishing, birding, photography and other forms of passive recreation are paramount. An 11-mile 100 foot construction and a 50 foot wide permanently cleared swath will have significant detrimental impacts to these resources. The EIS needs to take these values into account and alternatives identified.

On behalf of the Ipswich River Watershed Association, thank you for considering these comments.

Sincerely,

Wayne Castonguay  
Executive Director

20150831-5337

**Chesapeake Bay Foundation**  
Saving a National Treasure

August 31, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

Submitted via eComment at [www.ferc.gov](http://www.ferc.gov)

Re: Comments on EIS Scoping Process for Northeast Energy Direct Project, Docket No. PF14-22-000

To Whom It May Concern:

On behalf of the Chesapeake Bay Foundation, Inc. (CBF) and over 200,000 of our members, please accept the following comments on the scoping process for the Federal Energy Regulatory Commission's (FERC) preparation of an Environmental Impact Statement (EIS) for Tennessee Gas Pipeline Company, LLC's (TGP) Northeast Energy Direct (NED) Project, Docket No. PF14-22-000.

CBF is a 501(c)(3) organization with its headquarters in Annapolis, Maryland and offices in Harrisburg, Pennsylvania; Richmond, Virginia; Norfolk, Virginia; Easton, Maryland; and the District of Columbia. CBF is the largest conservation organization dedicated solely to protecting the Chesapeake Bay and its many tributaries throughout the 64,000-square-mile watershed.

Since 2010, CBF has worked tirelessly to support the implementation of the Chesapeake Bay Clean Water Blueprint. The Blueprint consists of pollution limits for nitrogen, phosphorous, and sediment established by the United States Environmental Protection Agency (EPA) in the Chesapeake Bay Total Maximum Daily Load (TMDL),<sup>1</sup> and the corresponding State-created Watershed Implementation Plans (WIPs)<sup>2</sup> that detail pollution reduction activities to achieve these limits. Roughly two-thirds of the Commonwealth of Pennsylvania and a large percentage of the southern tier of New York drain to the Chesapeake Bay. CBF urges FERC to consider how the NED Project—and existing and planned natural gas development in the region cumulatively—will impact Bay States' ability to achieve TMDL pollution reduction goals for nitrogen, phosphorous, and sediment.

The proposed NED Project route traverses roughly 135 miles within the Chesapeake Bay watershed and lies entirely within the Chesapeake Bay airshed.<sup>3</sup> In addition to the natural gas pipeline, the Project includes eight new compressor stations, 16 new meter stations, modifications to existing compressor and meter stations along the route, and construction of other associated facilities.<sup>4</sup> In Pennsylvania and New York alone, at least 4,698 acres of land will be affected during construction and 1,115 acres will be permanently affected during operation of the pipeline.<sup>5</sup>

A variety of environmental impacts are associated with unconventional natural gas development.<sup>6</sup> Many of these impacts, individually and cumulatively, may pose risks to the health of the Chesapeake Bay and its many tributaries.

Construction of natural gas pipelines and infrastructure increases forest loss and erosion. Loss of forest land negatively effects the watershed by removing the valuable filtering processes performed when forests filter and slow runoff and absorb harmful nitrogen oxides from the air. In addition, the NED Project area is located where there are erodible, steep slopes and farmland. Disturbance of forested mountain sides and certain agricultural lands during construction, along with the impacts of soil compaction and deforestation post-construction, can reasonably be expected to alter site conditions so as to cause or contribute to increased rill and gully erosion, decreased infiltration of precipitation, increases in peak rate and volume of stormwater

discharge, and downstream water quality degradation.

The Project location is an area that supports a number of Pennsylvania's most pristine and ecologically sensitive streams. The Pennsylvania Department of Environmental Protection classifies these streams as high quality ("HQ") and exceptional value ("EV") based on specific water quality criteria. Similarly, streams containing naturally reproducing wild trout populations are foremost indicators of exceptional water quality, and as such are found only in the Commonwealth's most pristine and ecologically sensitive waters. The area proposed for this pipeline project holds a number of Pennsylvania's designated Class A Wild Trout Streams. Although New York and Pennsylvania State erosion and sediment regulations and best management practices (BMPs) attempt to minimize negative environmental impacts resulting from construction and maintenance of pipelines, such regulation is not designed to achieve a no-net increase in pollutant loads. Increased pollutant loads to local rivers and streams, and ultimately the Bay, may impact the States' ability to meet their requirements under the Chesapeake Bay Clean Water Blueprint. The FERC's EIS must address whether site-specific erosion and sediment control plans are necessary to supplement TGP's statespecific erosion and sediment control plans.

The NED Project and the FERC-Certified Constitution Pipeline<sup>7</sup> follow an almost identical route from Susquehanna County, Pennsylvania to Schoharie County, New York. The consecutive construction of these pipeline projects will increase the length of construction time and the impact to local waterbodies and land-owners. In addition, the FERC acknowledged that "[t]he permanent impacts of these projects, for example, loss of forested lands, could result in significant cumulative impacts."<sup>8</sup> The FERC's EIS must thoroughly address these cumulative impacts and determine whether even the most stringent conditions and mitigation requirements can ensure no-net increase in sediment, nitrogen, and phosphorous pollutant loads to the Bay watershed or airshed.

Natural gas pipelines are part of a larger trend of natural gas development in the Marcellus Shale formation. A 2010 study by The Nature Conservancy (TNC), for example, projects between 34,000 and 83,000 acres of forest will be cleared in Pennsylvania during the next fifteen years for natural gas well pads.<sup>9</sup> Various water quality impacts and air pollution from trucks, wells, compressor stations, and pipelines have been widely documented in areas with active shale oil and gas development around the country, including development of the Marcellus Shale formation in the Susquehanna River basin. Most recently, the New York State Department of Health acknowledged that the "significant uncertainties about the kinds of adverse health outcomes that may be associated with" high volume hydraulic fracturing (HVHF) and recommended that New York State ban HVHF until sufficient evidence ensures that the risks can be "adequately managed."<sup>10</sup>

Given the diversity and magnitude of the potential impacts of the proposed NED Project, the projected intensification of unconventional natural gas extraction activities within the Bay watershed, along with the recognition that state permitting requirements do not fully mitigate environmental impacts, the Chesapeake Bay Foundation reasserts the need for a Programmatic Environmental Impact Statement (PEIS) on the impact of unconventional natural gas extraction in the Marcellus Shale region on the Chesapeake Bay watershed.

CBF originally made this request regarding Marcellus Shale basin activities in an April 2011 petition to the Council on Environmental Quality (CEQ) and to all federal agencies involved in unconventional natural gas drilling activities, including the FERC.<sup>11</sup> CBF called on CEQ to undertake a cumulative impacts analysis to determine the effects that drilling and natural gas activities in the Marcellus Shale region have on human health and the environment. Additionally, we petitioned CEQ to promulgate any necessary guidance and regulations based upon the findings in the PEIS and to comply with the mandates of Executive Orders 13508, 11514, 11991, and 13352. CBF has also submitted comments on a number of individual natural gas development projects within the watershed, including the Constitution Pipeline.

CBF respectfully asks the FERC to complete an Environmental Impact Statement that addresses the complete scope of potential impacts to air, water quality, forest, ecosystems, forest land, national park land, wildlife habitat, and ecosystems as a result of the NED Project. The FERC's EIS should include both indi-

vidual and cumulative impact, particularly the cumulative impacts associated with the Constitution Pipeline. CBF also requests that the FERC conduct a robust analysis of project alternatives that fully accounts for the potential of renewable energy sources and strategies to reduce overall demand (i.e., energy efficiency). Indeed, a study commissioned by New England states found “that new infrastructure could be avoided entirely if energy efficiency, renewable heating, and distributed renewables keep gas demand low.”<sup>12</sup> FERC should only issue a Certificate for Public Convenience and Necessity to the NED Project if it finds that the natural gas proposed to be delivered is so necessary as to outweigh the significant environmental and private property impacts—a finding that must be clearly addressed in the EIS.<sup>13</sup>

Thank you for the opportunity to provide comments.

Sincerely,

Harry Campbell, Pennsylvania Executive Director  
Chesapeake Bay Foundation

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1 U.S. Env'tl. Prot. Agency, Chesapeake Bay Total Maximum Daily Load for Nitrogen, Phosphorous and Sediment (Dec. 2010), available at <http://www.epa.gov/reg3wapd/tmdl/ChesapeakeBay/tmdlexec.html>.

2 See Pa. Dep't of Env'tl. Prot., Pa. Chesapeake Watershed Implementation Plan Phase 2 (Mar. 2012); N.Y. Dep't of Env'tl. Conservation, Final Phase II Watershed Implementation Plan (Jan. 2013).

3 See Tennessee Gas Pipeline Co., L.L.C., Northeast Energy Direct Project: Draft Environmental Report, Resource Report 1, General Project Description (Nov. 2014).<sup>5</sup> Id. at 1-45.

4 Id. at 1-2.

5 Id. at 1-45.

6 See, e.g., David M. Kargbo, Ron G. Wilhelm, David J. Campbell, Natural Gas Plays in the Marcellus Shale: Challenges and Potential Opportunities, 44 Env'tl. Sci. & Tech. 5679-5684 (2010); Robert M. Anderson, Danielle A. Kreeger, Potential for Impairment of Freshwater Mussel Populations in DRBC Special Protection Waters as a Consequence of Natural Gas Exploratory Well Development (2010), available at <http://delawareestuary.org/STACReports>; Jerry V. Mead, Frank Anderson, David Velinsky, and Richard Horwitz, The Marcellus Shale Play: Impacts to Stream Ecosystems and Potential Regulation of Intensity of Mining (2011), available at [www.pinchot.org/uploads/download?fileId=955](http://www.pinchot.org/uploads/download?fileId=955); Michele C. Adams, Delaware Riverkeeper Network, Evaluation of Erosion and Sediment Control and Stormwater Management for Gas Exploration and Extraction Facilities in Pa. under Existing Pa. Regulations and Policies to Determine if Safeguards Protect Water Quality in Special Protection Waters of the Delaware Basin (Nov. 15, 2010).

7 FERC, 149 FERC ¶ 61,199, Order Issuing Certificates and Approving Abandonment (Dec. 2014), available at <http://www.ferc.gov/CalendarFiles/20141202171918-CP13-499-000.pdf>.<sup>4</sup> Id. at 1-2.

8 Federal Energy Regulatory Comm'n, Final Env'tl. Impact Statement: Constitution Pipeline and Wright Interconnect Projects, at 4-238 (Oct. 2014) (emphasis added).

9 Nels Johnson et al., The Nature Conservancy and Audubon Pa., Pennsylvania Energy Impacts Assessment Report 1: Marcellus Shale Natural Gas and Wind, at 29 (2010), available at [http://www.nature.org/media/pa/tnc\\_energy\\_analysis.pdf](http://www.nature.org/media/pa/tnc_energy_analysis.pdf).<sup>10</sup> New York State Dep't of Health, A Public Review of High Volume Hydraulic Fracturing for Shale Gas Development, at 2 (Dec. 2014).

11 Chesapeake Bay Found. et al., Citizen Petition Requesting the Completion of a Programmatic Env'tl. Impact Statement and Regulations Addressing the Cumulative Impacts of Drilling in the Marcellus Shale Formation in the Chesapeake Bay States (Apr. 2011), available at <http://www.cbf.org/document.doc?id=640>.

## 20150831-5343

Russell Bennett, Averill Park, NY.

On August 18, 2015 the EPA proposed what it described as a “suite of common sense requirements to ...re-

duce air pollution that harms public health”. Among these requirements was a set of provisions addressing natural gas compressor stations. The proposed requirements encouraged use of dry seal compressors; replacement of rod packing systems in reciprocating compressors every 26,000 hours of operation or every 36 months or capturing rod packing emissions in a closed vent system; and, most importantly, using optical gas imaging equipment to monitor leaks (which must be repaired within 15 days).

I would submit that the proposed requirements are indeed common sense and should be imposed as a mitigation measure by FERC for the NED pipeline. Mitigation of some of the air quality effects of the newly proposed compressor stations could potentially be achieved by requiring the applicant to put these new procedures in place for ALL its existing compressors prior to construction of any new pipeline i.e., offset new emissions by reducing existing unnecessary emissions in the applicant’s current operations.

## 20150831-5351

Susan Phillips, Windsor, MA.  
To the Commissioners, FERC

Re: Northeast Energy Direct LNG Pipeline proposal, Kinder Morgan and Tennessee Gas & Pipeline

I’m filing these comments as a resident of Windsor, MA, proposed location for one of the compressor stations proposed for this project.

Like most Windsor residents, I believe this project poses a serious risk to the quality of life and the economic viability of our town, which counts as its primary assets its scenic and wild landscape, rural and agricultural character, abundant wildlife, artisan community members, and easy access to the cultural resources of Berkshire County and surrounding areas.

I am also frustrated with this comment process, as many of the most important details surrounding the environmental and other impacts of this proposal are still missing from Kinder Morgan’s filing with the Commission. These details will not be provided until my opportunity to comment upon them has passed, which seems contrary to the principles of the comment process itself.

Some of the most egregious examples of information that Kinder Morgan has not yet provided:

“Air emission estimates for the compressor stations for all criteria pollutants, speciated hazardous air pollutants, and greenhouse gasses.”

“Fugitive methane emissions from aboveground facilities.”

“Ambient noise, acoustical analysis, construction noise impact, compressor station noise mitigation requirements.”

Wetland and waterbody surveys...potential impacts to groundwater of compressor stations...avoidance and mitigation measures around wellheads and protected areas...location of contractor yards...possible construction of communication towers...All “TBP”.

It’s hard to comment intelligently in the absence of information. Still, some points can be made: Kinder Morgan has not provided a serious and substantive economic analysis of the costs and benefits of this project to the affected areas and to the region generally. “More cheaper energy good” is as far as they seem to go in their thinking. There is no documentation of any commitment from Kinder Morgan to sell the LNG to pipeline-affected communities, there is no commitment from Berkshire Gas to lift its moratorium on gas hookups (which tactic, by the way, when employed by a heavily regulated quasi-monopoly in the utility sector is either the next best thing to blackmail or an admission of incredible levels of incompetence in managing their supply chain in a responsible fashion).

Massachusetts residents and communities have taken to renewable – particularly solar -- power enthusiastically, and will continue to add capacity as long as the regulator framework continues to support it.

Unlike the sun, energy coming from the Marcellus Shale is of uncertain quantity and recoverability. As the environmental downsides become better known – water pollution, earthquakes, methane – the costs associ-

ated with recovering the resource will undoubtedly go up. There are 17 major pipeline proposals percolating in the Marcellus, which looks like a bit of a landrush/bubble rather than a well-designed roll out of needed infrastructure.

As you consider Kinder Morgan's proposal, please keep in mind the profound, irreversible impact it will on Windsor and other communities along the pipeline's path.

## 20150831-5352

David R Musser, Colonie, NY.

Building new natural gas pipelines, which will inevitably encourage further production and consumption of natural gas, is the wrong direction for New York State and the northeast region to be going in. Because of the threat of global warming we should be moving away from fossil fuel infrastructure and consumption; we should instead be encouraging the development of renewable energy (solar, wind, hydro) that is crucial to both economic and environmental well-being.

Permitting the development of the Northeast Energy Direct Pipeline would be abdication of FERC's regulatory responsibility: aside from contributing to climate change, (1) it is unnecessary, given the overabundance of natural gas supplies as reflected in its low market price; (2) it appears not even to be a sound fiscal investment by Kinder Morgan Energy, and the company's future losses could become burdens not only to its shareholders but to tax payers; (3) numerous studies have shown that far more jobs are created by the same dollar investment in renewable energy infrastructure.

These are effects that may take place over several years and even decades, but the pipeline will also bring immediate harm to the environment and to quality of life of those living along the pipeline route - especially those near compressor stations, which are large industrial installations property owners could not have anticipated.

## 20150831-5358

*{13 pages}*    {skip to end of 20150831-5358}

### United States Department of the Interior

#### NATIONAL PARK SERVICE

Northeast Region

United States Custom House

200 Chestnut Street

Philadelphia, PA 19106

August 31, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426  
[www.ferc.gov](http://www.ferc.gov)

**Subject: FERC Docket PF14-22-000 – Notice of Intent to Prepare an Environmental Impact Statement for the Planned Northeast Energy Direct Project (Tennessee Gas Pipeline Company, L.L.C.); in Pennsylvania, New York, Massachusetts, New Hampshire and Connecticut; NPS (ER 15/0370)**

Dear Secretary Bose,

The National Park Service (NPS) is pleased to provide comments on the Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) for the Northeast Energy Direct Project (NED). NED would involve the construction and operation of natural gas facilities by Tennessee Gas Pipeline Company, L.L.C. (TGP), in Pennsylvania, New York, Massachusetts, New Hampshire and Connecticut. The NED Project would consist of the construction and operation of approximately 412 miles of new natural gas transmission pipeline and associated facilities, including modifications at existing compressor and meter stations, and

construction of nine new compressor stations, fourteen new meter stations, and various appurtenant facilities. These facilities would be capable of providing 2.2 billion cubic feet per day of capacity to transport natural gas to markets in the northeastern United States and Canada. The pipeline includes supply path and market path components. NED also includes construction of nine pipeline laterals, loops or delivery lines in Massachusetts, Connecticut and New Hampshire to provide natural gas to local markets. These comments submitted by NPS address all components of the proposed project.

### **I. Potential Direct Impacts**

The NPS has concerns regarding potential impacts to rivers designated, or legally designated for study, under the Wild and Scenic Rivers Act (WSRA): 1) the Westfield River, a designated Wild and Scenic River, in Massachusetts; 2) the Lower Farmington River, a WSRA study river, in Connecticut; and 3) two segments of the Nashua River, the Squannacook and the Nissitissit, WSRA study rivers, in Massachusetts and New Hampshire. In addition, a number of rivers proposed for crossing by the NED pipeline are on the Nationwide Rivers Inventory (NRI). NPS, and all federal agencies, have responsibilities under the NRI. More information on these requirements is provided below.

NPS is also concerned about potential impacts to the Deerfield Village National Historic Landmark (NHL) District, and the Captain John Smith Chesapeake National Historic Trail. NPS has responsibilities for protection of these resources which are detailed below.

Overall, NPS administers or has program responsibilities for a number of units and program lands in this area of the East. Those located within 5 miles of either side of the proposed pipeline are listed below. Additional information is provided for those units and program lands within 2.5 miles of each side of the pipeline. We understand that the final route has not quite been set yet. We are pleased to see that so few units and program lands would be directly impacted by the current pipeline route. NPS thanks TGP, in particular, for their efforts to find a suitable crossing of the Appalachian National Scenic Trail, as we detail below.

### **Wild and Scenic Rivers**

The Wild and Scenic Rivers Act (Public Law 90-542) states, in Section 1(b) of the Act, Congressional policy for America's rivers,

*“It is hereby declared to be the policy of the United States that certain selected rivers of the Nation which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values, shall be preserved in free-flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations.”*

Section 7(a) of the WSRA specifies that, “no department or agency of the United States shall assist by loan, grant, license, or otherwise in the construction of any water resources project that would have a direct and adverse effect on the values for which such river was established, as determined by the Secretary charged with its administration” (in this case, the Secretary of the Interior, through the NPS). NPS looks forward to consultation with FERC in order to make our required determinations.

The Westfield River is a Wild and Scenic River located in western Massachusetts. It is unclear from the shapefiles if the proposal is to cross the river in the electric transmission corridor right-of-way (ROW), to expand the ROW to include the pipeline, or to build a new ROW adjacent to the existing ROW for the NED project. See Figure 1 below. Regardless, there would be potential new impacts to the river. NPS would prefer underground crossings using horizontal directional drilling (HDD), jack and bore, or other such techniques, but will take up this topic during required consultation.

*{areal photo omitted}*

Figure 1: The Proposed NED Pipeline Crossing of the Westfield Wild and Scenic River in Massachusetts.

## Interim Protection of Study Rivers

The NED Project also proposes to cross a number of WSRA Study Rivers. Resource values contributing to the potential designation of such congressionally authorized study segments are afforded statutory protection under the Wild and Scenic Rivers Act. Section 7(b) of the WSRA says,

*“...and, no department or agency of the United States shall assist by loan, grant license or otherwise in the construction of any water resources project that would have a direct and adverse effect on the values for which such river might be designated, as determined by the Secretary responsible for its study or approval”*

(and)

*“Nothing in the foregoing sentence, however, shall preclude licensing of, or assistance to, developments below or above a potential wild, scenic or recreational river area or on any stream tributary thereto which will not invade the area or diminish the scenic, recreational, and fish and wildlife values present in the potential wild, scenic or recreational river area...”*

The Lower Farmington River, in Connecticut, was designated for study by Public Law PL109-370. See Figure 2 below.

*{map omitted}*

Figure 2: The Proposed NED Pipeline Crossing of the Lower Farmington River in Connecticut.

The Nashua River and its tributaries, the Squannacook and Nissitissit Rivers, and their tributaries were designated for study by Public Law PL113-291. See Figures 3, 4, and 5 below.

*{map omitted}*

Figure 3: The Proposed Fitchburg Lateral - NED Pipeline Crossing of the Squannacook River and its tributaries, Walker Brook, Locke Brook, Willard Brook and Pearl Hill Brook in Massachusetts.

*{map omitted}*

Figure 4: The Proposed Fitchburg Lateral - NED Pipeline Crossing of the Nissitissit River and its tributary, Gould Mill Brook in New Hampshire.

*{map omitted}*

Figure 5: The Proposed Fitchburg Lateral - NED Pipeline Crossing of Spaulding Brook and Mitchell Brook, which are tributaries of the Nissitissit River in New Hampshire.

## Nationwide Rivers Inventory

The Nationwide Rivers Inventory (NRI) is a listing of rivers that have been considered under the criteria of the National Wild and Scenic Rivers Act (P.L. 90-542, as amended). Included on the list are rivers and river segments that meet the minimum criteria for further study and/or potential designation and inclusion in the National Wild and Scenic Rivers System.

The Council on Environmental Quality (CEQ) provides guidance to federal agencies with permitting and/or granting authority for projects on or near rivers listed on the NRI. In accordance with a 1979 Presidential Directive, all agencies must “take care to avoid or mitigate adverse effects” to rivers identified in the Nationwide Rivers Inventory.

NPS is available to assist other federal agencies in carrying out this process; however, it is the role of the federal permitting agency (not the National Park Service) to ensure that effects to NRI rivers are avoided or mitigated. Adverse impacts are defined as actions which could diminish the free-flowing, water quality, undeveloped characteristics, or the outstandingly remarkable values of a river listed in the NRI. Such activities could jeopardize the river segment’s ability to meet the eligibility and classification criteria for inclusion in the National Wild and Scenic River System.

If a proposal, including one or more alternatives, could have an adverse effect on a river or river segment listed in the NRI, the CEQ guidelines require that an environmental assessment or, if the effects are sig-

nificant, an environmental impact statement must be prepared. Further, all federal agencies are required to consult with the National Park Service prior to taking actions which could effectively foreclose wild, scenic or recreational classification or designation entirely for rivers or river segments listed in the inventory. All federal agencies are obligated by the President's directive to "... take care to avoid or mitigate adverse effects on the rivers identified in the Nationwide Inventory..."

The main steps in reviewing potential impacts to NRI-listed rivers are to:

- 1) Determine whether the proposed action could affect an NRI river.
- 2) Determine whether the proposed action could have an adverse effect on the natural, cultural, and recreational values of the NRI segment.
- 3) Determine whether the proposed action could foreclose options to classify any portion of the NRI segment as wild, scenic, or recreation river areas.
- 4) Incorporate mitigation/avoidance measures in the proposed action to the maximum extent feasible within the agency's authority.

NPS has identified the following NRI listed rivers as potentially impacted by the NED Project via the following river crossings.

- Deerfield River: one crossing in Massachusetts (see Figure 6 below)
- Souhegan River: four crossings in Massachusetts (see Figure 7 below)
- Susquehanna River: one crossing in Pennsylvania (see Figure 8 below)

NPS looks forward to consultation and is ready to assist FERC in carrying out the required processes.

*{map omitted}*

Figure 6: The Proposed NED Pipeline Crossing of the Deerfield River in Massachusetts.

*{map omitted}*

Figure 7: The Proposed NED Pipeline Crossing of the Souhegan River in Massachusetts.

*{map omitted}*

Figure 8: The Proposed NED Pipeline Crossing of the Susquehanna River in Pennsylvania.

### **National Historic Landmarks (NHLs)**

The NPS manages the NHL program on behalf of the Secretary of the Interior and has responsibilities under the National Historic Preservation Act (NHPA) Section 106 and Section 110(f) to review and comment on projects affecting NHLs. The proposed pipeline appears to cross through one NHL.

#### **Old Deerfield Village Historic District NHL**

It appears from the route shapefiles provided that the NED pipeline would directly impact the Old Deerfield Village Historic District NHL. See Figure 9 below. We hereby request to be a consulting party under Section 106 of the National Historic Preservation Act (NHPA), and look forward to participating in this important process.

*{map omitted}*

Figure 9: Old Deerfield Village Historic District NHL (NRIS #660007741) and the Proposed NED Pipeline

Old Deerfield Village Historic District NHL is managed primarily by two non-NPS entities whose contact information appears below. We recommend that FERC work directly with them during your planning process and consider any potential impacts to archaeological resources, while keeping NPS involved as a consulting party.

#### **Deerfield Village Significance**

When first settled in the 1660s, Deerfield was an extreme northern outpost of English America. Indian raids virtually destroyed the settlement on several occasions, but it was rebuilt each time, and by the 1750s Deer-

field had become the center of a thriving wheat industry and an important market town. Many of its colonial buildings have been preserved and are open to the public in one of America's most impressively restored and best-interpreted historic communities.

### **Boundary Justification**

Old Deerfield Village possesses an unusual degree of integrity in that its historic buildings and street plan are relatively unaltered and the original settlers' farming and grazing tracts in the North and South Meadows remain in active agricultural use. To maintain that integrity the entire complex of village and meadows is included in the national historic landmark boundary.

### **Historic Deerfield, Inc.**

Under the auspices of Historic Deerfield, Inc., a publicly supported organization established in 1952, Deerfield Village has become one of the most effective community restorations in America.

Historic Deerfield Inc. is an outdoor history museum that focuses on the history and culture of the Connecticut River Valley and early New England. It has a dual mission of educating the public about the lifestyles of the diverse people who lived here long ago and of preserving antique buildings and collections of regional furniture, silver, textiles, and other decorative arts. First settled in 1669, Deerfield is one of the few towns settled by English colonists along the eastern seaboard that retains its original scale and town plan. Visitors are offered guided and self-guided tours of 12 antique houses ranging in age from 1730 to 1850. Eleven of these houses are on their original sites.

The organization interprets more than 300 years of stories that reflect the rich and diverse social, cultural and economic history of Deerfield and the region. The Pocumtucks, English, French, enslaved and free Africans, as well as later immigrant groups such as the Polish, frame the stories Historic Deerfield tells.

Contact:

Philip Zea, President  
Historic Deerfield  
PO Box 321  
84B Old Main Street  
Deerfield, MA 01342  
413-774-5581

### **Pocumtuck Valley Memorial Association**

The mission of Deerfield's Pocumtuck Valley Memorial Association, reflecting the history of New England as well as that of the nation, is focused on preserving and communicating the multi-cultural history of the Connecticut and Deerfield River Valleys, with emphasis on "old Hampshire County", and present day Franklin, Hampshire, and Hampden Counties.

Contact:

Tim Neumann, Executive Director  
TNeumann@deerfield.history.museum  
Pocumtuck Valley Memorial Association (main office)  
P.O. Box 428  
10 Memorial Street  
Deerfield, MA 01342-0428  
413-774-7476 x 10  
pvmaoffice@deerfield.history.museum

There are additional NHLs located within five miles of the current proposed pipeline route. Information on each of these is detailed below under Route Changes.

### **National Trails**

#### **The Captain John Smith Chesapeake National Historic Trail**

The Captain John Smith Chesapeake National Historic Trail is managed by the NPS Chesapeake Bay Office (NPS CHBA). The pipeline is proposed to cross the Smith Trail north of the town of Wyalusing, Pennsylvania and runs parallel to the Smith Trail in New York. See Figures 10 (PA) and Figure 11 (NY) below.

NPS requests that the Environmental Impact Statement (EIS) consider the potential impacts from construction and operation of the proposed project to the resources of the Captain John Smith Chesapeake National Historic Trail. Trail resources include, but are not limited to: evocative landscapes, indigenous cultural landscapes, historic American Indian town sites, significant American Indian archeological sites, landscape features and cultural sites of significance to modern American Indian tribes, visitor experience, viewshed impacts and public access sites.

Specifically, the Feasibility Study for a Potential Susquehanna Connector Trail for the Captain John Smith Chesapeake National Historic Trail notes the Wyalusing area was linked to the North and West Branch confluence area by significant native trails. “Bradford County, PA and Tioga County, NY, along the Upper Susquehanna show a significant complex of sites associated with the Susquehannock Indians and with 16th century accounts of the area as a center of native habitation along the Susquehanna River.” (Feasibility study, p. 64). The map below indicates Indian villages that have been documented by various sources. See Figure 12 below. This area also provides landscapes such as those viewed from Wyalusing Rocks Scenic Overlook that are important to the Smith Trail and modern American Indian tribes. NPS can provide additional information to FERC and the applicant regarding specifics of these trail resources upon request.

The NPS, Captain John Smith Chesapeake National Historic Trail representative and lead contact is Charles Hunt, Superintendent at Charles\_hunt@nps.gov or 410-260-2471.

*{map omitted}*

Figure 10: The Proposed NED Pipeline Crossing of the Captain John Smith Chesapeake National Historic Trail in Pennsylvania.

*{map omitted}*

Figure 11: The Captain John Smith Chesapeake National Historic Trail and the Proposed NED Pipeline in New York.

*{map omitted}*

Figure 12: The Captain John Smith Chesapeake National Historic Trail, Past Settlement, and the Proposed NED Pipeline.

### **The Appalachian National Scenic Trail**

The Appalachian National Scenic Trail (Trail) is a 2,189-mile footpath that traverses through the scenic, wooded, pastoral, wild, and culturally resonant lands of the Appalachian Mountains across fourteen of the eastern United States, from Katahdin in Maine to Springer Mountain in northern Georgia. Conceived in 1921 and completed in 1937, the Trail was built and is still maintained by volunteers, giving rise to its nickname, “the people’s trail” and is enjoyed by an estimated 2 to 3 million people each year. The Trail was designated as the first National Scenic Trail by the National Trails System Act of 1968 and it is arguably the most famous hiking path in the world. The Trail offers opportunities for viewing spectacular scenery and opportunities for a variety of recreational activities, and lies within a day’s drive of two-thirds of the American population. Furthermore, the Trail is eligible for listing in the National Register of Historic Places (NRHP), and the NPS has prepared documentation to formally list it on the NRHP.

As FERC is aware, Title 30 of the United States Code (U.S.C.) Section 185, Rights of Way for Pipelines through Federal Lands, specifically excludes units of the national park system and many other specifically protected federal properties from the Secretarial authority to issue rights-of-ways for petroleum product pipelines and associated facilities. This exclusion applies to lands “administratively transferred” to other federal and state agencies. The authorities for the National Park System to issue rights-of-way permits, Title 16 U.S.C. Sections 5 and 79, also do not include petroleum product pipelines as a utility to which a right-of-way permit may be issued.

NPS is pleased that TGP is proposing to utilize a crossing of the Trail in an existing transmission corridor right-of-way on non-NPS lands. See Figure 13 below. While there will still be some impacts, this location is the best scenario for a crossing of the Trail. Resource Report 8, filed with FERC, mentions the need to coordinate with NPS to further avoid, minimize or mitigate impacts. We look forward to such coordination directly with the Trail office. NPS also highly recommends coordination with our management partner, the Appalachian Trail Conservancy, (<http://www.appalachiantrail.org/>) if such coordination is not already taking place.

*{map omitted}*

Figure 13: The Proposed NED Pipeline Crossing of the Appalachian National Scenic Trail.

The NPS, Appalachian National Scenic Trail representative and lead contact is Wendy Janssen, Superintendent, at [Wendy\\_Janssen@nps.gov](mailto:Wendy_Janssen@nps.gov) or (304) 535-6279.

## **II. Route Changes**

The NPS understands that project planning at this stage does not reflect the final pipeline route as landowner agreements are finalized and alternatives are developed. There are a number of NPS units and program lands within five miles of the proposed pipeline route. Should the route change, these units and program lands may be impacted. For those lands within 2.5 miles of the current route we provide more detailed information. For those program lands 2.5 – 5 miles from the current route we provide a list. NPS requests to be kept apprised of any further route or overall project changes, and can provide contact information and additional assistance should it be needed.

### **National Parks**

#### **Lowell National Historical Park**

America's self-image is founded in part on the nation's rapid rise to industrial preeminence by World War I. While there is no single birthplace of industry, Lowell's planned textile mill city, in scale, technological innovation, and development of an urban working class, marked the beginning of the industrial transformation of America. Visitors can see today the working components of this early manufacturing center---the dam and nearly six miles of canals that harnessed the energy of the Merrimack River; the mills where the cloth was produced; a boardinghouse representing the dozens of like buildings that housed the workers; the churches where they practiced their faiths; the ethnic neighborhoods. These are the roots of American industry and of American working people.

Lowell National Historical Park is also a National Historic Landmark, and is located within 5 miles (but more than 2.5 miles) from the proposed NED pipeline.

Contact:

Lowell National Historical Park  
67 Kirk Street  
Lowell, MA 01852  
(978) 275-1700

### **National Historic Landmarks (NHLs)**

As stated above, the NPS manages the NHL program on behalf of the Secretary of the Interior and has responsibilities under the NHPA Section 106 and Section 110(f) to review and comment on projects affecting NHLs. We do not anticipate any impacts from the proposed pipeline to the landmarks listed below given the current proposed route. NPS requests to be kept informed should the route change, or any alternatives or pipeline infrastructure or construction components move closer to these locations. Each of these sites is privately managed. NPS can provide contact information for these managers should this information not be readily available to FERC.

There are no NHLs in Pennsylvania or New Hampshire within five miles of the current pipeline route. There

are no NHLs within 2.5 miles of the NED route in New York.

#### **New York NHLs 2.5 - 5 Miles of the NED Route**

- Delanson Historic District (NRIS #84003181)
- Fort Crailo (NRIS #66000563)

#### **Massachusetts NHLs within 2.5 Miles of the NED Route**

##### **Derby Summerhouse**

The Derby Summer House (sometimes called the McIntire Tea house) was designed by Samuel McIntire for Elias Haskett Derby of Salem in 1793 and was constructed by McIntire in July 1794. The Derby Summer House is unique. There is no other extant building like it in the United States today. Aside from its rarity, the Summer House is important because it represents American Federal architecture at its finest. The Federal style was based on the work of the Scottish architect Robert Adam who studied private homes in ancient Rome, especially at Pompeii and Herculaneum<sup>2</sup>. See Figure 14 below.

Contact: Danvers Historical Society: <http://danvershistory.org/>

*{map omitted}*

Figure 14: Derby Summerhouse NHL (NRIS#68000020) and the Proposed NED Pipeline

#### **Massachusetts NHLs 2.5 - 5 Miles of the NED Route**

- Crane and Company Old Stone Mill Rag Room (NRIS #83004376)
- Lowell Locks and Canals Historic District (NRIS #76001972)
- William Cullen Bryant Homestead (NRIS#66000136)

#### **Connecticut NHLs within 2.5 Miles of the NED Route**

##### **Hill-Stead**

The Hill-Stead Museum is a Colonial Revival house and art museum set on a large estate at 35 Mountain Road in Farmington, Connecticut, USA. It is best known for its French Impressionist masterpieces, architecture, and stately grounds. The property was designated a National Historic Landmark as a nationally significant example of Colonial Revival architecture; built in 1901 to designs that were the result of a unique collaboration between Theodate Pope Riddle, one of the United States' first female architects, and the renowned firm of McKim, Mead & White. The house was built for Riddle's father, Alfred Atmore Pope, and the art collection it houses was collected by Pope and Riddle. See Figure 15 below.

Contact:

Hill-Stead Museum  
35 Mountain Road  
Farmington, CT 06032  
860.677.4787  
[info@hillstead.org](mailto:info@hillstead.org)

##### **Edward W. Morley House**

The Edward W. Morley House is a historic house and National Historic Landmark at 26 Westland Avenue in West Hartford, Connecticut. It is notable as the home of the scientist Edward W. Morley (1838-1923) from 1906 to 1923. Morley is famous for his collaboration with Albert A. Michelson on the Michelson-Morley experiment and for his work on the atomic weights of hydrogen and oxygen. See Figure 16 below.

No Contact: Private Residence

##### **Noah Webster Birthplace**

The Noah Webster House is a historic house museum located at 227 South Main Street, West Hartford, Con-

necticut. It was the home of American lexicographer Noah Webster (1758-1853), and was declared a National Historic Landmark in 1962.

In 1758 the house was the birthplace of Noah Webster. His father mortgaged the farm, including this farmhouse, for Noah to attend Yale College. Webster returned to the house after graduation, and was engaged as a teacher at local schools. His interest in lexicography prompted a series of publications, beginning with a spelling book in 1783 and culminating in the publication in 1828 of his Dictionary of the American Language, which sold millions of copies during his lifetime, and laid down basic principles for dictionaries and spelling books that are still used today. See Figure 16 below.

Contact:

Jennifer DiCola Matos, Executive Director  
227 South Main St. West Hartford, CT 06107  
Phone: 860.521.5362 x 12  
matosj@noahwebsterhouse.org

### **Austin F. Williams Carriage House and House**

The Austin F. Williams Carriagehouse and House is a historic house at 127 Main Street in Farmington, Connecticut. Built in the mid-19th century, the property was designated a National Historic Landmark for the role it played in the celebrated case of the Amistad Africans, and as a “station” on the Underground Railroad.

Austin Williams (1805–1885) and his wife Jennet Cowles Williams were abolitionists. Their property first became important in the Amistad case, when the Mende men who had participated in the revolt on the slave ship La Amistad were released from prison in 1841. Williams purchased this property and erected a dormitory building in which the Mende men could stay while awaiting arrangements for their return to Africa. Williams was friends with Lewis Tappan who was assisting the Africans. The structure that was built is now part of the carriage house. The men did agricultural work during this period. In 1842, the Williams’s built their Greek revival house. The cellar of the carriage house served as a hiding place for escaping slaves as a part of the Underground Railroad. See Figure 16 below.

No Contact: Private Residence

### **Stanley-Whitman House**

The Stanley-Whitman House is a historic house museum at 37 High Street in Farmington, Connecticut. Built c. 1720, it is one of the oldest houses in Farmington. A well-preserved saltbox with post-medieval construction features, it was designated a National Historic Landmark in 1960.

The Stanley-Whitman House is the fourth-oldest existent structure and the oldest eighteenth-century structure in modern day Farmington. A centrally located chimney made of field and sand stone divides the house into two symmetrical halves. The original c. 1720 house had four rooms and a third-story attic space. Family members lived, worked, and entertained in the Parlor and Kitchen on the ground floor and the Parlor Chamber and Kitchen Chamber on the second floor. When second owner Solomon Whitman added a lean-to onto the existing room-over-room 3-storey building in the mid-eighteenth century, he expanded his family’s living space and extended the roof line to create the classic saltbox silhouette for which Stanley-Whitman House is famous. The house was constructed in the framed overhang style, in which the second story extends 18 inches (460 mm) over the first story. Four drop pendants, carved directly from wooden beams in the framework of the house, ornament the overhang; two of these are still original while the other two are reproductions. See Figure 16 below.

Contact:

Lisa Johnson  
Executive Director  
Stanley-Whitman House

37 High Street  
Farmington, CT 06032  
860.677.9222 ext. 305  
lisa@stanleywhitman.org

### **First Church of Christ**

The First Church of Christ, Congregational is a historic church at 75 Main Street in Farmington, Connecticut. Built in 1771, this Greek Revival church was designated a National Historic Landmark in 1975 for its role in sheltering the Amistad Africans before their return to Africa.

The First Church of Christ in Farmington was founded in 1652. Roger Newton, the first pastor, was the son-in-law of Hartford founder Thomas Hooker, and was succeeded by Hooker's son, Samuel. Among First Church's pastors was Noah Porter, who began America's first foreign missionary society in the parlor of his home. He was also the father of Sarah Porter, founder of Miss Porter's School, and Noah Porter, Jr., president of Yale University.

The present church, the third, originally known as the Meeting House, was built in 1771, designed by Judah Woodruff. The slender steeple on top of the bell tower can be seen for miles. The church is cited as an "excellent example of its architectural style and period."

The church began the first "Sabbath School" in the 1700s for the local Tunxis Indians, to teach them Christianity. It was a hub of the Underground Railroad, and became involved in the celebrated case of the African slaves who revolted on the Spanish vessel La Amistad. When the Africans who had participated in the revolt were released in 1841, they came to Farmington, and stayed with Austin Williams before their return to Africa. While staying in Farmington, they attended this church. The Amistad case was important for the abolitionist cause and significant in the history of slavery in the United States. See Figure 16 below.

#### Contact:

First Church of Christ, Congregational, 1652  
75 Main Street  
Farmington, CT 06032  
Phone: 860-677-2601  
firstchurchfarmington@firstchurch1652.org

*{map omitted}*

Figure 15: Hill-Stead NHL (NRIS##91002056) and the Proposed NED Pipeline

*{map omitted}*

Figure 16: CT NHLs within 2.5 miles of the Proposed NED Pipeline

### **Connecticut NHLs 2.5 - 5 Miles of the NED Route**

- Old Newgate Prison (NRIS#70000839)
- A. Everett Austin House (NRIS# 94001189)
- Mark Twain House (NRIS# 66000884)
- Harriet Beecher Stowe House (NRIS #70000710)

### **National Natural Landmarks**

The National Natural Landmarks (NNL) Program recognizes and encourages the conservation of sites that contain outstanding examples of our country's natural history. It is the only natural areas program of national scope that recognizes the best examples of biological and geological features in both public and private ownership. Sites are designated by the Secretary of the Interior, with landowner concurrence. To-date, nearly 600 sites have received the NNL designation. The National Park Service administers the program, reports on the condition of the NNLs, acts as an advocate for the protection of designated sites, and raises public awareness of our Nation's natural heritage.

Two sites, the Lynnfield Marsh NNL and the Rhododendron Natural Area NNL, are within 2.5 miles of the proposed pipeline and could potentially be impacted should the route change. While NPS has an administrative and advocacy role for the NNL program, we are not the land manager for the Marsh or the Natural Area. More information is provided below.

### **Lynnfield Marsh NNL, Essex County, Massachusetts**

Lynnfield Marsh NNL is an inland, fresh-water marsh, dominated by cattail and bisected by the Saugus River. The marsh provides habitat for numerous and rare bird species and affords much opportunity and value for public appreciation. The NNL is privately and municipally owned and located in the towns of Lynnfield and Wakefield, MA. The Conservation Commission officers from each of the two towns are the local contacts for Lynnfield Marsh NNL. See Figure 17 below.

Betty Adelson; Conservation Administrator, Town of Lynnfield  
bettyadelson@town.lynnfield.ma.us; (781) 334-9495  
[http://www.town.lynnfield.ma.us/Pages/LynnfieldMA\\_Conservation/index](http://www.town.lynnfield.ma.us/Pages/LynnfieldMA_Conservation/index)

Rebecca Davis; Conservation Agent, Town of Wakefield  
rdavis@wakefield.ma.us; (781) 224-5015  
<http://www.wakefield.ma.us/conservation-commission>

*{map omitted}*

Figure 17: Lynnfield Marsh NNL and the Proposed NED Pipeline

### **Rhododendron Natural Area NNL, Fitzwilliam, NH**

Rhododendron Natural Area is considered the largest, thriving stand of rhododendron in central and southern New England. The site is located at the northern limit of this species' range, where rhododendron is rare and localized. The Natural Landmark is a 16-acre grove of Rhododendron Maximum, which is the focal point of Rhododendron State Park. See Figure 18 below.

Contact information (managed out of Monadnock State Park):

Elizabeth Klintz; Manager, Monadnock State Park  
424 Rockwood Pond Rd  
Fitzwilliam, NH 03447  
Phone: 603-532-8862  
elizabeth.klintz@dred.state.nh.us

*{map omitted}*

Figure 18: Rhododendron Natural Area NNL and the Proposed NED Pipeline

There are additional NNL sites located within 5 miles, but more than 2.5 miles away from proposed pipeline. They are:

- Hawley Bog, Hawley, MA
- Mount Monadnock, Jaffrey & Dublin, NH
- Mclean Game Refuge Natural Areas, Granby, CT

There are no NNLs within 5 miles of the proposed route in Pennsylvania and New York. Please contact NPS should more information be needed.

### **National Heritage Areas and Corridors**

National Heritage Areas (NHAs) and National Heritage Corridors (NHCs) are places where natural, cultural, historic and recreational resources combine to form a cohesive, nationally distinctive landscape arising from patterns of human activity shaped by geography. NHAs and NHCs may be managed by a State or local agency, a commission, or a private nonprofit corporation. The National Park Service provides technical and financial assistance for a limited time (usually 10-15 years) following designation. We encourage Tennessee

Gas Pipeline to contact the NHA or NHC manager for their input. A list of all National Heritage Areas and Corridors, as well as contact information can be found at <http://www.cr.nps.gov/heritageareas/CNTC/INDEX.HTM>.

The current NED pipeline route passes through the following NHAs and NHCs:

- Erie Canalway NHC
- Hudson River Valley NHA
- Upper Housatonic Valley NHA
- Freedom's Way NHA
- Essex NHA

Each is shown in relation to the NED route. See Figures 19 and 20 below.

### **Erie Canalway NHC**

The U.S. Congress recognized the Erie Canal's significance to our nation by establishing the Erie Canalway National Heritage Corridor in 2000. The Corridor spans 524 miles across the full expanse of upstate New York. It includes the Erie, Cayuga-Seneca, Oswego, and Champlain Canals and their historic alignments. The Corridor encompasses 4,834 square miles in 23 counties and is home to 2.7 million people.

Upstate New York's largest population centers-- Buffalo, Rochester, Syracuse, and the state capital Albany—all grew up along the canal and are within the Canalway Corridor today

Contact:

Bob Radliff, Executive Director  
Erie Canalway National Heritage Corridor  
P.O. Box 219  
Waterford, NY 12188  
Phone: (518) 237-7000 x203  
Erie\_canal@nps.gov

### **Hudson River Valley NHA**

Congress designated the Hudson River Valley National Heritage Area in Title IX of Public Law 104-333 (1996), as amended by Section 324 of Public Law 105-83 (1997). The purpose of the Hudson River Valley National Heritage Area Act of 1996 is to:

- Recognize the importance of the history and the resources of the Hudson River Valley to the nation.
- Assist the State of New York and the communities of the Hudson River Valley in preserving, protecting, and interpreting these resources for the benefit of the nation.
- Authorize federal financial and technical assistance to serve these purposes.

In its 1996 review of regional resources and history, the National Park Service declared the Hudson River Valley "the landscape that defined America." Its political importance was demonstrated early in the nation's history when the river played a critical role in the Revolutionary War. For George Washington, the Hudson Highlands were the key to stopping the British advance. With possession of the valley, the British could have separated the southern and northern colonies, potentially changing the course of American history.

Almost a century later, the valley was an important destination along the Underground Railroad, offering hope for slaves as they sought freedom in the north. In 1860, in one of the fiercest moments in the anti-slavery movement, Harriet Tubman incited a riot in Troy to protect the escaped slave Charles Nalle.

The many streams and waterfalls of the tributaries of the Hudson River powered early sawmills and gristmills. The river was the site of the first successful steamboat innovations, beginning with Robert Fulton's Clermont (1807). The Hudson's largest tributary, the Mohawk River, formed the spine for the Erie Canal (opened in 1825), connecting New York City to the west. Beginning in the mid-19th century, the railroads

dominated transportation in the valley. The Erie Canal and the railroads made New York into the Empire State.

The Hudson's influence extended from commerce to culture. The river and its landscapes inspired the first American school of art in the 19th century, the Hudson River Painters.

Contact:

Mark Castiglione, Acting Director  
Hudson River Valley National Heritage Area  
625 Broadway - 4th Floor  
Albany, NY 12207  
Phone: 518-473-3835  
Fax: 518-473-4518  
hrvg@hudsongreenway.ny.gov

### **Upper Housatonic Valley NHA**

The Upper Housatonic Valley National Heritage Area's operational goal is to provide a management framework to foster a close working relationship with all levels of government, the private sector, and the local communities in the upper Housatonic Valley region to conserve the region's heritage while continuing to pursue compatible economic opportunities.

The heritage area is the watershed of the upper Housatonic River, extending 60 miles from Kent, CT, to Lanesboro, MA. The heritage area footprint was originally proposed to comprise 848 square miles, including eight towns in Connecticut and eighteen in Massachusetts. Three more communities were later included (Becket & Hinsdale, MA and Colebrook, CT), adding 116 square miles for a new total of 964 square miles. The Berkshire (MA) and Litchfield Hills (CT) that surround the watershed have helped shape a distinct regional culture and have provided natural borders for the heritage area.

Contact:

Dan Bolognani  
Executive Director  
Upper Housatonic Valley National Heritage Area  
24 Main Street  
PO Box 493  
Salisbury, CT 06068  
Phone 860-435-9505  
Fax 860-435-6662  
info@HousatonicHeritage.org

### **Freedom's Way NHA**

Encompassing 45 communities in North Central Massachusetts and Southern New Hampshire, Freedom's Way National Heritage Area (FWNHA) was established by Congress in 2009 to foster a close working relationship between local and regional partners, governmental agencies and the private sector to preserve the special historic identity of the region.

Roughly triangular in shape, Freedom's Way National Heritage Area is a large landscape encompassing 994 square miles (636,160 acres) in area and extending almost 55 miles from metropolitan Boston to its north-west boundary. While its central core is predominately rural in character, the heritage area includes urban and suburban communities with a pattern of land use that becomes predominately less dense as one travels from east to west.

Reflective of its scale, Freedom's Way National Heritage Area is home to a richly textured mosaic of historic, natural and cultural features and sites that reveal the region's story and its role in the shaping of an American identity. Shaped by rivers and their associated valleys and wetlands, Freedom's Way is a landscape of subtle beauty that has inspired consecutive generations of writers, philosophers, visionaries and

experimenters.

Contact:

Freedom's Way Heritage Association  
94 Jackson Road, Suite 311  
Devens, MA 01434  
978-772-3654  
mail@freedomsway.org

**Essex NHA**

In 1996, the United States Congress recognized the national significance of the historic 500 square mile region north of Boston, Massachusetts, by establishing the Essex National Heritage Area. The Area is home to:

- 9,968 historic structures listed on the National Register of Historic Places
- 400 historic farms
- 86 significant museums
- 26 important National Historic Landmarks,
- 9 scenic State Parks
- 2 notable National Park units
- 1 large National Wildlife Refuge

Collectively, these resources define a remarkable region where the present economy and quality of life are intertwined with its heritage.

Contact Information:

Annie C. Harris, Chief Executive Officer  
Essex National Heritage Commission  
221 Essex Street, Salem MA 01970  
Phone: 978-740-0444  
Fax: 978-744-6473

*{map omitted}*

Figure 19: Erie Canalway NHC, Hudson River Valley NHA, Upper Housatonic NHA and the Proposed NED Pipeline

*{map omitted}*

Figure 20: Freedom's Way NHA, Essex NHA and the Proposed NED Pipeline We appreciate efforts to consider and address NPS concerns regarding the proposed pipeline. While this letter addresses a large number of NPS units and program lands, it is important to note that this list might not be complete, and it is the applicant's responsibility to verify the information and ensure that all resources are taken into account. Thank you for the opportunity to provide comments. If you have any questions or need additional information, please contact Mary Krueger, Energy Specialist for the Northeast Region at Mary\_C\_Krueger@nps.gov or 617-223-5066.

Sincerely,

James Comiskey  
Acting Associate Regional Director  
Resource Stewardship and Science  
Northeast Region

*{end of 20150831-5358}*

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1 NRIS numbers refer to the specific National Register listing for each property

2 From the Danvers Historical Society description.

Dakota Zantay, Averill Park, NY.

After the PA and NY scoping meetings for the NED Pipeline, and 4 days before the NH and MA scoping meetings, Kinder Morgan dropped a brand new 6,571 page set of Resource Reports for a different size project, making comments from PA and NY irrelevant and leaving no one time to evaluate them. This renders the current scoping period null and void. Please issue a new notice of intent, schedule new scoping meetings, and allow a new full 60-day comment period. Please don't disregard the comments that were made before just because new Resource Reports were released.

I live on Burden Lake in Averill Park, NY. I am more than concerned about the effects of the 40,000 (scalable to 90,000) hp compressor station, slated to be built on Clark's Chapel Road in Nassau, NY. This compressor station would be less than 3,000 feet away from Burden Lake, a beautiful NY State treasure. I have spent my life on this lake, and have always used it as a place to escape and find peace. It is home to American bald eagles, this country's national bird and symbol of freedom. I find it disturbing that we are going to ruin a place of refuge for not only them, but also all the other species, including humans, who thrive on this lake. Those of us lucky enough to live on or near the lake, consider the birds, fish, Peregrine falcons, turtles, and landscape, our friends.

I implore you to further research the health effects that will take place if this pipeline and compressor station come to fruition. Not only will people's lives be medically ruined due to the emission of toxic gases, but the mental effects will be horrible as well. The noise and light pollution alone will disrupt circadian rhythm. This will cause obesity, depression, and mental instability. Sitting out on the lake at night will be a thing of the past. Who will want to listen to the equivalent of a freight train constantly passing? The bright lights of a football stadium will impede stargazing. The nature tranquility of the lake will cease to exist. Even more importantly, the emission of toxic gasses such as radon, formaldehyde, and benzene, will cause fatal health risks to children, wildlife, and the rural and beautiful landscape of the Capital District. NY's capital will be destroyed. People will suffer from a long list of health effects, including but not limited to, respiratory ailments, cancers, and kidney disorders. I implore you to look at Kinder Morgan and TN Gas Pipeline's safety record before giving approval to this project. In 2011, PHMSA cited Kinder Morgan for these safety violations:

- Failing to maintain/update maps showing pipeline locations,
- Failing to test pipeline safety devices
- Failing to maintain proper firefighting equipment,
- Failing to inspect its pipelines as required, and
- Failing to adequately monitor pipes' corrosion levels.

How can Kinder Morgan be sure that ground water and air will not be contaminated? If it is, what is their plan for cleaning it up? How is it that we already know the horrible water and air effects pipelines and compression stations have in places such as Pennsylvania, yet you continue to let this happen? How can the public, and FERC, trust a company who has this type of track record? It is not a question of if the pipeline or compressor station will leak or have an accident, it is when.

The pipeline being placed on Logan's Fault Line could trigger not only an earthquake, but also a leak that would affect Kinderhook Creek, contaminating the vicinity and Albany, Rensselaer, Columbia, and Greene counties. The Environmental Impact Statement should include how these habitats, creeks, and fault lines, will be avoided by the pipeline and compressor stations. This compressor station would lie extremely close to the Dewey Loeffel Landfill Site, which is a superfund site. Residents living near Dewey Loeffel have reported contaminated groundwater directly resulting from the superfund site. Dewey Loeffel Landfill has rendered Nassau Lake unfit for swimming. If Burden Lake should become contaminated, two lakes in the same town will be toxic.

Members of the Federal Energy Regulatory Commission, I ask that you take a true and extensive look at all the impacts this pipeline and compressor station will have before approving this project. I ask that you do

an all inclusive cost benefit analysis of this pipeline and compressor stations. I ask that you take the time to study potential impacts to wildlife, economics, and rural character. I ask that an archeological dig is done before this project goes forward of the former Totem Lodge site. This site should be a historical site, as it was once home to a beautiful resort and casino, and has prehistoric remains there. Totem Lodge represents the heritage of Burden Lake and Rensselaer County. It's very character and DNA.

Is this project going to truly serve the public good? Please extend the scoping comment period since Kinder Morgan's new Resource Reports have been filed. I implore you to reconsider this site as a potential location for a compressor station and pipeline, and to consider a "no action" alternative. You will be devastating this area in terms of not only tourism and commerce, but many families and generations who have personal history in the area, adding to the area's natural rich national history. My family will no longer be present in the Capital District. This will upheave many lives, at least the ones lucky enough to be able to sell their homes in time, which will be deemed unlivable if this pipeline and compressor station comes to light. How can Cuomo ban fracking in the state of NY but allow the transportation and infrastructure to still pass through his state? If fracking is dangerous enough to ban, then why are we not taking steps to further ban it? If there is so much opposition, and obvious detrimental effects, how could FERC possibly approve this? Please think of the people and the environment with your decision.

**20150831-5370**

Martha Klein, Norfolk, CT.

Dear Secretary Bose,

I am writing in reference to Docket number PF14-22, Kinder Morgan's Northeast Energy Direct (NED) project. Please consider the following issues in the environmental impact statement.

First, NED will vastly increase the amount of methane being released into the environment. Pipelines leak at a rate of nearly 3%, a rate reported by scientists in peer reviewed journals. Other emissions of methane into the environment are intentional, such as venting, which occurs at compressor stations and other pipeline facilities, such as pigging stations. Methane gas, commonly called "natural" gas, is known to be 100 times worse than carbon dioxide at causing climate disruption over 10 to 20 years. As a result, increased use and transport of methane gas will be equally or more destructive to the climate compared to coal or oil. Earlier this month, the EPA called for reductions in methane emissions of up to 45% over the next 10 years. NED will make these reductions impossible, and will continue to cause worsening climate change. FERC should require that the NED project not destroy our climate with methane emissions.

Second, FERC must insure that the populace in Connecticut and the region are not at risk from exploding pipelines. According to data from the Pipeline and Hazardous Materials Safety Administration, US Department of Transportation, on average, hazardous fuels in the US leak at a rate of 200 barrels PER DAY. These spills have grown in severity and occurrence, due largely to the flammable and corrosive fuels being carried in pipelines. Shale gas is such a fuel; fracking has allowed previously unrecoverable fuels to be obtained and transported, and these fuels are more dangerous than traditionally drilled fossil fuels. Exploding pipelines with releases of flammable gas, and the attending toxic chemicals, including NORMS that occur in fracked gas, will have negative impacts on the public's health. Pipeline incidents since 1986 have caused thousands of injuries, hundreds of deaths, and cost billions of dollars in damages. It is FERC's duty to insure that these potential deaths and injuries from exploding pipelines don't happen.

Third, FERC must insure that the NED construction and operation will not have a detrimental effect on the drinking water for residents of the Hartford area. The Hartford Metropolitan District has already written to FERC about its concerns that the NED project poses potential contamination hazards to the drinking water for consumers served by the Metropolitan District.

Fourth, FERC should measure the environmental harm from Kinder Morgan's two projects which are on the identical pipeline route. FERC must admit that these two projects, CT Expansion and NED, have cumula-

tive environmental damages, although FERC chose for the benefit of industry, to allow Kinder Morgan to apply for these two connected projects separately. FERC has been found guilty of illegal segmentation in the recent past, and should consider that in its future environmental studies.

Finally, consider that the environmental and climate destruction that NED creates is unnecessary. The extra power that this bloated project will carry is not needed in this region, and in Connecticut, electric distribution companies are scrambling to find new gas customers to justify all the extra methane coming into our state. With efficiencies like sealing pipelines, and with the continued rapid rate of new solar and wind power installation, no new pipelines are needed.

Sincerely,

Martha Klein  
Norfolk, CT

**20150831-5389**

### **RIVERKEEPER**

NY's clean water advocate

August 31, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

Re: Docket No. PF14-22-000: Notice Of Intent To Prepare An Environmental Impact Statement For The Planned Northeast Energy Direct Project, Request For Comments On Environmental Issues, And Notice Of Public Scoping Meetings

Dear Secretary Bose,

Thank you for accepting and considering comments on the above referenced scoping notice. While Tennessee Gas Pipeline Company's Northeast Energy Direct Project will cross hundreds of miles - and presumably a great many rivers, streams and wetlands - Riverkeeper's mission is to protect the environmental, recreational and commercial integrity of the Hudson River and its tributaries, and safeguard the drinking water of nine million New York City and Hudson Valley residents. Consequently, while our comments may be more generally applicable, these scoping comments apply to how the Pipeline, if constructed, would cross the Hudson River.

Riverkeeper is a member-supported watchdog organization dedicated to defending the Hudson River and its tributaries and protecting the drinking water supply of nine million New York City and Hudson Valley residents. The Hudson River is a globally significant estuarine ecosystem that is home to hundreds of plant, animal and fish species, including endangered Atlantic and shortnose sturgeon.' Riverkeeper litigates, advocates, and educates the public on environmental issues affecting the Hudson River, including gas extraction and related infrastructure.

FERC must scope the Draft Environmental Impact Statement so as to comprehensively assess any reasonably foreseeable impacts from the construction and operation of the Northeast Direct Pipeline. FERC must fully assess pipeline route alternatives and mitigation measures to address unavoidable impacts. The Impact Statement must include a detailed description of what types of land will be disturbed, how much and for how long, as well as mitigation measures to minimize or offset such impacts. Unless Tennessee Gas carefully analyzes these impacts, and the pluses and minuses of various realistic alternatives, it will not do everything necessary to reduce or eliminate impacts on the human environment.

While Tennessee Gas will presumably use Horizontal Directional Drilling to cross the River and therefore avoid disturbance to the river bottom sediment and biota, it is critical that FERC carefully assess the potential impacts to shoreline areas that will be disturbed in order to drill and place the pipeline under the Hud-

son. The Impact Statement should assess all potential impacts and available mitigation measures that could be utilized to offset land and river impacts that may result at any potential crossing locations. The Scoping Document lacks specific information about where and how the applicant proposes to cross the Hudson River. If the Applicant does not submit more specific information on the preferred route before completing the draft Impact Statement, FERC should supplement the draft Impact Statement with more detailed information when it becomes available.

The Impact Statement must assess the impacts of accidents or spills that could occur during the drilling process, including to those involving drilling fluids such as bentonite clay. The Applicant must minimize the risk that drilling fluids could spill, releasing bentonite clay or other drilling fluids into the Hudson or other stream crossings to the maximum extent practicable. The Impact Statement should assess whether real-time monitoring Horizontal Directional Drilling operation and water quality in the vicinity of the drilling would ensure that any loss of drilling fluid into the environment would be quickly discovered and stopped. The Impact Statement should analyze how discharged drilling fluids could impact wetlands, streams and the Hudson River over multiple timeframes, and fully describe what remediation and cleanup methods would be necessary to remediate such spills.

The Impact Statement should include the same type of assessment for all Horizontal Directional Drilling stream crossings - not just the Hudson River crossing.

In areas where trenchless crossing using Horizontal Directional Drilling is infeasible, the Impact Statement should include an assessment of the impacts of an open trench crossing. These could include impacts on water quality, stream flow, benthic habitat, and disturbance of benthic, invertebrate and fish species in the disturbed area of the stream. In areas where open trench crossings are contemplated, either in the preferred or alternative routes, the Impact Statement should include a detailed discussion of best management practices required to minimize impacts, including monitoring water quality during construction and ensuring that the streambed is restored to its original, pre-construction condition after the crossing is complete. Temporary stream diversions that utilize gravel or other hard substrate to ensure stream flow must be fully replaced or remediated to eliminate any permanent alteration of streambeds.

### **Storm water Runoff**

The Impact Statement must evaluate both impacts from increased stormwater runoff due to construction activities and long-term changes in surface drainage patterns.

When construction activities remove vegetation and expose soils, forest canopies no longer intercept stormwater and root systems no longer hold soils in place. Stormwater runoff from construction sites may carry pollutants - such as debris, oil and other contaminants from equipment, and any herbicides used for vegetation clearing or ROW maintenance - from the project site to downstream wetlands, streams, and other waterbodies. Construction site runoff can also erode exposed soils and transport sediment to receiving waters. Long-term changes in hydrology and surface drainage patterns may also result from construction activities, particularly in areas, such as steep slopes, where changes in ground cover and topography can increase stormwater runoff, reduce the ability of natural systems to filter pollutants, and permanently alter drainage patterns.

The evaluation of stormwater impacts must include a Stormwater Pollution Prevention Plan, prepared in accordance with New York State Department of Environmental Conservation requirements. Tennessee Gas should submit a Stormwater Pollution Prevention Plan as early in the environmental review process as possible to allow for thorough review and comment. A Stormwater Pollution Prevention Plan is an important tool for mitigating any adverse impacts from stormwater runoff, and is necessary to fully understand the project's potential for significant impacts on water resources. The Impact Statement should also include a description of how construction will be phased to coordinate with control measures contained in the Stormwater Pollution Prevention Plan.

### **Wetlands and Buffer Areas**

According to the Environmental Protection Agency, “Wetlands are part of the foundation of our nation’s water resources and are vital to the health of waterways and communities that are downstream. Wetlands feed downstream waters, trap floodwaters, recharge groundwater supplies, remove pollution, and provide fish and wildlife habitat. Wetlands are also economic drivers because of their key role in fishing, hunting, agriculture and recreation.” Given how important wetlands are to the human environment, FERC must assure that Tennessee Gas treats wetlands with as much care and provide as much protection as it does to major river crossings.

The Impact Statement must comprehensively evaluate likely impacts to wetlands and the associated 100-foot buffer areas as part of its consideration of impacts to water resources. The Impact Statement should exhaustively delineate all federal, state, and locally regulated wetlands and buffers; completely analyze wetland functions; and evaluate Horizontal Directional Drilling or other trenchless methods for each wetland crossing proposed.

Wetlands perform a number of important functions, including serving as water storage resources that absorb and retain flood and storm waters to reduce erosion and prevent downstream flooding. This storage capacity allows for the recharge of surface waters, ground waters, and aquifers that may feed local drinking water supplies.

Any analysis of wetlands impacts must include impacts to associated 100-foot buffer areas. Wetland buffers are important transitional areas that intercept stormwater from upland habitat before it reaches wetlands or other aquatic habitat. Wetland buffers reduce thermal impacts, increase nutrient uptake, allow stormwater infiltration, reduce erosion, and restore and maintain the chemical, physical, and biological integrity of water resources. Damage to wetland buffer areas can significantly impair and degrade wetland functions.

In order to identify and evaluate all likely impacts to wetlands and buffer areas, the Impact Statement must completely delineate all wetlands and 100-foot buffer areas potentially impacted by the project. It should include those wetlands and buffer areas regulated at the federal, state, and local level.

In New York, many municipalities have local wetland ordinances that provide for protection of wetlands and buffer areas. The Impact Statement should carefully analyze the project’s effect on wetland functions and mitigation plans on all wetlands and buffer areas. The Impact Statement should evaluate the hydrology, vegetation, fish, wildlife and soils present. The Impact Statement should also include a comprehensive wetland mitigation plan.’

Finally, the Impact Statement must evaluate trench less crossing methods for each wetland crossing. The Statement should analyze alternate routes that might avoid the specific wetland crossing, the feasibility of using trenchless methods, and the environmental impacts likely to result from the use of trenchless versus trench crossing methods for each specific crossing proposed. The Statement should analyze any additional temporary workspace necessary outside the existing ROW, discuss the impacts likely to result from any clearing or other disturbance outside the ROW, and balance these impacts against the likely impacts of using trench-crossing methods. Trenchless crossing should be utilized under the buffer area as well as within the wetland itself, and all workspace should remain outside the 100-foot wetland buffer area.

### **Hydrostatic Testing**

The Impact Statement must evaluate in detail the amount of water to be used, methods and rates of withdrawal, planned use of any additives, and specific withdrawal and discharge locations for all water to be used to hydrostatically test the pipeline prior to service. Depending on project specifics, hydrostatic testing can consume millions of gallons of water.”

Tennessee Gas must provide specific, detailed information on how it plans to use water for hydrostatic testing. It should disclose the amount of water it plans to use, its methods and its rates of withdrawal. If Tennessee plans to withdraw water from surface waters, the Impact Statement must evaluate likely impacts to fish and other organisms. If it plans to draw water from municipal sources, the Impact Statement must assess potential adverse impacts on local supplies. The Applicant must also be required to state whether it plans to

use additives, and, if so, detail the adverse environmental impacts likely to result from the discharge of additivelaced testing water.

It is also important for the Impact Statement to identify exactly where water will be withdrawn and where it will be discharged. Simply listing a waterbody or general area is not sufficient, as different waterbody sections may be more or less sensitive than others, or may support ecosystems or uses that are incompatible with large-scale water withdrawals. The identification of specific discharge locations is also critical, particularly if testing water is to be discharged into surface waters from which it was not withdrawn, and/or has been contaminated with harmful additives.

### **Cumulative Impacts**

Pursuant to the National Environmental Policy Act, 42 U.S.c. §§ 4231 et. seq., an Impact Statement must include an evaluation of cumulative impacts,” defined as:

“[T]he impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (federal or non-federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.”

40 C.F.R. § 1508.7.

As such, the cumulative impacts analysis in the Impact Statement must identify and assess the project’s environmental impacts as a whole, including pipeline take up and relay, new pipeline installation, upgrade of existing compressor stations, upgrade of existing and construction of new metering and regulating stations, and system operation once construction is complete. Importantly, the Impact Statement must come to terms with the recent determination that current tests and models may vastly underestimate methane leaks. The Impact Statement should include cumulative impacts within all categories of likely environmental impacts identified in the Impact Statement.

The Impact Statement must also identify and evaluate the incremental effects of the project in combination with “other past, present, and reasonably foreseeable future actions.” This evaluation must include more than a mere recitation of neighboring actions; it must evaluate how these projects work together to affect the human environment.

Tennessee Gas and FERC must realize and understand that just because this projects and others may comply with all applicable regulations does not mean these projects - alone or togetherpose no significant or incrementally significant impact. The incremental effects of other actions in combination with the AIM Project must be fully identified and assessed in the Impact Statement.

Finally, the Impact Statement should include a consideration of the impacts associated with increased industrial gas extraction activities that will be facilitated by the AIM Project, which will considerably expand natural gas delivery capacity - and therefore increase demand for gas extraction - in the Northeast region.

Thank you for the opportunity to comment on these important issues.

Sincerely,

Chris Len Director  
Hudson River Program

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1 The Hudson River Estuary Program at the New York State Department of Environmental Conservation (NYSDEC) leads state efforts to restore and protect the Hudson Estuary. Its website contains a thorough overview of the Hudson River Estuary’s ecological significance and history, accessible at: <http://www.dec.ny.gov/lands/25564.html>. Information on Atlantic Sturgeon can be found here, <http://www.dec.ny.gov/animals/37121.html>. and information on shortnose sturgeon here, <http://www.dec.ny.gov/animals/26012.html>.

2 United States Environmental Protection Agency (USEPA), Stormwater Discharges from Construction Activities, available at: <http://cfpub.epa.gov/npdes/stormwater/const.cfm>.

3 USEPA, Construction Site Management Measure III. Construction Activities, available at: <http://water.epa.gov/polwaste/nps/>

czara/ch4-3a.cfm .

- 4 NYSDEC State Pollutant Discharge Elimination System General Permit (GP-0-10-001) for Stormwater Discharges Associated with Construction Activity (Stormwater General Permit), or individual permit, if required; New York State Stormwater Management Design Manual (Aug. 2010).
- 5 Absent special authorization and compliance with additional conditions, construction activities must be phased to avoid disturbance of greater than 5 acres of soil at anyone time. See Stormwater General Permit at Part 11.C.3.
- 6 <http://water.epa.gov/type/wetlands/>
- 7 The need for preparation and submission of a wetland mitigation plan is supported by FERC regulations, which require a discussion of proposed mitigation measures, and the Commission's Wetland and Waterbody Procedures, which call for the development of a "project-specific wetland restoration plan." See 18 C.F.R. § 380.12(d)(8); FERC Wetland and Waterbody Construction and Mitigation Procedures (May 2013), at 17.
- 8 Interstate Natural Gas Association of America, Hydrostatic Testing, available at: <http://www.ingaa.org/cms/82.aspx>.
- 9 The National Environmental Policy Act requires an analysis of "direct effects" and "indirect effects." 40 C.F.R. § 1502.16(a),(b). The term "effects" includes those that are "direct, indirect, or cumulative." Id. § 1508.8.

### **20150831-5392**

Emily Chetkowski, New Ipswich, NH.

To once again emphasize the seriousness of locating a 40,000hp fracked gas compressor near Villi Poni Farm, Newfoundland Pony Preserve, in New Ipswich, NH, I am including a link to a televised Documentary in which our ponies and myself appear because it covers an event in which I figured prominently. This Documentary, called "Where Once They Mattered, Saving the Newfoundland Pony" is the true story of a coast to coast herd rescue of 20 critically endangered Newfoundland Ponies. The documentary says it all and is receiving wide acclaim. The risk our herd's existence by plunking down a toxin spewing abomination anywhere near the sanctuary is simply unconscionable! The risk of our very rare native species ponies to illness, sterilization, infertility and death is great and proven. We also harbor one very rare bloodline here, almost completely.

In the event of an emergency, it is simply impossible to evacuate an entire herd quickly.

As you will see in this documentary, moving a herd takes months of planning and much money, even as urgent as that rescue situation was. I know all too well, as you will see from watching it; that effort became the main focus of my every waking moment for almost a year.

You will also see how important the Newfoundland Pony is to very many people across this continent and beyond. Genetic material is NOT recoverable. Once it is lost, it is lost forever. Kinder Morgan could very well be the straw that breaks the pony's back. Kinder Morgan's negligence could very well cause it's utter extinction.

I would like to also mention the damage that we would suffer to our charity, our mission, and our financial ruination the negative impact of such an environmental monster being located here would have.

We can't stay, yet we can't leave.

This project is nothing short of negligent genocide, in the truest sense of the word.

The Vimeo LINK is: <http://tinyurl.com/pm7btjx>

Then you must use this PASSWORD: wotmguest15&

Emily Chetkowski, President, Villi Poni Farm, New Ipswich, NH. [www.villiponifarm.org](http://www.villiponifarm.org)

### **20150831-5393**

Elizabeth Bennett, Deerfield, MA.

Docket Number PF14-22-000, Northeast Energy Direct Project

Federal Energy Regulatory Commission

888 First Street, NE

Washington, DC 20426

Dear Federal Energy Regulatory Commission:

I am writing to express my extreme concern regarding the proposed Northeast Energy Direct (NED) pipeline project currently being reviewed for approval by the Federal Energy Regulatory Commission (FERC) for the applicant, Tennessee Gas Pipeline Company, LLC (TGP). The pipeline being proposed will potentially cut through my property. I am deeply concerned regarding the adverse effects that this pipeline could have on my property and the greater surrounding community as a whole.

My property is terraced and on a steep hillside, and is already prone to erosion. From my understanding the TGP is seeking to put the NED through a portion of my land that is densely wooded. This wooded area of my property is crucial in protecting my property from erosion from water and wind. If the pipeline were to cut through my property we would be forced to maintain the area with low growing grasses that would do little to keep the property from further eroding.

Across the street from my property is a wetland which is bordered by preserved farmland. This wetland, which the pipeline would cut through, protects my property and the property of others from flooding from the Deerfield River. As recently as August 2011 hurricane Irene resulted in extreme flooding in my area and much of the northeast. My property on the hillside became an island, as water rose above the road in front of my home, trapping us there. However, we sustained no damage to our property, which is owed to the fact that the wetland in front absorbed a large portion of the flood waters. I am very concerned about the potential destruction of this wetland by the proposed pipeline.

As I explained above, the Deerfield River is nearby and the pipeline is proposed to cut across it. In addition, the eastern portion of my town, Deerfield, MA, is bordered by the Connecticut River and is also slated to be crossed by the pipeline. These rivers are valuable resources to my community and the state for recreation and commerce. There are numerous hydroelectric dams along the Deerfield River operating to produce valuable, renewable hydroelectric power. This goes for the Connecticut River as well. The Connecticut River has only recently been cleaned up from years of environmental degradation and now could face a new onslaught of pollution if this pipeline were to fail underneath it.

There seems to be no legislation that protects my rights as a landowner. The pipeline running through my property would devalue it and there is nothing that mandates that this company provide me compensation for the devaluation. The magnificent views that are afforded from my property would be ruined in part by the destruction of the forested area bordering that this pipeline would destroy. The easement from this pipeline would lower the value of my home as a portion of the property would become unusable. And despite the devaluation to the property we would still be responsible for the taxes on the property.

The NED cutting through my land would put my family in danger of any accidents to the pipeline that could occur. These accidents do happen... January 2015, Brandon, MS a pipeline explosion burned six acres of land and created a large crater; April 2015 Borger, TX a Kinder Morgan gas pipeline exploded leading to the evacuation of nearby homes; August 2015 Falfurrias, TX another Kinder Morgan pipeline ruptured; March, 2014 Plymouth, WA a pipeline operated by Williams Companies exploded leading to the evacuation of 1,000 residents; February 2013 Knifly, KY a Columbia Gulf Transmission pipeline exploded, destroying two homes.... this list could go on and on. Not only is my town not prepared to respond to the type of disaster that a pipeline explosion could cause, but the presence of a pipeline on my property could render it uninsurable.

I am deeply concerned that there has not been time for a thorough, independent review of the need for this pipeline. I strongly encourage the FERC to delay their review process until the study currently being undertaken by Massachusetts State Atty. General Maura Healey can be completed.

Thank you for taking the time to review my correspondence, and for recently sending your officials to my community to take public comments in person. Please consider my concerns, the concerns of others in my community, and the concerns of the energy and environmental experts that have been working to get this country on the right track towards renewable, clean energy sources when making your decision whether to

approve the NED project.

Sincerely,

Elizabeth and David Bennett

**20150831-5397**

Loren Brown, Nassau, NY.

Dear Council of FERC,

One more Docket PF14-22-000 e-comment in the time remaining.

My research has taught me that the profitable gas to be fracked is estimated to last until around 2020. The trend has been towards overestimating well productivity, which invites shareholder optimism, creating economic bubbles, which, when they burst because of inaccurate estimates of profitability, leave shareholders to swallow the loss.

Fracking is among the most expensive, most environmentally dangerous, and most ephemeral, non-sustainable sources of energy. Wells cost millions to establish, and once the well's ground zero is quickly depleted, the outlying gas is extracted in exponentially decreasing amounts, requiring the drilling of more expensive wells.

It seems to be a high stakes game in investing millions upon millions in infrastructure, both wells and pipelines, for quickly diminishing returns.

So, we are really talking about how to manage a timeline, a short and dramatic one affecting many people's lives and the biological well-being of many ecosystems.

In the mean time, we have every incentive, and possible momentum, to transition to green renewable energy. A very dynamic time indeed.

So, the Kinder Morgan NED Pipeline is slated to begin construction in 2018, only two years before fracking's natural and profitable anticipated end. Perhaps by that time, many more unforgivable pipeline accidents would have occurred, making for such a powerful public outcry that any governor/government agency with veto power in such matters would be obliged to use this power to stop construction of the pipeline, which would discredit agencies who failed to do so earlier in this timeline.

In short, approval of this or any other pipeline through NYS is simply inadvisable in lieu of economic, environmental, and rights to self-governance considerations. This will become so apparent, that opposition to said approval will result in yet more time delays and costs to the Kinder Morgan, and everyone's energy will be spilled in fighting rather than redirected towards a future of innovative new energy technologies, which may arrive just soon enough, or when it is already too late.

My pet theory is that there should be federal legislation to empower those companies bound by the inertia of such industries as fracking to transition to new green technologies. These industrial giants are really our best and quickest means of getting on board with green energy technologies, and could be the best motivated, if our federal government would assist in both the motivation and the transition with the necessary assistance and mandates. Just makes all the sense in the world to me, but is probably out of your purview.

Thank you once again for considering these points in your decision.

Sincerely yours,

Loren Brown

151 New Rd

Nassau, NY 12123

Docket PF14-22-000

Lynnette Shanahan, Nassau, NY.

I am writing to you about docket #PF 14-22 concerning the gas pipeline and compressor station.

My name is Lynnette Shanahan and I live in Nassau, NY, at 1236 Nassau Averill Park Road, Nassau, NY 12123. I bought my house just a year and a half ago. Had I known that there was the possibility of a pipeline and compressor station going near this house, I never would have considered buying this house or any other house in the area.

What I thought I was buying was a place I could live for many years because it is in a rural community which is where I want to live. The reason I prefer to live in a rural area is because of less pollution, air and water, noise and light, and for more green space. I have since learned that a large company, Kinder Morgan, wants to take this away from me, my two small children, and the others who live along this pipeline and the compressor station. My house is directly across the street from the location of the proposed compressor station.

I have learned that fracking not only pulls natural gas out of the Earth, but other chemicals with it; carbon monoxide, nitrogen oxide, volatile organic compounds, benzene, toluene, xylene, and formaldehyde; all are dangerous to animal life. The compressor stations need to be vented on a regular basis and will release these dangerous compounds into the air. Pipelines have been known to leak, which also releases these compounds into the air. What starts out in the air, ends up in the ground water. There are several lakes in close proximity to the pipeline and the compressor station. All of these dangerous compounds will end up in the lakes and in our groundwater. We already have strong scientific evidence to support global warming and its detriment to the Earth. Allowing this pipeline will increase global warming and contribute to the worldwide problems that are already occurring.

Building the pipeline and the compressor station requires ground to be cleared. The blasting that will be used to clear some of the land will contaminate the groundwater. The clean, fresh well water that I and my neighbors enjoy will be unfit for drinking. Sure, we can get our groundwater tested, mine is great right now. But, testing the water after a pipeline and compressor station is built is a reactive measure that will only let us know that we have been drinking contaminated water. We can stop drinking the water, but we can't undo the damage already done during time we drank the contaminated water.

The compressor station will be very loud. The quiet of the country that I enjoy so much, will be gone forever. I will hear the loud noise of the compressor station 24 hours a day, 7 days a week, never to stop. When the compressor station is vented, it will sound like a 747 airplane is driving through my house. Humans need silence. I suffer from migraine headaches which are brought on by stress. When I have a migraine, the only thing that allows me to work through the pain, is to be in a quiet and dark place. When my home is not quiet, what am I supposed to do?

The compressor station will be lighted 24 hours a day, 7 days a week, never to stop. I will no longer be able to see the stars at night; my sleep will be disturbed, because of the light pollution. Humans also need darkness so that their body stays on cycle. People who live in urban areas have a higher rate of sleep problems due in part to light pollution.

This pollution will go on day after day, year after year, unless there is an explosion. Then I will not have to be concerned with the pollution, because I will be dead. A 90,000 horsepower compression station, pumping fracked gas through a 30 in pipe – any explosion, will be tragic for any living creature around.

I learned that the safety standards are less in rural areas. Kinder Morgan is allowed to use the thinnest pipe in rural areas because the population density is not high. I guess rural human lives are not as valued as urban or suburban human lives. I have a hard time explaining that one to my children.

We are learning as I write this about the detrimental effects gas pipelines and compressor stations have on animal life. Recent studies show that people living within a two mile radius of a compressor station are 50% more likely to develop heart disease, respiratory disease, and cancer. I take great care to lead a healthy

lifestyle; I eat only organic food, I use natural cleaning products, I exercise, I sleep well. I do not want a big company, who's only interest is to make money, to sabotage the healthy lifestyle I have worked hard to attain. What about the children who live so close? They are even more susceptible to the negative effects of this pollution.

I think that we are losing sight of the delicate balance between what our Earth offers and the lives that depend on this Earth to survive. We are taking too much and the animal and plant lives are the ones that suffer the consequences. Yes, death is inevitable. However, I don't want mine sped up so that Kinder Morgan can make a bunch of money.

Here is my common sense reason for knowing that the pipeline is a very bad idea. If we have to go through all of this to get gas out of the earth, and we know that most will be exported, why is it that we are not saving it for ourselves? If something happens, and our country needs a power source, why are we giving it away now? We should, as a nation, conserve what we have, rather than extract every little bit so we can just ship it off to another country and let a big company make money at the expense of the lives it is going to ruin.

Please take my concerns into consideration. We are on a downward spiral and someone needs to make everyone slow down so that the effects of this can truly be studied and considered.

#### **20150831-5408**

Norman R Rathbun, SR, Hancock, MA.

I am a land owner along proposed route of this gasoline. My family and I are very opposed to have pipeline cross through our property. For many reasons! Damage to land, environment, animals all things that would be destroyed or displaced due to this process proposed to happen across many states. With many of those effected unable to even receive this service. In addition I burn firewood for heat and wood have to cross pipeline in several places to access my own wood on my own land. Not to mention The safety issues in proximity to pipeline and also my house are of great concern. Premiums for insurances are bound to rise. And this will be detrimental to the value of my property and many, many of my neighbors and friends. And again I say with all risks of health and well being to our land and families taken by Us The landowners against our rights, with no benefits whatsoever for this service or anything pertaining to it to our local area.

Norman R Rathbun Sr.

#### **20150831-5411**

Gail LaGoy, Montague, MA.

Comments 1 of 2:

1. Provide corrected maps, and add all additional/available map layers to identify:

- a. Chapter 61 Forestry land
- b. Agricultural land
- c. Conservation lands of any type
- d. Rare and Endangered Priority and Estimated Habitat
- e. All bodies of water, including but not limited to: seasonal streams, streams, brooks, rivers, ponds, lakes, ocean, other.
- f. Watershed areas for all bodies of water, including: seasonal streams, streams, brooks, rivers, ponds, lakes, ocean, other.
- g. Water supply drinking areas – public and private supplies.
- h. Wells
- i. Springs
- j. Interim wellhead areas – public and private supplies

- k. Flood Zones, including 100 year floodplain areas – public and private
  - l. Areas considered to be “bald knobs” with shallow depth soil.
  - m. Soil types
  - n. Other map layers not listed above.
2. Identify all areas with one or more potentials impacts, and assess the environmental, cultural, structural, and financial impacts in the aggregate:
- a. Including, but not limited to:
  - b. Forestry and Agricultural
  - c. Rare and Endangered Priority and Estimated Habitat
  - d. Vernal pools
  - e. Water Supply districts
  - f. Historical and cultural interest
  - g. Planned Open Space
  - h. Tourism areas – including scenic vistas and overlooks
  - i. Conservation land of any type
  - j. Interim wellheads
  - k. Flood Zones
  - l. Watershed
  - m. Wells
  - n. Springs
  - o. Bald knobs with shallow depth soil
  - p. Driveways and roadways – public and private
  - q. Other potential impacts not listed above.
3. Assess the financial impacts:
- a. Loss of tax reduction due to loss on conservation classifications
  - b. Loss of landowner, business, or public entity income (current and future potential, over expected life of owners and heirs) related to:
    - i. Tourism
    - ii. Real Estate Sales, resales, and rentals
    - iii. Forestry and Wood Products
    - iv. Agricultural
    - v. Quarry
    - vi. Metals and Minerals
    - vii. Sand and Gravel
    - viii. Soils
    - ix. Water sources
    - x. Other not listed above
  - c. Loss of or pollution of soils
  - d. Additional costs to landowner, business, or public entity due to limitations presented by pipeline and related structures
  - e. Loss of real and personal property value
  - f. Loss of tax basis to cities, towns, counties, states, other public entities
  - g. Loss of clean energy sector jobs

- h. Damage to buildings, other structures
  - i. Damage to forestry and agricultural land
  - j. Damage to personal property
  - k. Other financial impacts not listed above.
4. Impact of groundwater flow alteration to:
- a. Forestry and Agricultural land
  - b. Conservation land of any type
  - c. Watershed areas for all bodies of water, including: seasonal streams, streams, brooks, rivers, ponds, lakes, other.
  - d. Water supply drinking areas – public and private supplies.
  - e. Interim wellhead areas – public and private supplies
  - f. Flood Zones, including 100 year floodplain areas.
  - g. Wetlands crossings – public and private
  - h. Drainage controls – public and private
  - i. Retention Ponds – public and private
  - j. Reservoirs – public and private
  - k. Swales – public and private
  - l. Driveways, paths, roadways – public and private
  - m. Buildings and other Structures – public and private
  - n. Soils
  - o. Wells
  - p. Springs
5. Impact of air flow and wind pattern alterations to:
- a. Forestry and Agricultural land
  - b. Conservation land of any type
  - c. Driveways, paths, roadways – public and private
  - d. Buildings and other Structures – public and private
  - e. Soils
6. Identification and mapping of all vernal pools in all areas of proposed project:
- a. Impact to vernal pools from proposed project.
  - b. Impact to vernal pool reliant species – animals and plants.
7. Identification and mapping of all habitat and range areas, of all species of animal and plants that are:
- a. Migratory species - all
  - b. Federal Endangered, Threatened, or Species of Concern
  - c. Massachusetts Endangered, Threatened, or Species of Concern
  - d. New Hampshire Threatened, or Species of Concern
  - e. New York Endangered, Threatened, or Species of Concern
8. Impact to all habitat and range areas, of all of all species of animal and plants that are:
- a. Migratory species - all
  - b. Federal Endangered, Threatened, or Species of Concern

- c. Massachusetts Endangered, Threatened, or Species of Concern
  - d. New Hampshire Threatened, or Species of Concern
  - e. New York Endangered, Threatened, or Species of Concern
9. Impact of fragmentation of habitat for:
- a. Migratory species - all
  - b. Federal Endangered, Threatened, or Species of Concern
  - c. Massachusetts Endangered, Threatened, or Species of Concern
  - d. New Hampshire Threatened, or Species of Concern
  - e. New York Endangered, Threatened, or Species of Concern
10. Geological studies should be required to identify potential impacts and alterations to:
- a. Underground water flows
  - b. Aquifers
  - c. Fault lines
  - d. Radon containing rock
  - e. Springs
  - f. Wells
11. Geological studies should be required to identify all areas where blasting will be required.
12. Impact of blasting to:
- a. Underground water flows
  - b. Aquifers
  - c. Fault lines
  - d. Ground water flow
  - e. Radon release into underground water supplies – public and private
  - f. Radon release into structures – public and private
  - g. Radon release into air
  - h. Soil loss
  - i. Soil pollution
  - j. Springs
  - k. Wells
13. Air quality impacts:
- a. Identification of ALL chemicals in the transported gas itself, along with MSDS and health impact information for each chemical
  - b. Identification of ALL chemicals used in the transportation and compression of the gas, along with MSDS and health impact information for each chemical
  - c. Identification of ALL chemicals used in the maintenance of the pipeline, compressors, and other related equipment, along with MSDS and health impact information for each chemical

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